

**Colorado Office of Public Guardianship Pilot Program
Stakeholder Engagement Plan
January 2020**

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1.0 INTRODUCTION

1.1 Purpose and Scope

The Colorado Office of Public Guardianship Pilot Program (OPGPP) was established by statute to serve indigent and incapacitated individuals, residing in the Second Judicial District, that lack willing or appropriate family or friends and are not subject to adult protective services guardianship proceeding.

The Colorado OPGPP recognizes the gravity of placing guardianships on incapacitated adults and the responsibility to preserve their independence wherever possible. The Colorado OPGPP recognizes the client, governmental and community stakeholder interests and concerns related to public guardianship services. The Colorado OPGPP actively seeks collaborative relationships with stakeholders to maximize resources and continuous improvement of policies and processes. The Colorado OPGPP encourages engagement as it allows for ensuring all relevant issues are identified and stakeholders to provide a voice for their concerns.

This Stakeholder Engagement Plan (SEP) will assist the Colorado OPGPP and the OPG Commission to manage and facilitate engagement during the Colorado OPGPP funding period. This SEP is an initial guide to engagement and will need to be revised if the General Assembly approves ongoing funding and expansion of the Colorado OPGPP.

1.2 Objectives of the Stakeholder Engagement Plan (SEP)

This SEP wants to define technical and culturally appropriate approach to collaboration and accountability and transparency. The goal of this SEP is to create an environment of understanding that actively involves clients and stakeholders in a timely manner and to give ample opportunity for clients and stakeholders to voice opinions and concerns that may influence the Colorado OPGPP. This SEP is a tool to manage communications between clients, stakeholders, and the Colorado OPGPP.

Key Objectives:

- Collaboration with governmental and community stakeholders to maximize resources and support continuous improvement of policies and processes;
- Provide guidance for stakeholder engagement;
- Identify stakeholders that are affected, and/or able to influence the Colorado OPGPP and its activities and services;
- Identify the most effective methods to disseminate information and to ensure regular, accessible, transparent and appropriate consultation;
- Guide the Colorado OPGPP to establish and foster respectful, long-lasting and mutually beneficial relationships with stakeholders;
- Develop a process that provides stakeholders with opportunities to influence Colorado OPGPP planning and design;
- Establishes a formal grievance and resolution mechanism;
- Defines reporting and monitoring measures to improve the Colorado OPGPP.

2.0 REGULATORY AND GOVERNANCE FRAMEWORK

2.1 Introduction

The Colorado OPGPP is governed by The Public Guardianship Act, C.R.S. §§ 13-93-101 et. seq. In particular, C.R.S. § 13-93-105 outlines the duties and reporting of the Colorado OPGPP, which allows for specific collaboration and items of evaluation of the Colorado OPGPP.

The Colorado OPGPP is also subject to other state statutes and local court rules regarding probate and guardianship matters:

- Colorado Uniform Guardianship and Protective Proceedings Act, C.R.S. §§ 15-14-101 et. seq.
- Chief Justice Directive 98-01: Costs for Indigent Persons in Civil Matters
- C.R.S. § 13-16-103

3.0 AN OVERVIEW OF STAKEHOLDER ENGAGEMENT

3.1 What is Stakeholder Engagement?

Stakeholder engagement involves interactions between identified groups of people and provides stakeholders opportunities to express their opinions and concerns and ensures that this information is considered during Colorado OPGPP development and decisions. Stakeholder engagement will be respectful and free from intimidation and coercion and include timely, accessible and understandable information.

Effective stakeholder engagement allows for the Colorado OPGPP to:

- Manage risk;
- Enhance reputation;
- Avoid, or minimize, conflict;
- Improve services, policies and procedures;
- Identifying, monitoring and reporting of outcomes;
- Mobilize stakeholders for events and support;
- Manage stakeholder expectations.

3.2 Principles for Effective Stakeholder Engagement

Stakeholder engagement is informed by the Colorado OPGPP values:

- *Dignity* - At-risk adults are treated with individual dignity and respect.
- *Self-determination* - The concerns and decisions of at-risk adults are, to the greatest extent possible, considered with the assistance to regain or develop capacities and participate in supported decision-making and person-centered planning.
- *Access and Quality* - At-risk adults should receive timely access to appropriate services, consistent with best practice, to ensure personal safety and well-being.
- *Collaboration* - The Colorado OPGPP actively seeks collaborative relationships with governmental and community stakeholders to maximize resources and support continuous improvement of policies and processes.
- *Accountability and Transparency* - Outcomes of the Colorado OPGPP are defined, documented and made available to the Colorado General Assembly and the public, as required by statute, accurately and on a timely basis.

3.3 Stakeholder Engagement Considerations

The following considerations should occur when planning for stakeholder engagement:

- **Time and resources.** It takes time and resources to establish and nurture relationships with stakeholders. Stakeholders may need education, not only about the Colorado OPGPP, but also on how to be an engaged stakeholder. Stakeholder relationships may lead to the identification and inclusion of additional stakeholders. As the Colorado OPGPP will only have six staff members, the demands of a stakeholder engagement plan will be high in the beginning when the project lacks the internal capacity and resources to implement a stakeholder engagement plan.

- **Expectations.** It increases unrealistic stakeholder expectations of benefits to them. There will need to be clear communication of the Colorado OPGPP's statutory responsibilities and the actual powers of the Colorado OPGPP.
- **Stakeholder participation.** Cultural norms and values can prevent stakeholders from freely participating in meetings. There can be conflicting demands within a community/organization/group making it difficult for a project to identify stakeholders who are representative of common interests. This might be avoided by creating a Stakeholder Panel with elected representatives from their defined community/organization/group.
- **Consultation fatigue.** Stakeholders can easily tire of the consultation process especially if they perceive unfulfilled promises and their feedback is not considered. This may be avoided by ensuring that promises are not being made to stakeholders, but rather use public consultation as an opportunity to manage expectations, challenge misconceptions, disseminate accurate project information, and gather stakeholder opinions.

4.0 STAKEHOLDER ANALYSIS AND STAKEHOLDER IDENTIFICATION

4.1 Stakeholder Analysis

Stakeholder analysis allows for relationship building and identification of effective methods of communication for each stakeholder group. Consideration must include that the Colorado OPGPP has minimal staff and time for communication with stakeholders. The applicable engagement techniques will be amended as the Colorado OPGPP matures. See Table 4 – 1.

Stakeholder engagement is important to initiating the Colorado OPGPP. In the time leading up to accepting cases, it will be important to distribute information to various stakeholders of the Referral Process.

Stakeholder engagement is important to ongoing support of the Colorado OPGPP. It will be important to distribute information and welcome feedback regarding Colorado OPGPP's Operating Policies and Procedures, Grievance Procedure, and Wind Down Policy.

Due to the fact that the Colorado OPGPP has minimal staff and time for communication with stakeholders, I recommended that a volunteer Stakeholder Panel be developed and maintained. The Stakeholder Panel should include an identified member from the defined Stakeholders to represent the specific defined Stakeholder. **[Comment to add: The Stakeholder Panel is advisory and the**

operating policies of the Colorado OPGPP must foremost reflect the interests of the clients and the statutory requirements of the CO OPGPP.]

Colorado OPGPP will request that each stakeholder/organization democratically elect a representative to sit on the Stakeholder Panel. Representatives will be responsible for disseminating Colorado OPGPP information to their respective community/organization.

I recommend that the Stakeholder Panel include a Representative from each defined Stakeholder, the Colorado OPGPP Director and Staff Assistant. Engagement Notes will be taken by Colorado OPGPP Staff Assistant and posted on the Colorado OPGPP Website and disseminated via email.

[Comment to add: The Stakeholder Panel may consist of up to 25 members:

- Government officials: 3 members
- Health and medical care providers: 3 members
- Direct service providers: 3 members
- Advocacy agencies: 3 members
- Universities: 1 - 2 member
- Attorneys: 2 members
- Guardians: 2 members
- Fiduciaries: 2 members
- OPG Commission: 1 member
- OPG Personnel: 1 member
- Donors: 2 members
- Volunteers: 1 -2 members]

Initially, the frequency of the Stakeholder Panel meetings may be monthly or every other month. Higher frequency will be important as the Colorado OPGPP begins serving clients and to ensure that the maximum number of stakeholders/organizations are included.

It may be beneficial for the Stakeholder Panel meeting venue to rotate amongst the stakeholder communities/organizations on a quarterly basis. Otherwise, Panel meetings can be held at the Ralph L. Carr Colorado Justice Building.

4.2 Defining Stakeholders

Stakeholders are individuals or groups that can be directly or indirectly affected by the policies and decisions of the Colorado OPGPP. Stakeholders also include those who may have interests in the Colorado OPGPP and/or the ability to

influence its outcome. The list of stakeholders will be amended as the Colorado OPGPP matures and by OPG Commission feedback. See Table 4 – 2.

4.3 Stakeholder Report

The Colorado OPGPP will maintain a Stakeholder Report, which shall record all stakeholders, contact information, dates of engagement with comments and follow up requirements and timelines.

5.0 STAKEHOLDER ENGAGEMENT APPROACH

5.1 Engagement Phases

Engagement is an ongoing process throughout the Colorado OPGPP and thereafter, should the General Assembly continue and/or expand the Colorado OPGPP. There are three stages of Stakeholder Engagement for the Colorado OPGPP:

- Baseline Engagement;
- Consultation Engagement; and
- Ongoing Engagement.

5.1.1 Baseline Engagement Phase

During the Baseline Engagement Phase the focus on engagement is primarily meeting and gathering information and opinions from stakeholders. Engagement activities include one-on-one meetings, formal and public meetings, Stakeholder Panel meetings, and workshops with various defined stakeholders.

Objectives:

- To comply with the Colorado OPGPP statutory requirements, its Mission and Values;
- Introduce the Colorado OPGPP and the Referral Process to key stakeholders;
- Further identify stakeholders related to, and impacted, by the Colorado OPGPP;
- Identify and gain access to relevant data for the Colorado OPGPP;
- To gather stakeholder opinions and ensure that the opinions are considered; and
- To gather stakeholder feedback on the development of management and operating policies of the Colorado OPGPP.

5.1.2 Consultation Engagement Phase

The Consultation Engagement Phase focuses on providing information to stakeholders about Colorado OPGPP policies and management and seeking feedback from stakeholders. Engagement activities include one-on-one meetings, formal and public meetings, Stakeholder Panel meetings, workshops, and public comment periods with various defined stakeholders.

Engagement activities will be appropriately publicized in a timely manner with consideration given to the communication style and ability of stakeholders. The timing and location of engagement activities will be designed to maximize accessibility to affected stakeholders. Information will be presented in a non-technical manner with consideration given to the communication style and ability of stakeholders. Issues raised will be answered at the meeting or actively followed up.

Objectives:

- To comply with the Colorado OPGPP statutory requirements, its Mission and Values;
- Introduce particular Colorado OPGPP policies to key stakeholders;
- Further identify stakeholders related to, and impacted, by the Colorado OPGPP;
- Identify and gain access to relevant data for the Colorado OPGPP;
- To gather stakeholder opinions and ensure that the opinions are considered; and
- To gather stakeholder feedback on the development of management and operating policies of the Colorado OPGPP.

5.1.3 Ongoing Engagement Phase

Ongoing Engagement Phase is continuous with the Consultation Engagement Phase to support long-term viability of the Colorado OPGPP by establishing and maintaining good relationships with stakeholders and using feedback to inform the decision-making process.

Additionally, as systemic issues and concerns arise with stakeholders, this phase will also include working with stakeholders to address and improve systems that affect the Colorado OPGPP clients.

6.0 STAKEHOLDER ENGAGEMENT TO DATE – CURRENT DEVELOPMENT

6.1 October – December 2019 Baseline Engagement Activities

Upon the Director's arrival to the Colorado OPGPP on October 21, 2019, numerous activities took place through the end of December 2019, prior to a Stakeholder Engagement Plan being established.

Objectives during this time period were to introduce the Director to various stakeholders to establish relations, seek informal feedback, concerns and impacts on stakeholder communities. Engagement activities also allowed for further identification of stakeholders. See Table 6 – 1.

6.2 Key Issues Raised During Baseline Engagement Activities

- Start date for services
- Target populations to be served
- Qualifications of guardians
- Stakeholder engagement and collaboration
- Statutory data gathering
- Funding
- Operating policies

7.0 IMPLEMENTATION OF THE SEP

7.1 Resources and Responsibilities

The Colorado OPGPP has the overall responsibility for stakeholder consultation and engagement. While the Director and the Staff Assistant will be directly involved, the Public Guardians will also be liaisons to stakeholders. As the Colorado OPGPP grows and hires more staff, it is anticipated that another staff member may be given the responsibility for more focused stakeholder engagement.

7.2 Stakeholder Engagement Tools and Materials

The Stakeholder Engagement Plan will be used in conjunction with the Stakeholder Report, Grievance Procedure, Comment Report, Engagement Notes and required action/follow up.

7.3 Monitoring and Evaluation, and Reporting

7.3.1 Monitoring and Evaluation

The Colorado OPGPP will maintain a database and reports detailing all stakeholder engagement activities, comments, consultation and grievances collected throughout the project, some of which may be available for public review on request.

Stakeholder engagement should be reviewed periodically by the Director and OPG Commission. The following indicators will be used for review:

- Level of understanding of stakeholders;
- Level of involvement of stakeholders;
- Comment Reports;
- Annual grievances received and their resolutions; and
- Level of involvement of affected people.

The following will be used to measure the indicators:

- Posting minutes of meetings on website;
- Posting of issues raised at meetings and the Colorado OPGPP responses on website;
- Comment Reports;
- Feedback and surveys from stakeholders; and
- Grievance Reports.

7.3.2 Reporting

The Director and Staff Assistant will prepare brief monthly reports on stakeholder engagement activities, that will be presented at OPG Commission meetings. The reports will include:

- Activities conducted during the month;
- Public outreach activities;
- Entries to, and status of, the Grievance Report;
- Entries to, and status of, the Comment Report;
- Number of website views;
- Number of public comment entries from website;
- Progress on collaborations and special projects;
- Newly identified stakeholder groups; and
- Next steps.

Monthly reports will be used to supplement Interim annual Director Reports to the General Assembly.

8.0 GRIEVANCE MANAGEMENT AND COMMENT RESPONSE

8.1 Purpose

A grievance is a concern or complaint raised by a client, an individual, or group

affected by the Colorado Office of Public Guardianship. A grievance may result from either a real or perceived impact of the operations of the Colorado Office of Public Guardianship.

A grievance is not a comment or suggestion regarding operations of the Colorado Office of Public Guardianship.

8.2 Objectives

- To provide clients and stakeholders with a clear process for providing comment and raising grievances;
- To allow clients and stakeholders the opportunity to raise concerns anonymously by using the online grievance process available on the Colorado Office of Public Guardianship website;
- To structure and manage the handling of grievances and responses and allow for monitoring of effectiveness of the mechanism; and
- To ensure that all grievances and responses are handled in a fair and transparent manner.

8.3 Roles and Responsibilities

All Colorado OPGPP employees are responsible for reporting any grievance to the Staff Assistant. The Staff Assistant is the main point of contact for community level grievances and will be responsible for maintaining grievance procedure timelines and updating the aggrieved.

The Staff Assistant and Director will coordinate the investigation and response to grievances and are responsible for on-going monitoring and review of the effectiveness and efficacy of the Grievance Procedure.

8.4 Procedure for Comment Report

Step 1: Submitting a comment. A comment can be submitted to the Colorado OPGPP in several ways:

- During regular meetings held between communities/stakeholders and the Colorado OPGPP;
- During informal meetings with the Colorado OPGPP;
- Through direct communication with the Colorado OPGPP – for example a letter addressed to the Director or staff;

- Through direct communication with the Colorado OPGPP by a phone call to the Colorado OPGPP Director or staff;
- Directly by email to COPublicGuardianship@judicial.state.co.us;
- Directly by electronically submitting the form on the Colorado OPGPP website; and
- Through the Colorado OPGPP Public Guardians.

Step 2: Logging the comment. Once a comment has been received, it must first be logged in the Comments Register by the Staff Assistant.

Step 3: Providing the initial response. The individual/stakeholder that filed the comment will be contacted within 10 business days to acknowledge that the Colorado OPGPP received the comment and to provide feedback.

8.5 Procedure for Grievances [Comment – separate from SEP, confidential & case specific]

Step 1: Submitting a grievance. A grievance can be submitted to the Colorado OPGPP in several ways:

- During regular meetings held between communities/stakeholders and the Colorado OPGPP;
- During informal meetings with the Colorado OPGPP;
- Through direct communication with the Colorado OPGPP – for example a letter addressed to the Director or staff;
- Through direct communication with the Colorado OPGPP by a phone call to the Colorado OPGPP Director or staff;
- Directly by email to COPublicGuardianship@judicial.state.co.us;
- Directly by electronically submitting the form on the Colorado OPGPP website;
- Through the Colorado OPGPP Public Guardians; and
- Through an appropriate filing with the Denver Probate Court.

Step 2: Logging the comment. Once a grievance has been received, it must first be logged in the Grievance Report by the Staff Assistant.

Step 3: Providing the initial response. The individual/stakeholder that filed the

comment will be contacted within 10 business days to acknowledge that the Colorado OPGPP received the grievance and a timeline to provide feedback.

Step 4: Investigating the grievance. The grievance will be investigated. The Colorado OPGPP will aim to complete investigation within two weeks of the grievance being first logged.

Depending on the nature of the grievance, the approach and personnel involved in the investigation will vary. A complex problem may involve external experts, for example. The Colorado OPGPP will involve the aggrieved in this investigation, where possible, to ensure participation.

The Colorado OPGPP will continually update the aggrieved on the process of the investigation and timeline for conclusion.

Step 5: Concluding/resolving the grievance. The grievance should be concluded and the Colorado OPGPP will outline steps taken to prevent the grievance from reoccurring. The Colorado OPGPP will notify the aggrieved in writing.

Step 6: Taking further steps if the grievance remains open. If the grievance still stands then the Director will initiate further investigation and determine steps for future action.

8.6 Record Keeping

All comments and grievances are to be logged using the Comment Report and Grievance Report. This includes the details of the comments/grievance, the commenter/aggrieved, and ultimately the steps taken to resolve or address the comment/grievance. The Comment Response and Grievance forms are available on the Colorado OPGPP website. The forms can be submitted electronically, or the forms can be printed and mailed/emailed/hand delivered to the Colorado OPGPP. At an individual's request, the forms can be mailed to them. Hard copies will be available at meetings.

Any accompanying documentation to the forms are to be filed along with the comment/grievance register. A master database register will be maintained by the Director and Staff Assistant to record and track management of all comments and grievances.

8.7 Monitoring and Review

It is important to monitor the effectiveness of the comment response and grievance procedure. The Director and Staff Assistant will include monthly

reporting to the OPG Commission on the number of comments/grievances received, resolving and outstanding. As part of the annual review/report, analyzing the trends and time taken for grievance resolution will help evaluate the effectiveness of the comment response and grievance procedure.