

Internal Investigation Process Audit

City of Minneapolis
Internal Audit Department
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Executive Summary

As part of our rolling audit plan approved by the Audit Committee, the City of Minneapolis (the “City”) Audit division conducted an audit of the internal investigation process. The objective of this audit was to review the City’s process for receiving and investigating internal complaints to ensure consistency and adequacy of investigations, as managed by the Human Resources Department and the City Attorney’s Office. This audit did not cover internal complaints processed by the Police Department or Civil Rights Department as they have their own distinct processes, and at the time of this audit, police complaints were one of the subjects of state and federal investigations.

Internal investigations are an important control used to respond to a wide range of employee misconduct or widespread workplace problems, including poor employee performance, theft, misuse of employer property, harassment or violence, and discrimination. There should be strong governance and oversight in place to ensure that all internal investigations at the City have the same consistency, efficiency, impartiality, and equity. City investigators should be selected based on specific criteria and skillsets and subject to annual refresher training. Investigative data should be protected during and post-investigation, while in use, at rest and in transit and subject to standard retention guidelines. Clear expectations and documented processes can ensure that resources are being used efficiently and effectively.

The audit scope and approach, testing results, and conclusion are discussed below, followed by a description of the City’s internal investigation processes in the background section and a detailed description of observations and management’s action plans in the final section.

Audit Scope and Approach

The scope of this engagement covered policies and procedures in place and internal investigation activities during the period from January 1, 2017 through May 31, 2022, and included:

Governance

- Review department and City-wide policies and procedures in place related to internal investigation processes to ensure they are current and sufficient to provide adequate guidance and oversight
- Assess adequacy of the City’s oversight and monitoring of the internal investigation processes

Processes and Internal Controls

- Assess internal investigation processes, including but not limited to complaint initiation, information and evidence gathering, interviews and notification to parties, documentation and forms used, case management, training provided to investigators, and guidance provided by Human Resources to ensure they are fair, consistent, and adequately documented
- Review and assess the adequacy of internal controls of the internal investigation processes to ensure compliance with department, City, contractual, State and Federal standards

- Review roles and responsibilities involved in the internal investigation process, and assess how they are defined and documented
- Evaluate how information and complaints about the internal investigation processes, are documented, tracked, and monitored
- Assess controls and processes in place related to data security and the use of personnel and government data, to ensure they are adequate and in alignment with best practices, City, State and Federal guidelines

Data Analysis and Benchmarking

- Assess the completeness, accuracy, timeliness, and availability of data and reporting throughout the internal investigation process, and assess how data and systems are used
- Obtain and analyze data related to internal investigations
- Conduct benchmarking of the City’s internal investigation processes with other comparable organizations and best practices

Results

As a result of this audit, seven audit issues were identified:

1. Internal Investigation Policies and Procedures Are Not Current or Sufficient to Ensure Consistent Internal Investigations Across the Enterprise (HIGH)
2. The City Does Not Have a Centralized Case Management System for Internal Complaint Handling/Internal Investigations, and a Mechanism for Data Analytics (HIGH)
3. The City Does Not Have a Defined Process to Ensure Proper Complaint Routing, the Investigator is Free from Bias, and All Relevant Stakeholders Are Notified (HIGH)
4. The City Does Not Have a Defined Process to Balance Investigator Workloads and Evaluate Investigator Skillsets and Bandwidth (MOD)
5. The City Does Not Have a Defined Process in Place to Review Investigations Prior to Final Disposition (HIGH)
6. The City Does Not Have Formal Investigator Training Requirements and Competencies, Sufficient Investigator Training Records and Training Does Not Occur on a Consistent Basis (HIGH)
7. Data Retention and Destruction Guidelines for Complaint Data are Varied and are Not Incorporated into Policy and Procedures for Internal Complaints and Internal Investigations (LOW)

There are many areas of risk to consider, including financial, operational, compliance, and reputation, when determining the relative risk rating. Table 1 below contains the overall evaluation of the severity of the risk and the potential impact on operations. Issues are rated as High, Moderate, or Low.

Table 1.

Internal Investigation Process Audit - Observations and Issue Ratings

High	Moderate	Low
1. Internal Investigation Policies and Procedures Are Not Current or Sufficient to Ensure Consistent Internal Investigations Across the Enterprise		
2. The City Does Not Have a Centralized Case Management System for Internal Complaint Handling/Internal Investigations, and a Mechanism for Data Analytics		
3. The City Does Not Have a Defined Process to Ensure Proper Complaint Routing, the Investigator is Free from Bias, and All Relevant Stakeholders Are Notified		
	4. The City Does Not Have a Defined Process to Balance Investigator Workloads and Evaluate Investigator Skillsets and Bandwidth	
5. The City Does Not Have a Defined Process in Place to Review Investigations Prior to Final Disposition		
6. The City Does Not Have Formal Investigator Training Requirements and Competencies, Sufficient Investigator Training Records and Training Does Not Occur on a Consistent Basis		
		7. Data Retention and Destruction Guidelines for Complaint Data are Varied and are Not Incorporated into Policy and Procedures for Internal Complaints and Internal Investigations

- **High Risk:** Some key controls do not exist or are not effective resulting in impaired control environment; high risk improvement opportunities require immediate corrective action
- **Moderate Risk:** Adequate control environment in most areas; moderate risk improvement opportunities identified which require corrective action
- **Low Risk:** Satisfactory overall control environment; small number of lower risk improvement opportunities identified which do not require a management action plan

The details of these observations are included within the *Observations and Management's Action Plan* section of this report, beginning on page 8.

Conclusion

Overall, the City's policies and controls related to internal complaint handling and internal investigations need strengthening to ensure consistent, effective, and fair processes. Policies help ensure sufficient oversight is in place for internal complaint handling and internal investigations. Audit noted some control deficiencies and opportunities for improved governance.

Internal Audit would like to thank Human Resources ("HR"), the City Attorney's Office, Information Technology ("IT"), and the City Clerk's Office for their cooperation and time during this engagement. Audit would also like to thank all the City departments that provided us with internal complaint and internal investigation data and information.

We conducted this audit in accordance with Generally Accepted Government Auditing Standards and the International Standards for the Professional Practice of Internal Auditing. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

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Background

The City of Minneapolis has a decentralized internal investigation process whereby complaints are collected by the City's Ethics Officer, the Human Resources Investigative Unit ("HRIU"), various additional Human Resource Department staff who are not part of the HRIU, other department supervisors, managers, or department heads and via the Minneapolis Employee Report Line which is operated by an independent third-party vendor. While these individuals who received complaints and departments sometimes work together to conduct investigations, they have different practices for investigations and do not operate under one set of standards.

Audit reviewed procedures for internal complaint handling and internal investigations conducted by Human Resources Business Partners ("HRBP"), the HRIU and the City Ethics Officer as summarized below.

Human Resources Investigative Unit Process

The HRIU specifically investigates cases that fall under the City of Minneapolis Anti-Discrimination, Harassment and Retaliation Policy ("ADHR") based on the definition of "protected class" as stated in the policy. The City of Minneapolis ADHR policy defines protected class as race, color, creed, religion, ancestry, national origin, gender (including pregnancy), sexual orientation (including gender identity), disability, marital status, familial status, status with regard to public assistance, veteran's status (including Vietnam Era Veteran status), genetic information and age.

In addition to the City of Minneapolis ADHR Policy and the City of Minneapolis Anti-Discrimination, Harassment and Retaliation Procedures, the HRIU operates based on the Minneapolis Civil Service Commission Sections 1.01(A) and 5.02, and the Minneapolis Code of Ordinances, Chapter 15 - Ethics in Government, Sections 15.150 and 15.190.

The HRIU receives and utilizes a system to track complaints from 3 general sources: a Supervisor, Manager, or Department Head; a Human Resources staff member; or from the Ethics Report Line (telephone or website). Additionally, the HRIU meets once a week with a "Triage Team" to discuss complaints which consists of the City Ethics Officer, the HR Director of Complaint Investigations and the Director of HR Business Partner Solutions.

The HRIU evaluates complaints it receives to determine if they fall under the ADH&R policy based on protected class. If the complaint falls under the ADH&R policy the HRIU will open a formal investigation. If the complaint does not fall under the ADH&R policy, it is forwarded to an HRBP team for investigation.

The HRIU then takes the following steps;

1. Notifies the Human Resources Business Partner and Head of Department where the complaint originated
2. Notifies subject of the complaint
3. Develops investigative plan
4. Gathers documentation regarding the complainant
5. Interviews witnesses (with an HR Investigator and a note-taker present)
6. Interviews subject of complaint (with an HR Investigator and a note-taker present)
7. Prepares investigative report

After concluding the seven (7) steps above, the HR Investigator presents investigative findings in a 'draft' form to the City's Chief Human Resources Officer, the subject's Department Head, a representative of the City Attorney's Office (CAO) and the subject's Human Resources Business Partner, who then make a determination as to whether the complaint is substantiated or unsubstantiated based on the investigation. This is considered a 'Need to Know' meeting and the draft report is considered an 'Attorney-Client Privilege' document. The HRIU emails the final investigative report to the head of department where the complaint originated.

Next, the HRIU notifies the complainant and subject of the complaint to the extent that the Minnesota Government Data Practices Act allows. This may prevent HR from notifying the complainant of the specific outcome of the case, only that the investigation has been concluded and the appropriate Department Head will be in touch. The HRIU considers the investigation closed when notification letters are sent to the complainant and the subject and marks the case as closed in an HRIU tracking spreadsheet. The letters to the complainant and the subject do not give information as to the outcome of the investigation and any final disposition.

It should be noted the HRIU conducts joint investigations of ADH&R Policy complaints with the Minneapolis Police Department (MPD) Internal Affairs Unit (IAU) when those complaints originate in the MPD. Audit was advised the HRIU has the leadership role in those investigations and has ownership of joint ADH&R/IAU complaint investigations. However, this audit engagement did not cover policies and procedures for those investigations.

City Ethics Process

All employees are required to report any conduct that they believe violates the Code of Ethics. This conduct could be reported to a supervisor or department head, HR, or directly to the ethics officer or via the confidential reporting line. The path a case takes may differ based on who receives it and how it is received.

If reported to a supervisor or department head, per Ethics Code Section 15.230, department heads and managers are required to immediately investigate the alleged violation. The Ethics Code does not describe this type of investigation or the required elements to complete it. Department heads and managers are required

to report suspected ethics violations to the Ethics Officer “the report and resolution” which implies the reporting occurs when the investigation concludes. (Code of Ethics Section 15.230(c)).

Alternatively, ethics complaints are often received via the confidential reporting line (Compliance Line). The Ethics Officer reviews complaints received through this system and can dismiss them outright for a variety of reasons, such as “having no probable cause, complainant failed to cooperate, insufficient information to proceed, or no jurisdiction.” The Ethics Board reviews these dismissals and may require additional investigation if warranted. The Ethics Officer can also meet with the regular “triage team” that includes the Ethics Officer, Director of Internal Workforce Investigations, and the Director of Business Partner Solutions. The group may agree to refer the case to another investigative unit if it does not satisfy the jurisdiction requirement for the Ethics Board.

The Ethics Officer does not investigate complaints in the traditional sense but only pulls documents and IT information to determine whether enough information exists to proceed. The Ethics Officer does not take statements from individuals but may ask clarifying questions to assist in making the initial determination. Investigations are instead conducted by HR/Departments and reported back to the Ethics Board. If the alleged violator is a department head, elected official, or non-employee local official, the Ethics Board may ask for information from both complainant and respondent and issue findings of fact and recommendations of discipline based on the evidence.

Human Resources Business Partner Team Process

HRBPs investigate allegations of substandard performance or misconduct, generally with at least one representative of the respondent’s department. Per Civil Service Rule 11, misconduct includes:

1. Tardiness and absenteeism.
2. Sick leave abuse.
3. Absence without leave.
4. Insubordination (failure to follow a directive from a supervisor).
5. Willful or negligent damage of City property.
6. Interference with the work of other employees.
7. Harassment on the basis of any protected class listed in Rule 1.01A.
8. Misappropriation of City property, funds or money.
9. Violation of safety rules, laws, and regulations.
10. Discourtesy to public or fellow employees.
11. Violence, threats of violence, abusive behavior, abusive language or mental harassment.
12. Accepting gifts from the public in connection with performance of duties as a City employee.
13. Criminal or dishonest conduct whether such conduct was committed while on duty or off duty.
14. Reporting to work under the influence (as defined in City policies or labor agreements) or in possession of alcohol or illegal drugs, or using such substance on the job.
15. Soliciting or receiving funds for political purposes or personal gain during work.
16. Using authority or influence to compel an employee to become politically active, except that this shall not be construed to prohibit or limit an employee’s right to exercise his or her rights under PELRA or other applicable labor law.
17. Use or threat of political influence on employment status.
18. Making a false statement or the failure to disclose a material fact during an investigation or to management.
19. Violation of department rules, policies, procedures or City ordinances.

20. Other justifiable causes.

The HRBP investigative process begins when: (1) a concern is shared with an HRBP, (2) an HRBP is notified by the Ethics Officer that a complaint needs to be investigated, or (3) a complaint is forwarded by the HRIU investigators to investigate. There is no standard complaint form or process to document that a complaint was filed if it was received directly by the HRBP. Per the walkthrough discussion, the HRBP typically sets up an intake meeting to gather initial information ('the who what when where why') although this may happen on the spot when the complainant contacts HR.

After gathering initial information, the HRBP team makes a determination on how to proceed, i.e. whether the concern has merit and warrants gathering additional facts or whether it can be dismissed. The HRBP or a member of HR's Senior Leadership Team assigns the investigator and selects representatives from the department. In some instances, an HRBP assigned to a different workgroup or an external investigator might be assigned to investigate the complaint if there is an especially volatile situation or the HRBP is involved in some way. Investigations of department heads and high-level managers are always investigated by an outside party (vendor).

The assigned investigator creates an interview plan and provides written notification to the complainant, witnesses, and respondent (see notification templates). When interviewing relevant parties, HRBPs use a standard template to ensure required questions are asked, and before interviews, Tennessean Warnings are delivered. Depending on whether the respondent is represented by a union and what the union contract allows, a union representative may be required for the interview. They cannot answer questions for the employee or interfere in the process. HRBPs do not record interviews and interview subjects are not allowed to record interviews unless the interview involves a specific workgroup (generally fire and sworn police).

During this time, the HRBP also gathers additional information when necessary, such as IT data, emails, video, internet history, and other relevant items. Evidence may be digital and stored in a way determined by the HRBP or physical, kept by the HRBP as part of a physical file. There are no centralized systems to maintain evidence, reports, statements, etc.

After all relevant parties have been interviewed and any additional evidence is gathered, the HRBP prepares a summary report that includes investigative facts and observations as well as conclusions made by the investigators. The report does not contain "recommendations" as HRBPs are "fact finders" not "decisionmakers." The HRBP provides the report to the Department Head or designee and supports the department in determining what steps to take. HRBPs use the Civil Service Rules to determine outcomes for substantive violations and to determine what specific policy was violated. They can also use the department's policy and these steps could include no action, coaching, discipline, or termination. Discipline requires a "predetermination process" before it is actually imposed.

Parties are notified of the outcome to the extent that the Minnesota Government Data Practices Act allows. This may prevent HR from notifying the complainant of the specific outcome of the case, only that it was closed.

Observations and Management Action Plans

ISSUE #1

Internal Investigation Policies and Procedures Are Not Current or Sufficient to Ensure Consistent Internal Investigations Across the Enterprise (HIGH)

Observation

Policies and procedures are not current and sufficient to ensure consistent internal investigation procedures across the enterprise. The enterprise-wide integrated complaint investigation process is not documented. Audit noted a more than six-year period between 2015 and 2022 review dates for the Fact-Finding Process document provided by the Human Resources Department, which does not reflect all current procedures.

There does not appear to be oversight and monitoring of internal investigation policy and procedure creation and review. The City appears to have attached a low priority to internal investigation policy and procedure creation and review.

Finally, the City appears to lack a robust, organized policy and procedure document management system (DMS) that effectively keeps all employees up to date on City policies enterprise-wide.

Audit noted:

- Internal investigation procedures and expectations are not consistent across the City.
- The internal investigation process is not clearly and consistently documented across the City. Two separate HR process documents exist (HRIU and HRBP processes). The HRIU procedures document contains a level of specificity and detail that establishes clear expectations for ADHR investigations while the HRBP fact finding process guidelines contains suggested actions and a general outline of events. The HRIU has a complainant information page including a publicly posted flowchart, Complainant Fact Sheet, FAQ, and Policy and Procedure document. However, a process for triggering the "triage team" described during interviews consisting of the CHRO, Ethics Officer, and HRIU director is not included.
- Some processes, such as the routing of complaints, layers of supervisor approval, or conflicts of interest are not covered in the policy and procedure documents, and the documents are not sufficient to ensure consistency and oversight of internal investigations.
- Internal investigation guidelines and expectations are not communicated consistently to most City employees. For example, among survey respondents, roughly half were unsure of whether there were policies and procedures that dictated what documents must be kept from an investigation. Throughout interviews, it was noted that some departments initiate or complete employee investigations without working with HR, Ethics, or another investigative authority.
- There does not appear to be a regular policy and procedure review and revision process for internal investigations.
- There does not appear to be regular communication enterprise-wide or amongst investigative units regarding internal complaint handling and internal investigations policy and procedures.

- The Ethical Practices Board bylaws, Section 7 outlines the definition of a complaint and required elements for filing one. Section 8 outlines the actions of the Ethics Officer once a complaint is received. It specifically establishes an exemption for Discrimination or Harassment (complaints investigated by HRIU). Per Section 15.230, it is the responsibility of supervisors or department heads to investigate violations of the Code of Ethics, not the Ethics Officer. Outcomes of ethics complaints may be reviewed by the Ethical Practices Board, but communication of results is not documented in policy or part of a normal routine.

Criteria

Best practice suggests that an enterprise-wide internal investigation program is based on centralized comprehensive policies and procedures. Ensuring effective handling of investigations can have numerous benefits, such as preventing the reoccurrence of problem behaviors through personnel actions, additional training, or changes in policy, avoiding criminal or civil liability for the City, or maintaining the City's reputation and protecting against bad publicity. Department of Justice guidance suggests that an internal investigation program should be part of an organization's compliance program.

Internal controls specified in policies and procedures prevent mishandling, promote accountability, and ensure the integrity of internal investigations. Effective and efficient internal controls aim to meet objectives but also protect the City's interests. Internal controls not only address risks to the City but also reduce occurrences of unnecessary cost or effort.

Cause

The City operates in a decentralized manner in which internal investigations occur in multiple departments. This structure has led to a decentralization of policy and procedures from one centralized source to departments that have their own standard operating guides that only carry subset policies and procedures which are specific to them. While this method seems natural in theory, in application it creates a significant challenge to ensure consistency in investigations enterprise-wide. Some departments have current and documented policies and procedures while others have outdated and insufficient policies and procedures.

Risk

Outdated and insufficient policy and procedure documents increase the risk of non-compliance with local, state and federal laws, regulations, City Ordinances or other City policies. A lack of procedures documentation risks an undue burden on employees who do not know how to carry out the task(s) which can result in key-person risk, knowledge and communication gaps, and employee disengagement and dissatisfaction. In the absence of documented procedures, users may develop workarounds or their own processes, leading to inconsistencies across the enterprise, increasing the risk of improper investigation handling and outcomes, differing investigation standards, a lack of oversight and monitoring of internal investigations, legal issues and reputational and/or financial damages to the City.

The lack of a robust document management system (DMS) that effectively keeps City employees up to date on enterprise policies can create serious risks for the City.

Recommendation

Audit recommends the City:

- Establish a complaint intake and investigation policy with enterprise-wide coverage that reflects the governance structure and internal investigation standards determined by management that is easy to understand and provides clear guidelines to follow.
- Establish complaint intake and investigation procedures with enterprise-wide coverage that reflect current practices, cover all parts of the internal investigation process and relevant stakeholders, are easy to understand and provide clear guidelines to follow.
- Work with City leadership and Departments to centralize the internal investigation process and clarify internal investigation management roles, responsibilities, and policymaking.
- Communicate consistent internal complaint handling and internal investigation policy and procedures to all City employees at least annually.
- Establish a process to review complaint intake and investigation policy and procedures at least annually, with changes tracked in a log that contains both the content changed and version control dates, as part of a policy and procedure management plan with controlled edits. Policy management experts suggest annual reviews of policies and procedures as best practice. Other instances where policies and procedures should be reviewed include when an organization undergoes a large-scale change, such as a change in strategic direction or new leadership, changes to laws and regulations or after an incident of policy violation. Policy and procedures review does not always have to result in policy revision. These should be viewed as living documents (aka evergreen or dynamic documents) used as management tools.

Management Action Plan

Human Resources (“HR”) has been analyzing its investigation procedures in conjunction with the January 2022 creation of the Director, Internal Workplace Investigations position, which oversees the HR Investigative Unit (“HRIU”). Historically, the HRIU has only been responsible for investigating alleged violations of the Anti-Discrimination, Harassment, and Retaliation (“ADH&R”) Policy. HR has begun discussions of how to expand existing processes utilized by the HRIU beyond investigations within the HRIU’s current scope. Such expansion would likely require additional investigative resources.

HR understands the importance of having consistent and transparent investigation processes and having City employees understand these processes. In our work over the last few years, we have focused on developing and documenting consistent practices within the HRIU for complaint handling (*i.e.*, intake, investigation, and reporting out), including creating internal investigative process guidelines for investigators and focusing on informational materials for those participating in internal investigations (*i.e.*, complainants, witnesses, etc.). This work is ongoing. HR intends to leverage these recent efforts to continue to expand processes and written materials beyond ADH&R investigations to provide consistent practices across the enterprise for all investigations within HR’s scope, regardless of the nature of the complaint.

Because complaints originate from multiple sources, including via the Ethics Officer, the Minneapolis Employee Report Line, department management, and directly to HR, HR will collaborate with key stakeholders to establish a documented complaint routing, intake, and investigation process with enterprise-wide coverage, which will then be communicated out to the enterprise. This process will include clarifying roles and responsibilities as it pertains to conducting internal workplace investigations. HR will work with Communications so that developed procedures are readily accessible to all City employees on CityTalk, and HR will consider whether additional training is appropriate for the various stakeholder groups (*i.e.*, employees, Department leadership, investigators). HR commits to reviewing its investigation processes and procedures at regular intervals. HR agrees that these documents should be subject to change as appropriate.

HR plans to develop written procedural materials with enterprise-wide application within one year. To the extent the procedures include implementing a robust, centralized investigative function, perhaps within the HRIU, the timeline for implementation may be impacted by budgetary constraints and the current highly competitive market for hiring qualified investigators. HR also will consider whether it would be beneficial to adopt a City-wide policy addressing complaint investigations.

HR will limit its work to addressing those investigations that fall within HR's scope. HR will not, for example, develop procedures for Office of Police Conduct Review or Internal Affairs investigations, except to the extent such investigations may be conducted in conjunction with HR.

Target remediation date: January 2, 2024

Responsible party: Director, Internal Workplace Investigations

ISSUE #2

The City Does Not Have a Centralized Case Management System for Internal Complaint Handling/Internal Investigations, and a Mechanism for Data Analytics (HIGH)

Observation

Audit noted:

- The City does not utilize a centralized case management system for complaint handling and internal investigations or a consistent method for tracking complaint data.
- The City Ethics Officer uses Practice Manager, a software-as-a-service (SaaS) program, to manage complaints it receives as well as an Excel spreadsheet. Complaints originate via a written form or from Compliance Line, the City's third-party anonymous complaint reporting vendor. Compliance Line also maintains some case tracking data and has case management functions.
- The Human Resources Investigative Unit (HRIU) also uses Compliance Line in addition to an Excel spreadsheet to track and manage all internal complaints and internal investigations it receives regardless of whether the complaint is investigated by the Unit. Case data is stored using an organized folder structure on the City's system.
- Human Resources Business Partner teams are sometimes assigned complaints in Compliance Line by the City Ethics Officer and the HRIU, and HRBP teams also receive internal complaints via phone, email and in person. HRBP teams do not have a standard mechanism to track internal complaints received. In the survey conducted by Audit, half of the respondents stated they do not keep a log of past and current internal complaints received or investigations completed. There are no consistent procedures for managing complaint data and investigative files as this is left to the HRBP teams to manage.

Criteria

Best practices suggest the right case management software will help the City with the internal complaint and case screening process by routing internal complaints to the appropriate party and notifying all the necessary stakeholders. Further, a centralized case management system will ensure there is one investigation and one outcome, preventing concurrent investigations of the same incident potentially occurring with different outcomes. Finally, a centralized case management system will allow the City to evaluate investigators' active caseloads, examining not only the number of cases per investigator but also the status and progress of those cases. It will enable the City to evaluate internal complaint data for trends to make changes to policies and procedures with real-time data and ensure repetitive unwanted behavior is promptly addressed. It will also help with the handoff process when an investigator separates from a department or the City.

Cause

The City operates in a decentralized manner in which internal complaint handling and internal investigations occur in multiple departments. This structure has led to a decentralization of methods for tracking and managing cases. While this method seems natural in theory, in application it creates a significant challenge to ensure consistency in internal complaint handling and internal investigations enterprise-wide. Some departments have adopted case tracking or case management systems, while others have not.

Risk

A lack of a centralized case management system risks inconsistencies across the enterprise, increasing the risk

of improper investigation handling and outcomes, differing investigation standards, a lack of oversight and monitoring of internal investigations, legal issues and reputational and/or financial damages to the City.

Further, a lack of data centralization makes data security audits exceptionally difficult. Access verification for a single user may require the analysis of multiple systems. The most significant and frequent cause of security issues is excessive employee access giving employees authorization to too much data and too many applications. Clear controls over employee access will mitigate the threat of serious security incidents and data leaks.

Compliance with data storage and retention guidelines are also exceptionally difficult to assess without a centralized case management system resulting in the risk of increased data storage costs and an increase in the availability of lawsuit-discoverable data.

Finally, the lack of a centralized case management system risks investigations occurring concurrently in more than one department with potentially different outcomes resulting in the risk of possible severe legal, reputational and/or financial damages to the City.

Recommendation

Audit recommends the City:

- Create policy that sets guidelines for consistently tracking case data across the enterprise.
- Establish and utilize a centralized case management system for internal complaint handling, internal investigations and data analytics with enterprise-wide coverage including the ability to evaluate investigators' active caseloads and examine not only the number of cases per investigator but also the status and progress of those cases.
- Establish controlled and logged access for the centralized case management system for internal complaints, internal investigations, and data analytics with the concept of least privilege (only the minimum necessary rights should be assigned to a subject that requests access to a resource and should be in effect for the shortest duration necessary).

Management Action Plan

The City Ethics Officer and Human Resources agree to create a documented process for tracking case data and case management for all internal investigations within their scope across the enterprise. As outlined in the Management Response to Audit Issue #1, HR is committed to analyzing existing investigation practices to create standardized procedures across the enterprise, which will include developing guidelines for investigator staffing, assignments, and workloads. The City already has access to a case management system available to the Ethics Officer and HR. HR and the Ethics Officer agree to explore increased use of the case management system, including identifying potential benefits of and barriers to consistent utilization, training requirements, and oversight management. Any utilization would include controlled and logged access.

Target remediation date: January 2, 2024

Responsible party: Director of HR Business Partnership

ISSUE #3

The City Does Not Have a Defined Process to Ensure Proper Complaint Routing, the Investigator is Free from Bias, and All Relevant Stakeholders Are Notified (MOD)

Observation

Policies and procedures are not current and sufficient to ensure consistent complaint routing procedures across the enterprise. The enterprise-wide integrated complaint routing process is not documented.

Per Minneapolis Code of Ordinances 15.140. - Required reporting of fraud; unlawful use of public funds or property.

"Whenever a local official or employee discovers evidence of fraud, theft, embezzlement, forgery, or unlawful use of public funds or property, the local official or employee shall promptly report the discovery in writing to the city coordinator and the internal auditor or to the confidential reporting line. If necessary under state law, the city coordinator shall forward the report to the Minnesota State Auditor. (2003-Or-034, § 1, 3-21-03; 2007-Or-066, § 5, 8-31-07)"

Audit noted the Fact-Finding Process document provided by the Human Resource Department and used by Human Resource Business Partner (HRBP) teams does not reflect all current procedures to route complaints to the HRIU that may fall under the City Anti-Discrimination, Harassment and Retaliation Policy, when complaints should be forwarded to the Director of Internal Audit in cases of fraud, waste or abuse or to the City Attorney's Office for review. Audit conducted a survey of HRBP teams in which some respondents noted there was not a standard process they follow to route cases that need to be investigated by someone else. Most noted that they routed or requested review of complaints they felt contained issues pertaining to the City Anti-Discrimination, Harassment and Retaliation Policy but no respondents stated that they had a process in place for complaints to be forwarded to the Director of Internal Audit in cases of fraud, waste, or abuse. One respondent stated they determine if they will investigate or decide if it will be forwarded to another investigator or Department by the "severity of the issue".

The Human Resources Investigative Unit complaint life-cycle document has detailed procedures for case routing wherein the HRIU determines if the complaint falls under the City Anti-Discrimination, Harassment and Retaliation Policy. If it falls under the policy, the HRIU will continue to investigate the complaint. If it does not fall under the policy, the HRIU will forward the complaint to a Human Resource Business Partner for investigation.

The City Ethics officer has documented case routing procedures on a complaint intake form, in the body of emails that the City Ethics officer sends to complainants and some procedures are outlined in the City's Ethics Code, however, there is not a formal policy and procedures document for how cases are routed.

Due to the decentralized structure of the City, some departments may have current and documented policies and procedures for case routing while others may be outdated and insufficient. The City does not have an integrated enterprise-wide policy and procedure for internal investigations and a comprehensive mechanism in place to ensure cases are being routed appropriately. Additionally, due to the lack of centralization, Audit

was advised that there have been simultaneous investigations occurring in more than one department for the same issue.

Audit noted that:

- Complaint routing procedures and expectations are not consistent across the City.
- The complaint routing process is not clearly and consistently documented across the City.
- Complaint routing is not covered in existing policy and procedure documents, and the documents are not sufficient to ensure consistency and oversight of complaint routing.
- Complaint routing guidelines and expectations are not communicated consistently to most City employees.
- The City does not have a defined policy and procedures that explain how investigators are selected and screened for bias.

Criteria

Best practices suggest a centralized internal complaint case routing policy and procedure to ensure cases are routed to the appropriate party, investigators are screened for bias and all relevant stakeholders have been notified. A centralized case routing policy and procedures ensures effective handling of internal complaints and can have numerous benefits, such as preventing the reoccurrence of problem behaviors through personnel actions, additional training, or changes in policy, avoiding criminal or civil liability for the City, or maintaining the City's reputation and protecting against bad publicity. Department of Justice guidance suggests that an internal investigation program should be a part of an organization's compliance program.

Internal controls specified in policies and procedures prevent mishandling, promote accountability, and ensure the integrity of internal investigations. Effective and efficient internal controls aim to meet objectives but also protect the City's interests. Internal controls not only address risks to the City but also reduce occurrences of unnecessary cost or effort.

Cause

The City operates in a decentralized manner in which internal investigations occur in multiple departments. This structure has led to a decentralization of policy and procedures from one centralized source to departments that have their own standard operating guides that only carry subset policies and procedures which are specific to them. While this method seems natural in theory, in application it creates a significant challenge to ensure consistency in internal complaint routing enterprise-wide. Some departments have current and documented case routing policies and procedures while others are outdated. The City does not have an integrated enterprise-wide policy and procedure for internal investigations and a mechanism in place to review internal investigation policy and procedures at an enterprise level to ensure cases are being routed appropriately.

Risk

Outdated and insufficient case routing policy and procedure documents increase the risk of non-compliance with local, state, and federal laws, regulations, City Ordinances, and other City policies. A lack of procedures documentation risks an undue burden on employees who do not know how to carry out the task(s) which can result in key-person risk, knowledge gaps, and employee disengagement and dissatisfaction. Users may

develop workarounds or their own processes, leading to inconsistencies across the enterprise, increasing the risk of improper investigation handling and outcomes, lengthening investigation timelines, differing investigation standards, a lack of oversight and monitoring of internal investigations, legal issues and reputational and/or financial damages to the City.

Investigators may self-select cases wherein they are biased or insufficiently trained, leading to inadequate or unethical investigations. Proper parties are not informed of complaints, and investigations are missing key stakeholders. Additionally, without clear case routing policy and procedures, complainants are unaware of who is handling their complaint and who to reach out to at the City for resolution.

Recommendation

Audit recommends the City:

- Establish a complaint routing policy to ensure cases are consistently handled.
- Establish complaint routing procedures to ensure the proper party is investigating the complaint.
- Ensure complaint routing procedures include notifications to all relevant stakeholders, such as the Director of Internal Audit, in cases of fraud, waste or abuse, the City Attorney's Office, and/or the Human Resource Department when required.
- Communicate consistent guidelines for case routing to City employees.
- Establish a policy and procedures for investigator selection and screening for bias.

Management Action Plan

These items will all be addressed as part of the Management Response to Issue #1.

Target remediation date: January 2, 2024

Responsible party: Director, Internal Workplace Investigations

ISSUE #4

The City Does Not Have a Defined Process to Balance Investigator Workloads and Evaluate Investigator Skillsets and Bandwidth (MOD)

Observation

Internal Audit was unable to determine when Human Resources or Department caseload levels were last reviewed and was unable to locate documented procedure(s) currently in place at the City to balance caseload levels for investigators, evaluate skillsets or bandwidth. Audit cannot confirm whether oversight and monitoring of caseload levels for Human Resources and Department investigators is sufficient to reduce associated risks to an acceptable level. In the survey, respondents stated that they worked between 0-15 hours per week handling internal complaints and conducting internal investigations, with some spending no time on investigations and others up to 15 hours per week.

Criteria

Best practices suggest a centralized internal complaint handling and internal investigation policy and procedures. A centralized policy and procedures would contain guidelines to effectively balance caseload levels for investigators to avoid overburdening investigators and risk disparate investigation outcomes and other adverse impacts to the City. Department of Justice guidance suggests that an internal investigation program should be a part of an organization's compliance program.

Internal controls specified in policies and procedures prevent mishandling, promote accountability, and ensure the integrity of internal investigations. Effective and efficient internal controls aim to meet objectives but also protect the City's interests. Internal controls not only address risks to the City but also reduce occurrences of unnecessary cost or effort.

Cause

An integrated enterprise-wide foundational internal investigation policy and procedures are lacking at the City. The City does not have documented oversight and monitoring of investigator caseloads as part of a robust policy and procedures for an integrated complaint handling and internal investigation program.

Risk

Without managing investigator inventories, investigators may become overburdened, leading to long investigation timelines, investigations that are rushed, or cases discarded. Overburdened, overworked, and fatigued investigators are at risk of closing cases in disparate manners, subjecting respondents and complainants to potential unfair outcomes and the City to possible civil or criminal legal action and/or reputational risk.

Recommendation

Audit recommends the City:

- Establish documented procedures which includes a system that helps to optimize investigative resources while also balancing caseload levels and evaluates skillsets of investigators and investigator bandwidth.
- Establish procedures for ongoing review, oversight and monitoring of investigator caseload levels to include rebalancing when necessary.

Management Action Plan

These items will all be addressed as part of the Management Response to Issues #1 and #2. The processes HR intends to develop will include addressing investigator staffing, assignments, and workloads.

Target remediation date: January 2, 2024

Responsible party: Director, Internal Workplace Investigations

ISSUE #5

The City Does Not Have a Defined Process in Place to Review Investigations Prior to Final Disposition (HIGH)

Observation

The City does not have an integrated enterprise-wide policy and procedures to review investigations prior to final disposition, including criteria for required review by the Human Resources Department, Human Resources Investigative Unit, the Director of Internal Audit, and/or by the City Attorney's Office. Further, Audit was unable to locate policies or procedures which describe how the City ensures investigators are free from bias and all relevant stakeholders have been notified.

Audit was unable to locate policies or procedures that explain how final dispositions from department investigations are reviewed. It appears that many City departments can conduct and finalize their own investigations without oversight.

Audit noted the Ethical Practices Board reviews complaints the City Ethics Officer dismisses to ensure proper disposition. The City Ethics Officer stated that they do not conduct an investigation but rather determine if internal complaints should be forwarded to the Human Resource Investigative Unit, to a Human Resources Business Partner, or another appropriate party.

As part of the Human Resource Investigative Unit's (HRIU) investigative process, the Director and/or Investigator from the HRIU meet with the City's Chief Human Resources Officer, the subject's Department Head, a representative of the City Attorney's Office (CAO) and the subject's HRBP in a "Need-to-Know Meeting" where a determination is made as to whether a complaint is substantiated or unsubstantiated based on the investigation. However, Audit was unable to locate guidelines that would trigger a "Need-to-Know-Meeting" or a policy and procedures for how determinations are made in a "Need-to-Know-Meeting".

Audit observed Human Resources Business Partner investigators and their teams are currently not required to have supervisory signoff or any formal review of internal complaints or internal investigations prior to final disposition. Although Audit noted there is some oversight within the HRBP teams (an HRBP oversees a Human Resource Representative and a Human Resource Associate) but the HRBP teams have the flexibility to conduct investigations and make final determinations on their own without any formal oversight. It appears HRBP investigators are, at times, both the investigators and reviewers of their own investigation. There does not appear to be a mechanism in place to review internal complaints that flow into Human Resource Business Partner teams prior to their final disposition.

In the survey conducted by Audit, one quarter of the HRBP team staff respondents stated that there is not a review of their investigation prior to final disposition. One respondent stated that only complex investigations are reviewed by the Director of Human Resources Business Partner Solutions and further stated, "This does not happen very often."

Criteria

Best practices suggest a centralized internal complaint handling and internal investigation policy and procedures. An effective centralized policy and procedures would contain oversight and monitoring of internal

complaints and internal investigations prior to final disposition to avoid the risk of disparate outcomes and other adverse impacts to the City.

Internal controls specified in policies and procedures prevent mishandling, promote accountability, and ensure the integrity of internal investigations. Effective and efficient internal controls aim to meet objectives but also protect the City's interests. Internal controls not only address risks to the City but also reduce occurrences of unnecessary cost or effort.

Cause

The City operates in a decentralized manner whereby complaints are received by, and internal investigations occur in multiple departments. This structure has led to a decentralization of policy and procedures from one centralized source to departments that have their own standard operating guides that only carry subset policies and procedures which are specific to them. While this method seems natural in theory, in application it creates a significant challenge to ensure consistency in investigations enterprise-wide. Some departments have current and documented policies and procedures while others have outdated and insufficient policies and procedures. The City lacks a foundational integrated enterprise-wide policy and procedure for internal complaint and internal investigation review that includes procedures for oversight and monitoring of investigations prior to final disposition.

Risk

Without clear internal complaint and internal investigation oversight and monitoring procedures in place, investigators may conduct inadequate or unethical investigations and improperly influence the outcome of cases. A formal internal complaint and internal investigation review mechanism helps to mitigate bias and reduces the risk investigators may self-select cases creating risk to the City that cases are unfairly influenced.

Recommendation

Audit recommends the City:

- Establish an integrated enterprise-wide policy and procedures to review internal complaints and internal investigations prior to final disposition and to ensure investigators are free from bias and all stakeholders have been notified.
- Incorporate easy-to-understand guidelines and use case scenarios into policy and procedures for internal complaint and internal investigation review that identify situations in which a complaint must be reviewed by or forwarded to the Human Resources Department, the City Attorney's Office or the Director of Internal Audit prior to final disposition.

Management Action Plan

These items will all be addressed as part of the Management Response to Issue #1. The HRIU has processes already developed that will assist with this work, and HR agrees to work with key stakeholders, including in the City Attorney's Office, so that documented, developed processes address procedural mechanisms to minimize the potential for bias and risk.

Target remediation date: January 2, 2024

Responsible party: Director, Internal Workplace Investigations

ISSUE #6

The City Does Not Have Formal Investigator Training Requirements and Competencies, Sufficient Investigator Training Records and Training Does Not Occur on a Consistent Basis (HIGH)

Observation

Human Resources Business Partner investigator training records are not sufficiently documented. Human Resource Business Partner Solutions management does not keep adequate records of staff who attend investigator training.

The City of Minneapolis Human Resource department (HR) hired a third-party vendor to conduct training for HR staff investigators on August 11, 18 and 22, 2022 once fieldwork was already underway for this Audit. This training occurred post-scope for this Audit engagement. HR also conducted training for HR staff investigators in March 2022. HR was unable to provide a written record of HR staff who had attended the training, instead providing a list of who had been invited to attend.

The Human Resources department asserted that training occurs on an annual basis however, Audit was unable to locate documentation for training between January 1, 2017, and March 2022.

During the time period in scope, Audit noted that it appears investigator training was at times left up to individual HR Business Partner teams to train new staff with on-the-job training by having new HR investigators learn from a colleague while on the job and did not have a formal process in place for internal or external refresher training for investigators. In the survey conducted by Audit, some investigators stated they had previous job experience conducting investigations while other investigators did not have prior investigative experience prior to joining the City.

Audit was unable to locate a policy and procedures document outlining ongoing training requirements, frequency of refresher training and competencies for HR investigators. In addition, Audit was unable to locate a reference to or document which describes oversight and monitoring of training. While Audit noted that training sessions occurred once this Audit was underway, investigator training does not appear to have been required and was not consistently occurring during the period in question.

The Human Resources Investigative Unit Director of Workforce Investigations provided records to Audit that showed attendee name, content and dates of investigative training attended for the period in question.

The City Ethics Officer completes training to retain her law license, which includes ethics, elimination of bias, and general training. A list of trainings attended is available via the continuing legal education portal.

Criteria

Best practices suggest a centralized internal complaint handling and internal investigation policy and procedures. An effective centralized policy and procedures would contain investigator training requirements and competencies to ensure consistency in the way complaints are handled.

Cause

The City operates in a decentralized manner, and internal investigations occur in multiple departments. This structure has led to a decentralization of training requirements. While this method seems natural in theory, in application it creates a significant challenge to ensure consistency in investigations enterprise-wide. The City lacks a foundational integrated enterprise-wide policy addressing investigator training requirements and competencies.

Risk

Outdated and insufficient policy and procedure documents related to investigator training increases the risk of non-compliance with local, state, and federal laws, regulations, City Ordinances, or other City policies. A lack of investigator training risks an undue burden on employees who do know how to carry out the task(s) which can result in key-person risk, knowledge and communication gaps, and employee disengagement and dissatisfaction. In the absence of investigator training requirements, users may develop workarounds or their own processes, leading to inconsistencies across the enterprise, increasing the risk of improper investigation handling and outcomes, different investigation standards, a lack of oversight and monitoring of internal investigations, legal issues and reputational and/or financial damages to the City.

Recommendation

Audit recommends the City:

- Establish formal training requirements and competencies for City staff who handle internal complaints and conduct internal investigations, to occur at least annually as initial or refresher training.
- Establish a centralized mechanism to track training of City staff who handle internal complaints and conduct internal investigations, to include attendee name, information presented, presenter name and date of training.

Management Action Plan

HR anticipates that the current practice for who conducts investigations may change as it engages in a comprehensive review of investigation practices and procedures. In the short-term, HR agrees to require all individuals with investigation responsibilities to complete training, if they have not been trained in the past year. HR will identify an appropriate professional to maintain a log of investigators and the training they have completed, and training must be either approved internal training or, if external, training that has been approved for continuing education credits by the relevant authority. HR will commit to requiring annual training for all HR employees who conduct investigations, as long as investigators are decentralized within HR.

In the long-term, HR is planning to explore the viability of centralizing investigators within HR, possibly within the HRIU. In the event HR centralizes investigators, HR anticipates requiring all investigators to meet certain industry-standard training requirements. HR will explore potential training programs as part of this process.

Target remediation date: Short-term: May 1, 2023; Long-term (decision regarding potential change and implementation of change, if applicable): January 2, 2024

Responsible party: The HR Manager who serves as the Business Partner for HR

ISSUE #7

Data Retention and Destruction Guidelines for Complaint Data are Varied and are Not Incorporated into Policy and Procedures for Internal Complaints and Internal Investigations (LOW)

Observation

The City has varied data retention guidelines for internal complaint and internal investigation information. The lack of a centralized case management system prevents the City from discerning where all internal complaint data and internal investigation data resides and makes it difficult for the City to adhere to varied guidelines from multiple data retention schedules.

Audit was advised that data retention guidelines for complaint data can be different based on where an internal complaint originates at the City and what type of data is contained in the complaint. For example, the retention policy the Human Resources Investigative Unit utilizes for Anti-Discrimination, Harassment and Retaliation complaint and investigation data uses what is commonly called "active plus 6", which means data must be kept 6 years from the date an investigation is closed.

The City Ethics Officer stated that the retention period for ethics investigations is active plus 3 (years).

Depending on the type of investigation, Human Resources Business Partners may be required to keep complaint data for different periods of time. For example, when a complaint involves a substantiated criminal complaint the complaint data and investigative report may be required to be retained for a different period than non-criminal complaint data. Data related to employee misconduct may be required to be kept for the duration of employment and at a minimum of active plus 6 years upon employee separation from the City.

Audit was unable to locate one comprehensive integrated City retention schedule specific to internal complaint data and internal investigations. Audit received the following (2) retention schedules from the City Clerk's office, *ADM-30-18* and *HRS-70-04*. Both retention schedules relate to retention of complaint data but give different retention guidelines based on the type of data contained in the complaint:

Administrative Schedule

ADM-30-18

Complaints

*ACT+3 * *Active ceases after action is completed.*

PUBLIC PRIVATE MS 13.44

This series documents the complaints received from the public by a department, city official or employee of the City of Minneapolis. Note: These are complaints of a general nature and do not include records such as Disciplinary Actions, IAD Complaints or Civilian Review Authority Complaints.

Human Resources Schedule

HRS-70-04

Affirmative Action Complaint Files

*ACT+6 * *Active ceases closure, final ruling or agreement.*

PUBLIC/PRIVATE/CONFIDENTIAL

MS 13.39 MS 13.43

The purpose of these records is to document complaints, investigations and resolutions of affirmative action issues including: EEO, ADA, discrimination, sexual harassment, etc. Records may include: Summary of interviews, investigation notes, correspondence, applicable legal documents and resolutions, etc. Affirmative Action is the Office of Record for complaints filed with the Affirmative Action Management Division. The City Attorney is the Office of Record for litigation associated with EEO, ADA, discrimination and sexual harassment complaints (Use LEU-60-08). Note: Use HRS-35-02 (Department Litigation File) for information and retention of records associated with employee litigation.

While the Human Resources Department, the Human Resources Investigative Unit and the City Ethics Officer all stated that they purge complaint data on an annual basis, Audit was advised that the Human Resources Department was unable to determine the total population of its complaint data from its Human Resources Business Partner Solutions Division. Further, Audit did not locate an integrated policy and procedure specific to data destruction of complaint data across the enterprise, apart from the retention schedules provided by the City Clerk's office.

Audit was advised the City Clerk's office has a project underway to update retention guidelines for complaint data from an event-based schedule into a functional retention schedule to enable users to locate and discern retention guidelines more easily. Additionally, the City Clerk stated they intend to combine retention guidelines for complaint data under one heading in the updated retention schedule and have a goal to submit it for state approval by the end of 2022 or early 2023.

Criteria

The foundation of a defensible records and information management program is a vetted retention schedule that covers the length of time, the location, and the form in which a record is kept. It covers paper records and electronic documents and data. With this cornerstone laid, it's possible to develop and implement a strong records and information management (RIM) program. Further, best practices require that organizations maintain secure information controls and retain certain documents, especially when personally identifiable information (PII) is involved.

Cause

The City operates in a decentralized manner whereby internal complaints are collected, and internal investigations occur in multiple departments. This structure has led to a decentralization of policy and procedures from one centralized source to departments that have their own standard operating guides that only carry subset policies and procedures which are specific to them. While this method seems natural in theory, in application it creates a significant challenge to ensure consistency in internal complaint handling, internal investigations and document retention and destruction enterprise-wide. Some departments have current and documented policies and procedures while others have outdated and insufficient policies and procedures.

The City uses a Minnesota State Approved Retention Schedule, last updated in 2005, which lists different retention criteria in different sections based on the type of information contained in complaint data. The City Clerk's office stated that it is currently working on a project to update the retention schedules at the City to a more easy-to-understand functional retention schedule system where internal complaint data will be listed under one heading.

Risk

The absence of clear and concise integrated enterprise-wide data retention guidelines for internal complaint and internal investigation data incorporated into the City's policy and procedures risks data being improperly stored for longer than necessary resulting in a potential increase in data storage cost and an expansion of lawsuit discoverable evidence. On the other hand, ambiguous or hard to understand retention schedules or policy and procedures related to data retention and destruction may result in documents being destroyed prior to their approved destruction date which could result in legal, reputational and/or financial risk to the City. The City's inability to discern the location of all internal complaint and internal investigation data prevents the City from complying with the City of Minneapolis state-approved retention schedules for complaint data.

Recommendation

Audit recommends the City:

- Incorporate data collection, retention and destruction guidelines for complaint data and internal investigations into an enterprise-wide integrated complaint handling and internal investigation policy and procedures and centralized case management system with easy-to-understand criteria and examples of situations when each retention schedule should be utilized, to conform with the City of Minneapolis state-approved retention schedules regarding complaint data.
- As part of an enterprise-wide integrated complaint handling and internal investigation policy and procedures and centralized case management system, create oversight and monitoring steps for internal complaint and internal investigation data collection, retention, and destruction to conform with the City of Minneapolis' state-approved retention schedules regarding complaint data.

Management Action Plan

Data collection, retention, and destruction guidelines will be addressed in the documents created in response to Audit Issue #1. HR and the Ethics Officer intend to wait for the updated retention schedules being prepared by the Clerk's Office before they incorporate the schedules in the process documents. HR and the Ethics Officer agree to partner with the Clerk's Office and the City Attorney's Office to the extent necessary to comply

with any retention obligations under law. As part of the review conducted in response to Audit Issue #2, the review by HR and the Ethics Officer of potential case management systems will include consideration of options for integrating data retention schedules.

Target remediation date: January 2, 2024, or within 3 months of updated retention schedule from the Clerk's Office, whichever comes later

Responsible party: Director, Internal Workplace Investigations