CRC COMPLIANCE RESOURCE CENTER

How Effective is Your Compliance Hotline? Steps on How To Improve

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As the Compliance or Privacy Officer, do you feel a bit like the memorable Maytag repairman whose phone never rang because everything was going great? Do you consider that a good sign? A lack of calls is not always a good sign; it could mean just the opposite. You could have minor to serious problems but people are not letting you know. Conversely, too many calls may suggest some serious institutional issues affecting negatively a large segment of the work force. This issue is complicated by the fact that the great majority of calls are not reporting significant problems. Also, in many cases, hotline callers are reporting issues that are within the scope of human resource management's areas of responsibilities. The result is that only a relatively few number of calls relate to significant compliance issues; however, it takes only one significant call to make the whole effort worthwhile.

The burden is on the Compliance and/or Privacy Officer to evidence the effectiveness of the hotline operation. Communication between employees and management is essential in an effective compliance program. Furthermore, that communication must flow both ways, from management to employees and back. An effective hotline operation should receive an average of one call per thousand employees per month. If your hotline operation deviates significantly from that standard, it is worth close review.

When evaluating the call volume, you may want to consider why employees are not using this communication channel and look for opportunities to establish a better connection; or if there is significantly larger call volume then it may reflect some underlying set of issues or problems that should be addressed.

The most common reason employees fail to report via the hotline is the failure of receiving proper training and education on how to use it, without fear of retribution or retaliation. Employees are typically reluctant to report concerns through the hotline when they don't have adequate understanding on how it operates and the protections offered to those who use it to report potential problems. Under these circumstances, employees often fear that they will somehow be identified when calling the hotline and will be subject to adverse actions by management as a result. The availability and means of using the hotline should be incorporated in every employee training session, along with reassurance of no retaliation for its use.

If you are confident in the training your employees received about the hotline, review your efforts towards promoting its use. Here are things to consider:

- Has the hotline been prominently included in the Code of Conduct, along with how to contact the hotline telephone or web-based reporting module?

- Have posters been displayed in employee work areas that encourage the reporting of concerns, as is specified in the HHS Office of Inspector General's compliance guidance documents?
- Have you shared with employees information received in the past from a hotline report that led to program improvements?
- Does management credit the hotline for operational changes when appropriate?
- Do supervisors and other managers encourage employees to use the hotline if they are uncomfortable raising issues directly with management?

If the answer to any of these questions is no, you may want to consider revamping your promotional efforts. Other promotional ideas include wallet cards with the hotline number, payroll fliers, newsletter articles and posting on the organization's Intranet.

In some cases the work force may have become disenchanted with the hotline. One way to determine this is by reviewing hotline reports and logs. Consider the following:

- Were the calls all handled promptly and properly?
- When callers call back on scheduled dates to receive feedback, is it provided or do callers need to call back several times before receiving feedback?
- Do simple matters take a lengthy amount of time to resolve?

If the answer to either of these questions is yes, then your employees may feel that the Compliance Office and senior management does not take their concerns seriously. Develop a corrective action plan to address these deficiencies immediately. Remember, it takes only one employee with one bad experience to seriously damage the reputation of the hotline as a valid communication channel. Word tends to travel quickly through the grapevine from one employee to another.

Most organizations have outsourced the answering of the hotline. If you have outsourced the hotline or are considering outsourcing you should evaluate whether the vendor can provide all the necessary components. Consider, does the service offer both web-based reporting around the clock with prompts to garner as much information as possible, as well as having live operators debriefing callers? These days, most employees are more comfortable reporting through a secure web-based program, but many still prefer the live operators. As such, if your service offers only one means to report, consider changing vendors to obtain one that provides both services at the same or lesser cost to which you are currently paying. For live operator answered hotlines, the Compliance and/or Privacy Officer, as part of ongoing monitoring, should have someone test the hotline with a test call scenario to determine:
- How quickly the call was answered?
- How well the operator debriefed the information?
- What is the length of time to receive the report of the call?
- How is the quality of the report?

The last point on effective hotlines is really critical. There is nothing more frustrating than to have tantalizing bits of information but still incomplete to properly act upon it. If the hotline reports are lousy, everything about the hotline is lousy. Any deficiencies in this process should lead to immediate remedial action, possibly including change of vendors.

If you have done all of the above and your hotline calls have, or continue to, drop in number, you may want to schedule focus-group meetings with your employees to learn why they are reluctant to use the hotline as a reporting mechanism. For best results from focus group meeting of this type, you may wish to consider having an expert consultant perform the work. The results may surprise you. More information and articles regarding this subject are available at the Hotline Service Center.

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