

WHITING FORENSIC HOSPITAL OPERATIONAL PROCEDURE MANUAL

SECTION II:	ORGANIZATION FOCUSED FUNCTIONS
CHAPTER 8:	Management of Human Resources
PROCEDURE 8.27:	Reporting Alleged Violations of Policies, Procedures, Regulations or Work Rules
Governing Body Approval:	April 29, 2018
REVISED:	
REFERENCE:	See also DMHAS Commissioner's Policy 2.26

PURPOSE: This procedure has been established to ensure consistent reporting of incidents, which are alleged violations of DMHAS Policies, Procedures, Regulations or Work Rules

SCOPE: Every employee of the Department of Mental Health and Addiction Services has an obligation to report incidents which are alleged violation of DMHAS Policies, Procedures, Regulations or Work Rules in accordance with this procedure.

Introduction:

Protection from Adverse Actions:

Employees shall be free from any and all restraint, interference, coercion, or reprisal on the part of their associates, supervisors and others in reporting any incident in accordance with this procedure, in giving evidence relative to any incident or in appearing as a witness in any proceeding resulting from action taken by the Department of Mental Health and Addiction Services. Violations of these principles should be brought to the attention of the facility Labor Relations Representative by the aggrieved party, his/her

representative or any affected person. The facility Labor Relations Representative shall notify the Agency Director of Labor Relations and/or the Agency Personnel Administrator 3 for review of the acts and appropriate action.

Definitions:

Involved Person(s) – any and all persons directly and significantly affected by, or involved in, the incident. This may include clients, employees, volunteers, visitors or other members of the general public.

Witness – a person who observed the incident. For the purposes of this procedure, a witness is not an “involved person” as defined above.

MHAS-20 Report – The ALLEGED POLICY/REGULATION/WORK RULE VIOLATION REPORT (hereinafter referred to as the MHAS-20 Report) is a comprehensive report form which collects the following information:

1. Alleged violation;
2. Name of person reporting the alleged violation;
3. Type of violation;
4. Indication of possible affirmative action violation, criminal or client related activity;
5. Location of incident;
6. Description of incident;
7. Names of persons involved;
8. Names of witnesses;
9. Written statement from witnesses and involved person(s);
10. Names of persons notified; and
11. Copies of relevant policies, procedures, regulations and professional standards.

MHAS-20A – The Statement of Witness/Involved Person form is an integral part of the MHAS-20 Report, as identified in No. 11 above.

PROCEDURE:

Reporting alleged violation of DMHAS Policies, Procedures, Regulations or Work Rules:

1. Every employee of the Department of Mental Health and Addiction Services has an obligation to report incidents which are alleged violations of DMHAS Policies, Procedures, Regulations or Work Rules in accordance with this procedure. The reporting obligation arises under the following three (3) conditions:
 - a. when an employee is directly involved in an incident which is an alleged violation;
 - b. when an employee observes an incident which is an alleged violation;
 - c. when an employee is made aware of an incident which is an alleged violation.
2. Failure to report such incidents when an employee has incurred a reporting obligation may result in disciplinary action against that employee.
3. Employee must make an oral report IMMEDIATELY to the employee's supervisor and to the supervisor of the area in which the alleged violation occurred. In the absence of the employee's supervisor or if the employee's supervisor is the individual alleged to have committed the violation, the oral report shall be made immediately to the next available supervisor or manager.
4. Reports of incidents which occur on evening, night or weekend shifts must not be delayed for first-shift or Monday morning processing. Each facility must clearly designate those individuals responsible for report processing in the absence of a regular supervisor or manager. Before the end of the shift the supervisor/manager will complete their respective sections of the MHAS-20 report. The supervisor/manager must obtain a written statement describing the incident on a MHAS-20 report from each involved person and each witness before the end of the shift. Each statement must be signed and dated by the individual who authored it.
5. Any employee who knowingly falsifies the MHAS -20 report or MHAS-20A violates DMHAS General Work Rule #20 and may be subject to disciplinary action.
6. All written statements obtained by the supervisor or manager shall be attached to the MHAS-20 report and the packet must be submitted to the appropriate manager or designee in accordance with the facility's protocol, no later than the end of the shift during which the incident occurred or was reported, or as soon as possible.
7. The report must be completed and processed no later than the day after it was reported.
Please note: In the absence of the employee's immediate supervisor, the supervisor's responsibilities in this reporting procedure will be executed by the department director or manager.
8. The facility designated manager who receives the report must transmit a complete duplicate set of report documents to the Agency Director of Labor Relations or designee within twenty-four (24) hours of receipt of the original. The documents must be faxed to (860) 262-6940. All MHAS-20

reports that concern Public Safety staff must be sent directly to the Chief of Public Safety as the "Designated Manager" who will immediately forward a complete set of report documents to the Agency Director of Labor Relations or designee.

9. The written report shall be made on the MHAS-20 report form, and the MHAS-20A shall be used for statements obtained from witnesses and/or involved persons. The supervisor/manager who received the oral report shall be responsible for completing the MHAS-20 report form, in its entirety, by no later than the end of the shift. Any relevant policies, procedures, regulations and/or standards must be noted on the form.
10. If the incident reported involved possible criminal activity by an employee it must be reported by the supervisor, manager or designee immediately upon his/her receipt of the initial report to the appropriate Agency Police (see contact numbers below). The assigned facility Police Lieutenant or designee will be notified and the Lieutenant or designee will notify the DMHAS Chief and/or the DMHAS Captain. The DMHAS Chief and/or DMHAS Captain shall immediately notify the DMHAS Agency Director of Labor Relations.

Agency Police Contact Numbers: (860) 262-5400 (Ext 5400)

If the incident investigation results support arrest of a staff member the DMHAS Chief or designee will obtain an arrest warrant from the court with jurisdiction over the arrest site.

11. The Agency Police should ALWAYS be notified immediately of the following types of incidents because they may require a criminal investigation:
 - a. physical assaults, including sexual assaults or contacts;
 - b. allegations of physical client abuse;
 - c. complaint of inhumane or cruel treatment of clients;
 - d. allegations of alcohol or drug related activity;
 - e. theft or damage of State property;
 - f. use (or possession) of any type of weapon (e.g., knife, firearm or other instrument used as a weapon to commit an assault);
 - g. client escapes where it is alleged that staff aided or assisted in the escape.
12. In those cases where it is questionable whether an incident may be criminal in nature, the Agency Police should be notified as a precautionary measure.
13. The designated facility Affirmative Action Manager and the DMHAS Director of Affirmative Action should always be notified of the following:

- a. all allegations of affirmative action violations
- b. all allegations of sexual harassment

14. In those cases where violations of this type have allegedly occurred, the designated facility Affirmative Action Manager and/or the DMHAS Director of Affirmative Action will be notified by the supervisor, department head or designee upon his/her receipt of the initial oral report.

15. Original incident report sets will be retained for five (5) years from the date of completion of the investigation. Final disposition of these documents will be made in accordance with guidelines developed by the State Librarian pursuant to C.G.S. Sec. 11-8 and 11-8a.

References:

AC 230 D20, "Investigation of Alleged Violations of DMHAS Policies,
Procedures, Regulations or Work Rules"

AC 110 D4 "Affirmative Action Discrimination Complaint Procedure"

AC 110 D6 "Sexual Harassment Complaints"