Proposal on Corruption Complaints Management in Greece: The Role of the General Secretariat Against Corruption
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About the Greece-OECD Project

The Greek government is prioritising the fight against corruption and bribery and, with the assistance of the European institutions, is committed to taking immediate action. Under the responsibility of the General Secretariat Against Corruption, Greece’s National Anti-Corruption Action Plan (NACAP) identifies key areas of reform and provides for a detailed action plan towards strengthening integrity and fighting corruption and bribery. The OECD, together with Greece and the European Commission, has developed support activities for implementing the NACAP. This project is scheduled for completion in 2018 and is co-funded by the European Commission and Greece. For further information, please see the project webpage.
# Table of contents

**Introduction** .................................................................................................................. 5

**Scale and scope of anti-corruption complaint handling** ................................................. 7
  Scale .................................................................................................................................. 7
  System capacity .................................................................................................................. 7
  Defining what is in scope for corruption complaint handling in Greece ...................... 7
  What are fraud and corruption? ....................................................................................... 8
  What is a complaint? ........................................................................................................... 9
  Summary ............................................................................................................................ 10

**Effective complaint-handling systems and practice** ....................................................... 11
  Key values underpinning effective complaint handling .................................................. 11
  Key elements of complaint-handling systems .................................................................. 12
  Defining responsibilities for different elements of complaint handling ...................... 12
  Key elements of good practice in (corruption) complaint handling ............................. 14
  Summary ............................................................................................................................ 23

**Good practice in corruption complaints management in Greece** ................................ 25
  GSAC and corruption complaints management ............................................................... 25
  Establishing good internal complaint-handling systems and practices in GSAC ......... 25
  Building capacity for effective corruption complaints management .......................... 26
  Establishing better communication and co-ordination for corruption complaints management .................................................................................................................. 29

**Recommendations** ....................................................................................................... 33
  System level issues .......................................................................................................... 33
  Fighting corruption .......................................................................................................... 34
  GSAC’s role within the complaint-handling system ....................................................... 35
  GSAC as a “best practice” model: Values systems and practices .................................... 35
  Learning from complaints ............................................................................................... 37
  IT and data-sharing issues .............................................................................................. 38
  Timeline ............................................................................................................................ 38
  References ......................................................................................................................... 39
Introduction

The Greece-OECD Project: Technical Assistance on Anti-Corruption supports the government of Greece in increasing integrity and reducing corruption. The General Secretariat Against Corruption (GSAC) is the institution responsible for co-ordinating the efforts to fight corruption in Greece. Within these initiatives, a need has been identified to develop a citizen complaint system to encourage people to report and disclose fraud in EU Structural Funds and corruption cases.

Aims and objectives

1. To identify ways to analyse, prioritise and channel corruption complaints for effective management and resolution.
2. To promote better prioritisation and co-ordination of corruption complaint investigation capacity and activity.
3. To build confidence amongst stakeholders and citizens in the effectiveness of the complaint-handling system for combating corruption in Greece.
4. To consider the role that GSAC can play in the above. For example, how to set up an effective complaints management function within GSAC (including organisational arrangements, functions and processes, and interaction with other competent actors), in particular for complaints related to EU Structural Funds and the AFCOS function.

This proposal brings together evidence and learning from a range of international sources, as well as from preliminary discussions with colleagues at OECD and stakeholders in Greece. The document draws on international standards and experience to consider the infrastructure, process and systems required to deal with and learn from anti-corruption complaints. This includes the internal systems, structures and procedures within GSAC for complaint handling; the co-ordination of information and relationships between different agencies currently fighting corruption and fraud; and the opportunity for systemic learning in informing the more effective management of anti-corruption efforts. Further discussions of the themes and content contained within this document were facilitated at a two-day consultation workshop in Athens in October 2017.

This document progresses as follows. First, it seeks to place boundaries around what is in-scope and out-of-scope for the handling of corruption complaints by considering the questions, “What is corruption?” and “What is a complaint?” in Greece. Second, it draws on international standards and practices to establish key elements of good practice in complaint handling, in terms of both what is involved and who does what. Third, it considers how such good practices might be inculcated in the internal systems and procedures of GSAC. Fourth, it considers how external relationships might be further developed and promoted between GSAC and other agencies currently fighting corruption and fraud. Fifth, it considers the resources and infrastructure required to build the capacity for effective anti-corruption complaints management. Finally, it provides some key recommendations for GSAC.
Scale and scope of anti-corruption complaint handling

Scale

In the most recent available data, the European Commission’s (2014) anti-corruption assessment, most respondents claimed that corruption was a widespread problem in Greece, and the annual cost of corruption in the country was estimated at EUR 554 million. Meanwhile, recent OECD survey data (2016) found that only 44% would know where to report it. Between the Ombudsman and other competent agencies, a total of more than 16,000 complaints were received in 2015, although the division between complaints about maladministration and those about corruption is unclear.

System capacity

There are a number of institutions responsible for processing corruption complaints in Greece. As well as the General Secretariat Against Corruption (GSAC), these include: Ombudsman’s Office; Court of Auditors; Financial Police Division; the General Accounting Office (GAO); Independent Authority for Public Revenue (IAPR); Health and Welfare Services Inspection Body; Body of Inspectors-Controllers of Public Administration; Inspectorate Body of Public Works; the General Inspector of Public Administration; Internal Affairs Division of Hellenic Police; and Internal Affairs Division of Coast Guard. In principle, this provides capacity in those different parts of the system that are nominally closest to the subject of the complaint and allows for a nuanced approach to complaint handling that more properly understands the context in which the complaint has arisen.

In practice, however, the system for complaint handling is widely perceived by citizens and stakeholders as fragmented. This makes it difficult for complainants to identify which authority is competent to handle their case. Moreover, this can cause significant problems of duplication, lack of co-ordination and ineffectiveness within the system. This can lead to a perception of low levels of co-operation between agencies and understaffing in many agencies, which means that people lack faith that their complaint will be addressed in a timely manner or that, on their own, their complaint can make a difference.

Defining what is in scope for corruption complaint handling in Greece

Defining corrupt behaviours is an important step in establishing boundaries around corruption complaint handling. For example, complaints may be received concerning corruption and/or maladministration. Whilst the focus of this report is on the former, the boundary between these elements is not always clear-cut. For example, poorly performing government organisations ridden with maladministration issues are often optimal breeding grounds for fraud and corruption. Instances of corruption, therefore, may be detected over the course of handling complaints about maladministration. While the focus in this document is on corruption complaints, there is a broader question about the extent to which it is feasible and/or desirable to include alleged maladministration issues in what is considered in scope and out of scope for corruption.
complaints management, given their potentially overlapping nature with the existence of corruption.

In this way, it is helpful to put definitions in place to specify what is in scope and out of scope for corruption complaints management. This can be important in setting appropriate expectations from citizens in their contacts with GSAC. It can also be important for GSAC staff at the point of intake in accurately registering complaints and determining what will happen next.

**What are fraud and corruption?**

According to the *Draft Greece-OECD Audit Manual* produced as part of this project, fraud involves “deliberate misrepresentation of facts and/or significant information to obtain undue or illegal financial advantage”, whilst corruption involves “effort to influence and/or, the abuse of, public authority through the giving or the acceptance of inducement or illegal reward for undue personal or private advantage.” However, as OECD (2012: 9) points out:

> “International standards do not define ‘corruption’; instead they establish offences for a range of corrupt behaviour. For example, The United Nations Convention Against Corruption (UNCAC) contains mandatory offences, which include bribery of national public officials, bribery of foreign public officials and officials of public international organisations, embezzlement, misappropriation or other diversion of property by a public official and obstruction of justice; as well as optional offences, such as trading in influence, abuse of functions, illicit enrichment, and bribery in the private sector.”

GSAC is mandated to accept corruption and fraud complaints in every policy area. With regard to corruption complaints, Article 54(3) of Law 4446/2016 states that “the Office of Complaints shall receive complaints about corruption cases in the public and private sectors.” The range of corrupt behaviours that are considered in scope and out of scope for corruption complaint handling are outlined in the *OECD Corruption Complaints Mapping Report*, but could also be the focus for further discussion, in order to assist the implementation of model complaint-handling procedures in GSAC and other competent bodies. This range of corrupt behaviours may vary across the six high-risk policy areas prone to corruption that are targeted by the Greece-OECD project, namely: tax and customs, health, public procurement, the defence sector, local government entities (LGEs) and private and public investment. As well as the corrupt behaviours that are common to each of these areas, it is important to consider those that may be specific to particular areas.

Knowing the range of corrupt behaviours makes it easier to identify and look for red flags in corruption complaints. For example, the International Anti-Corruption Resource Center (IACRC) lists 30 of the most common red flags in the contracting and procurement process, from the procurement planning stage, right through to the awarding and implementation of contracts (http://guide.iacrc.org/red-flags-listed-by-project-cycle/). This, in turn, enables more effective planning of how to respond in the development and implementation of complaint-handling procedures, in terms of complaint registration, recording and referral.
What is a complaint?

In the development and implementation of complaint-handling procedures, more developed understandings of what corruption is should be linked to more developed understandings of what a complaint is. For the purposes of this proposal, we consider how citizen reporting of corruption may take at least three forms:

- **Concerns**: Concerns may be expressed on any aspect of fraud and corruption, such as the observation of financial irregularity. It will be particularly important for GSAC staff to use their discretion and judgement in supporting citizens to decide whether this should be escalated to a complaint. There could be circumstances where the nature of the concern is sufficiently serious to immediately trigger further due diligence checks or a referral for full investigation.

- **Complaints**: A complaint involves an expression of dissatisfaction by one or more members of the public about an encounter of actual or perceived fraud or corruption, whether arising through the action or lack of action of a public body, official or contractor.

- **Crime reports and recourse to litigation**: A crime report involves citizens reporting if they have clearly been the victim of a fraud or corruption-related crime, or think they have witnessed one.

Each of these forms may again demand different responses in terms of complaint registration, recording and referral. For example, concerns might be accepted anonymously as well as from identified parties, recorded in the complaint-handling system and a basis for their verification sought. In the absence of this, further action may be suspended pending the expression of similar concerns from other parties. Meanwhile, complaints might be accepted from identified parties or anonymously, recorded in the complaint-handling system, and further action taken in accord with the complaint-handling process detailed below. Finally, crime reports and recourse to litigation might be recorded in the complaint-handling system before being referred immediately to the relevant agency within the legal or criminal justice system. In these cases, care should be taken to establish whether all the issues citizens wish to raise will be considered through such action; any outstanding issues must still be registered and addressed as concerns and/or complaints.

While outwardly the distinctions between concerns, complaints and crime reports may seem clear-cut, in practice it may be difficult to distinguish clearly between them. In this situation, it might be decided that the complaint-handling procedure is followed until it becomes clear that either no further action is appropriate, or that the case has been taken as far as it can go (including, where appropriate, referral to another agency).

It is important for GSAC to decide how it wishes to pursue concerns (especially those received anonymously) and possibly convert them into full complaints, and on the extent to which they might complete pre-investigation work (such as due diligence checks) before referring citizen reports of corruption on to other competent bodies.
Summary

The need for better corruption complaint handling emerges from both 1) the reported scale of fraud and corruption activity; and 2) a perceived lack of effectiveness in the current system. This section sets out some preliminary criteria that require consideration prior to the development of more detailed complaint-handling procedures. These include better definition of the schemes and behaviours of fraud and corruption that are properly the concern of the complaint-handling system. They also include differences in approach that might be associated with different forms of citizen reporting of corruption such as concerns and crime reports (as distinct from complaints). Consideration of these criteria is necessary to establish what is in scope and out of scope for corruption complaint-handling processes.

The next section of this proposal adds another dimension to this discussion. Using international standards and experience, it details the key elements that might be combined in effective complaint-handling procedures, and what represents good practice in their operation. It also draws on this literature to suggest where the responsibilities for different elements of these complaint-handling procedures might lie in an effective complaint-handling system.
Effective complaint-handling systems and practice

Effective complaint handling is dependent on having the right values, systems and practices in place. It is recommended that GSAC should devise and implement a policy statement and internal code of conduct covering these issues.

There is a considerable body of international evidence from which to draw in relation to these elements. This paper draws extensively on a number of examples identified by the team, including various Model CHPs and Best Practice Resources generated at the Scottish Public Services Ombudsman (SPSO, 2011, 2016), Commonwealth Ombudsman (CO) Better Practice Guide (2009), UNDP Guide for Ombudsman Institutions (2006) and CHS Alliance Guidelines for Investigations (2015), amongst other sources.

Key values underpinning effective complaint handling

If it is to establish itself with citizens as a trusted channel for corruption complaints, it is essential that GSAC operates to the highest standards of ethical principles and behaviours. The UNDP Guide (2006), for example, asserts that one part of complaint-handling institutions’ role is to advocate for good governance, respect for human rights, equality, justice and the rule of law. In doing so, it suggests general values and principles of probity, fairness, and integrity should be linked with behaviours of timeliness, courtesy and confidentiality:

- Each person should receive a fair and unbiased consideration of their point of view by staff when considering their complaint.
- No person who seeks help from [GSAC] shall be harmed by using the office.
- People should expect and receive timely responses to their requests for help.
- Agencies and government employees should receive courteous and unbiased consideration of their positions during [GSAC’s] inquiries.
- Confidential information provided to [GSAC] staff shall be guarded and protected to the extent guaranteed by law.
- Staff should provide as complete and as accurate information to citizens and agencies as reasonably possible. If in doubt, the information should be verified before passing it on.

The CO Guide (2009) suggests similar principles of fairness, accessibility, responsiveness and efficiency. In turn, fairness is said to rest on three qualities: impartiality, confidentiality and transparency. Impartial treatment is key to the credibility and success of a complaint-handling system. Confidentiality is important to prevent reprisals or negative treatment. Transparency is required to inform citizens how a complaint will be handled, the outcome of any investigation, and how this outcome might be reviewed.

For SPSO (2011), an effective complaint-handling procedure is, therefore:

- **Citizen-focused**: It puts the complainant at the heart of the process.
• **Accessible:** It is appropriately and clearly communicated, easily understood and available to all.

• **Simple and timely:** It has as few steps as necessary within an agreed and transparent timeframe.

• **Thorough, proportionate and consistent:** It should provide quality outcomes in all complaints through robust but proportionate investigation and the use of clear quality standards.

• **Objective, impartial and fair:** It should be objective, evidence-based and driven by the facts and established circumstances, not assumptions, and this should be clearly demonstrated.

…and should:

• **Seek early resolution:** It aims to resolve complaints at the earliest opportunity, to the citizen’s satisfaction wherever possible and appropriate.

• **Deliver improvement:** It is driven by the search for improvement, using analysis of outcomes to drive quality improvements.

**Key elements of complaint-handling systems**

Effective complaint-handling systems should be guided by such values. However, the way in which these values influence behaviour may vary in different parts of the system. Where this is the case, it can adversely affect the citizen’s experience of making a complaint and therefore lower their expectation that complaining can make a difference. This raises communication and co-ordination issues at the level of the system, particularly where responsibilities for the different stages within the complaint-handling process are divided between different offices or agencies. As the CHS Alliance (2015: 5) observes: “Complaints mechanisms are most effective when implemented as part of an overall accountability framework – which addresses organisational policies, transparency and information sharing, community participation and staff competency.”

**Defining responsibilities for different elements of complaint handling**

According to the CO Guide (2009), complaint handling comprises seven stages:

1. **Acknowledge:** A complaint should be acknowledged promptly.
2. **Assess:** The complaint should be assessed and assigned priority.
3. **Plan:** If investigation is required, it should be planned.
4. **Investigate:** The investigation should resolve factual issues and consider options for complaint resolution.
5. **Respond:** The response to the complainant should be clear and informative.
6. **Follow up:** If the complainant is not satisfied with the response, internal review of the decision should be offered, and information about external review options should be provided.
7. **Consider**: Any systemic issues that arise as a result of the complaint should be considered and acted on.

In a similar stage model, the CHS Alliance Guidelines (2015) outlines the following key steps:

1. Receive allegation.
2. Make management decision on how to proceed (including protection concerns).

*If the decision is to investigate:*

3. Appoint investigation team.
4. Plan the investigation and undertake a risk assessment.
5. Gather and study background material and documentary evidence.
6. Update investigation plan and draft interview questions.
7. Interview witnesses.
8. Write investigation report and management outcome report.
9. Conclude the investigation, submit findings for appropriate follow-up.
10. Inform participants of the outcome of the complaint.

Corruption complaint-handling systems may divide responsibilities for completing the above steps between more than one agency. However, multi-agency complaints systems have strengths and weaknesses. The CHS Alliance Guidelines (2015) point out that where many organisations with different mandates work in the same location to provide assistance, citizens might be unable to distinguish between the roles of different organisations and this can create confusion. Multi-agency systems also require a great deal of commitment to develop and maintain. To succeed, they need to ensure the management commitment of all organisations is clear, and that resources have been allocated from each organisation to support the system.

In practice, IASC (2011; cited in CHS Alliance Guidelines, 2015) observes that multi-agency complaints systems tend to fall into one of two models — clearinghouse and referral mechanisms:

1. In a **clearinghouse** model, an independent entity, not affiliated with a single agency, is tasked with the responsibility of receiving and referring reports to appropriate agencies. This helps reduce the time and even subjectivity with which agencies may process incoming reports. It can reinforce the neutrality and the perception of independence or objectivity of the complaints mechanism.

2. A **referral** model allows citizen reports to be made to any agency within the system. Common entry points may be developed through which citizens can lodge a complaint. Once the complaint is lodged, it is referred through an agreed mechanism to the relevant agency. Participating agencies agree on a set of common protocols for receiving, handling and investigating complaints to ensure a consistent response.
GSAC is part of a multi-agency complaint-handling system based on a referral model. However, this referral model requires improvement. A large number of administrative control, inspection and audit bodies may receive corruption complaints due to their varied legal status and scope of activities and responsibilities. Depending on the type of issue to be addressed, there are a number of different inspection bodies with jurisdiction over the same corruption complaint. Most of these services operate in silos with little communication and information sharing, due in part to the lack of common protocols and good administrative information-sharing systems within the Greek administration. As a result, there is often confusion among the different stakeholders as to efforts being carried out by other entities and as to how to maximise efficiency and manage an overwhelming number of cases. It is very important to establish the steps in the complaint-handling process in which GSAC would participate in this multi-agency system and those in which it would not. Given its current lack of an investigation role, it could not be reasonably involved in Stage 4 in the CO (2009) framework, or Stages 3-9 in the CHS Alliance (2015) framework. However, in principle at least, GSAC could be involved in other stages in each model.

As stated above, values, systems and practices are linked in determining the attributes and consequences of an effective complaint-handling process. The extent to which GSAC is supported by citizens and other stakeholders to perform a broader/deeper role (i.e. in more stages of the corruption complaint-handling system) will depend to some extent on its ability to enhance the overall performance of the system through the promotion and implementation of good practice in each of the above stages.

**Key elements of good practice in (corruption) complaint handling**

In broad terms, there is a need for GSAC to consider good practice in all of the different stages in which it might feasibly participate. These include: registering a complaint, recording the details of the complaint, prioritisation of the complaint, pre-investigation/due diligence work, forwarding the complaint, participation in investigation planning, monitoring the progress of a complaint, maintaining communication with complainants and investigating agencies throughout the process, and informing citizens about the outcome(s) of their complaint.

**Receiving a complaint**

As a basic minimum, citizens should be made aware of whom they can complain to. Beyond this, citizens should be given a range of simple-to-use contact options so that their complaints may be received in the manner they choose. This generally includes personal visits, written complaints mailed, e-mailed or faxed to the complaint-handling body, or telephone calls. Even if citizens use one contact option more often than other options, all options should be well maintained and supported.

Some complaint-handling bodies require complainants to put their complaint in writing and include specific information. However, as the CO Guide (2009) points out, the requirement for a written complaint should not be a barrier to using the complaint-handling body’s office, especially if the complainant is not literate. Other options that can be considered are face-to-face contact with a staff member (although people who fear for their own safety if they make complaints should not have to risk being identified
by visiting the office of an institution receiving corruption complaints), and receiving complaints by telephone (although this requires staff to verify the credibility of the caller to prevent fraud or another mischief).

According to the CO Guide (2009), the reasons citizens do not complain include lack of time, a perception that complaining will be too much trouble, a perception that the complaint-handling body will not act on the complaint, and a fear that the complaint-handling body will send them on a wild goose chase. Cultural factors can also be important: in some cultures making a complaint is seen as insulting behaviour, and in others, it may lead to unwelcome consequences. In Greece, for example, workshop participants noted a culture of anyone reporting corruption being considered a “snitch”, leading to a fear of retaliation. The Parliamentary and Health Service Ombudsman (PHSO) (2013) therefore points out that making a formal complaint can often be a daunting step for citizens, who can feel that there is no middle stage between having a concern and making a formal complaint. These and other barriers can be reduced if citizens are told that complaints are welcomed, are handled confidentially, and will be used directly by the complaint-handling body in the fight against fraud and corruption.

Registering and recording details of the complaint

A complaint that is registered is one with sufficient information provided to enter it in the paper or computerised registration system. The UNDP Guide (2006) notes that often the following data is included when a complaint is registered: date complaint was received; case file number to identify this specific complaint; complainant’s name, address, city, state, province, region, postal code, telephone number including city code; other contact information such as fax or cell phone numbers; email address; identity or passport number; gender; method of contacting the office; name of the agency or institution the complaint is against; and a summary of the alleged act of fraud or corruption. All complainants should receive a personalised acknowledgement of their complaint. Registration helps if a complainant makes additional comments or complaints to the office later.

As the UNDP Guide (2006) points out, along with receiving the complaint, the intake officers (previously trained) will make initial determinations whether a complaint is within the complaint-handling body’s competence or should be referred elsewhere. This requires details of the complaint to be carefully recorded about who the complainant is, how they can be contacted again and what they allege (i.e. what happened, who did it, when, where, who else was there). Intake officers may also ask complainants to provide any written documentation about the complaint that the complainant possesses such as letters, decisions or other documents. For SPSO (2011), the staff member (or team) responding to the complaint is responsible for establishing what information is required, for gathering that information and for ensuring that the information gathered is of suitable quality and accuracy to enable a full and informed response to be issued. The UNDP Guide (2006) suggests that in any initial fact-finding intake interview, the complainant should be asked:

- What is the basis of their understanding of the complaint or grievance?
- What kind of relief do they seek?
• Why do they believe they are entitled to that relief?

For the CO (2009), staff who specialise in receiving complaints but do not investigate them become adept at collecting the information needed during receipt of the complaint. They also may become highly capable of dealing with difficult people and of relating to people who are less able to communicate effectively and efficiently.

The UNDP Guide (2006) states that all complaint-handling bodies need some form of registration system to record information collected at intake and monitor complaints that have been registered and not yet completed. Complaint-handling bodies should maintain complete and accurate records of all contact regarding complaints and ensure that this information is easily accessible, preferably in a single location. As well as basic information such as the citizen’s details, the issues raised and the action taken, a complaint file should contain any complaints correspondence, notes of meetings and telephone calls, email correspondence with the service user and any internal communications about the investigation.

Designing such registration systems correctly the first time is key since it is very difficult to make significant changes later and produce meaningful and comparable statistics if major changes have been made in the information collected. For offices with sufficient budgets, the best system is a computerised registration database. This is recommended for GSAC and the wider multi-agency system in Greece.

Prioritisation of the complaint

Given the extent of corruption and the limits imposed by human and financial resource constraints in the complaint-handling system, it is necessary to prioritise fraud and corruption cases for investigation. This would require clear methods for identifying and assessing risk, e.g. who could be at risk, how, and to what extent? There are a number of different ways of identifying and assessing risks. Risks identified in complaints are commonly assessed using some form of “traffic light” system as being high, medium or low in severity and likelihood. This is particularly important in ensuring that serious corruption cases receive the necessary attention.

Intake officers, therefore, should not promise any complainant what action will be taken. They should instead help complainants identify the root causes for their concerns, the issues that need to be reviewed, and whether there is an appeal or alternative way to resolve their complaint. This means:

• Intake officers must assess whether anything can be done with the complaint. If nothing practical can be done at this stage, the complaint should be registered and the file suspended.

• Issues that are straightforward (requiring little or no investigation) can normally be easily resolved with an on-the-spot explanation or other such action to resolve the complaint within five working days. For SPSO (2011), all staff members who could potentially be the first point of contact for a service user wishing to raise a complaint should be equipped to attempt to resolve a complaint relevant to their area of service there and then, wherever possible.
If further information is required to form a judgement about appropriate action, pre-investigation activity may be undertaken according to agreed protocols. This may involve seeking additional information if the complainant has provided a name and address. It may also involve making preliminary inquiries if the subject of the complaint is sufficiently identified.

If the complaint is obviously complex, serious or high risk, onward referral should be made to the appropriate investigative body according to agreed protocols.

For SPSO (2016), senior management of the complaint-handling body should help staff identify the type of issues appropriate to pre-investigation and/or onward referral. These will vary according to the risk area under consideration. There are several points that could affect whether the organisation decides to go ahead with pre-investigation activity. These include:

- Is the organisation’s evidence gathering likely to jeopardise any subsequent criminal investigation? For example, alerting the subject of the complaint that they are under suspicion.
- Would carrying out an administrative investigation cause protection concerns for those involved?

However, particular attention should be given to those circumstances where the complaint is so serious as to immediately merit investigation or referral to another agency. For UNDP (2006), criteria for the selection of cases could include the following:

- **The seriousness of corruption offence**: For example, cases which involve a high-level public official or large amounts of bribes.
- **Prevalence of the type of corruption**: For example, cases that involve the most common and widespread offences of corruption in particular risk sectors.
- **Cases that are needed to set precedents** in order to “test” the prosecution of certain matters or establish legislative shortcomings.
- **Assessment of costs and benefits**: Investigation and prosecution of relatively small cases can consume a lot of resources, but not generate an important impact.

A primary consideration for corruption complaints should be the safety of all concerned, including the victim, witnesses and the subject of the complaint (CHS Alliance, 2015). GSAC and other organisations should undertake a risk assessment before making a decision of this kind, particularly in operating environments where the investigating authorities cannot be relied upon to protect those involved – or may even cause them harm.

**Pre-investigation/due diligence work**

In sum, the prioritisation of corruption cases may be particularly effective in ensuring that serious corruption cases receive the necessary attention. In its first responder role within the corruption complaints handling system, GSAC should focus on triaging corruption complaints and ensure efficient and appropriate referral. This should support investigative bodies in deciding whether to pursue particular kinds of enforcement.
mechanisms – criminal, administrative, civil or disciplinary – in light of all relevant circumstances. Such an approach should help ensure that limited resources are directed to the most important cases. Hence, pre-investigation activity may be useful where it increases the possibility of resolving the complaint without escalation to the investigation stage. Conversely, it may also be useful where it helps inform whether or not to proceed with an investigation, and what form that investigation should take. To this end, all competent authorities could develop and adopt criteria for a guiding protocol, which could be used by GSAC to guide their pre-investigation/due diligence work. For the CHS Alliance (2015), the main goal of the pre-investigation is to gather information that helps prove or disprove the allegation, which will then be handed to the investigative body for further planning and decision making.

For the SPSO (2016), pre-investigators should, therefore, have a clear remit to access any information necessary in reaching a decision. As pre-investigations are generally covert, with no direct personal contact with potential witnesses or the subject of the complaint, documentary evidence is often important. Documentary evidence is all information that is relevant to the complaint, and that is recorded in some way in physical form. For OECD (2012), such documentary sources include:

- any public source information
- Internet and mass media
- court decisions, criminal records, divorces and other lawsuits, bankruptcy records, administrative and disciplinary proceedings
- disclosed corporate information, information disclosed by insurance, banking and other regulators and commissions (for example, election commission)
- private data banks collecting public information (Worldcheck, Factiva Spark, Integrum, and others, regularly used by compliance services of banks and corporations active on the international markets)
- property, land, enterprises and other state registers
- reports from public audit, various inspections
- information from tax authorities on tax payments and income received
- information from State Service of Financial Monitoring (SSFM), as well as other financial intelligence units (FIUs) worldwide - suspicious transaction reports, other information sent by SSFM and another FIU or information/a crime profile prepared by them
- asset declaration forms that public officials are obliged to file, political party campaign contribution records, statements of charity contributions
- mutual legal assistance requests, referrals from law enforcement partners in other countries
- ongoing investigations into another crime (money laundering, narcotics, etc.)
ongoing civil litigation or administrative proceedings involving the private sector, including testimonies, transcripts and court orders and any other information from such proceedings.

Such evidence can provide leads for questioning, support witness testimony and/or give pre-investigators a better understanding of the background to the complaint. As information is collected, it should be evaluated for consistency and reliability, comparing each new piece of evidence to each piece of existing evidence. If there are inconsistencies, pre-investigators will need to seek further evidence or make an informed judgement as to which source is more reliable.

By way of summary, IACRC (n.d.) suggests several key steps in bringing pre-investigation materials together:

1. **Begin the case:** Fully debrief the complainant, getting as much detail as possible. If a red flag is discovered, look for others. An automated, proactive search for fraud indicators might be effective if the necessary data is available.

2. **Evaluate the allegations or suspicions:** Determine whether the red flags are specific and serious enough to justify an investigation. Try to make a quick, preliminary assessment of the accuracy of the complaint.

3. **Conduct due diligence background checks:** Check online and other records on the suspect firms and individuals to evaluate the allegations and to look for other evidence of fraud or corruption, such as the presence of shell companies as subcontractors, prior debarments or evidence that a project official is living beyond his means.

4. **Complete the pre-investigation:** Make sure all evidence is properly logged, secured and accounted for. Prepare a case chronology, putting the important facts in the order they occurred to show how the case unfolds. Keep the chronology simple and focused on potentially relevant evidence – too much extraneous information will reduce its utility.

**Participation in investigation planning**

A written plan will focus attention on what is to be investigated (CO Guide, 2009). Written guidelines help to ensure a consistent approach to complaint handling and strong quality assurance procedures to ensure consistency and high standards. This will ensure that important matters are not overlooked and that the investigation does not wander off course. A plan also allows a supervisor and other officers to review the course of the investigation. Based on procedural specialisation, responsibility for investigation planning in corruption cases could be divided among GSAC staff (who conduct substantial pre-investigation work), the investigation manager and team (from the investigative body), and a prosecutor to oversee the legality of the investigation. The CHS Alliance (2015) suggests this group should then develop the Terms of Reference for the investigation. This includes developing the investigative case theory, in a process which connects the pre-investigative work and the full investigation.

For IACRC (n.d.), it is essential that every investigator or prosecutor develop and follow a “theory of the case” when investigating complex corruption and fraud offences. The
case theory approach is well utilised by some investigators, but misunderstood or neglected by others. The approach begins with an informed assumption of what the investigation planning team thinks may have happened, based on the available evidence. This is then used to generate an investigative plan to test – prove or disprove – the assumption. IACRC (n.d.) illustrates the case theory approach with an example:

**Investigator 1** receives anonymous allegations of corruption in the award of government contracts. He pursues the case with no case theory or investigative plan. He asks a dozen witnesses if they have any knowledge of payoffs; none do (this is not unusual). He subpoenas the contract files and whatever else he can think of but sees no smoking gun as he flips through them (this is even less unusual). He confronts the suspect, who denies any wrongdoing. The investigator does not know what else to do. He has assembled a thick file and an impressive command of the contracts but can prove nothing.

**Investigator 2** pursues the same case, using the case theory approach:

- He analyses the available data – the details of the allegations.
- He creates a simple, initial hypothesis or theory, e.g. Company A is paying kickbacks to Government Official B for government work.
- He makes assumptions that can be used to test the theory – e.g. if the allegations are true, Official B would be expected to:
  - favour Company A in buying decisions
  - bend or break the rules to award the contract to Company A
  - display sudden new wealth or have unexplained income.

**Investigator 2** uses his hypothesis to organise the investigation, i.e. looks for evidence to confirm or rebut the theory (initially, this evidence is often the “red flags” of the suspected offence). The case theory approach generates the investigative plan (see if a, b or c occurred) and if the theory is correct, evidence of guilt. If not, the investigator may amend his theory, e.g. Company C is paying Official A, and try again.

As the CO Guide (2009) points out, planning and conducting an investigation is a dynamic and ongoing process. It is not always possible to know at the outset how an investigation will develop, and more complex investigations can take a long time. It is important to revisit the investigation plan regularly and make adjustments as circumstances change and new information becomes available. However, for SPSO (2011), at the investigation stage, staff should be aiming as far as possible to “get it right the first time”. The goal should be to establish all of the facts relevant to the points raised and provide a full, objective and proportionate response within a reasonable timescale.

**Monitoring progress and maintaining communication with complainants**

The CHS Alliance Guidelines (2015) suggest keeping a “Decision Log” (or written record of what decisions are made during the investigation, their rationale, and the date they were made), and that it should also be agreed who will be informed of what with regards to the investigation – both whilst it is underway and on its completion. Investigative records are normally confidential and not subject to scrutiny from outside...
the investigative body. However, the sharing of this information over a secure platform would make it possible to monitor the progress of complaints originating from GSAC as the first responder organisation, so that appropriate communication might be maintained with complainants throughout the complaint-handling process. For the PHSO (2013), complainants often report feeling removed from this process, with a lack of transparency about the status of their complaint, and a lack of clarity about what might be causing delays to the timeline. They, therefore, argue that complainants should be kept up to date with their case – with clarity on what is happening and why at every stage. For SPSO (2011), not only does this provide reassurance for the citizen that someone is attending to his or her complaint, but it also ensures that one individual within the organisation has taken responsibility for investigating the points raised and responding to them.

PHSO (2013) asserts that complainants should be assigned a single point of contact who takes time to understand what the complainant wants to achieve through the complaint. The UNDP Guide (2006) concurs, asserting that complainants should be treated, so they do not feel they are being shuffled around or being treated impersonally and that regular communication with complainants is critical to support among complainants. However, it recognises that balancing requirements for confidentiality and transparency can be difficult.

Moreover, SPSO (2011) tackles the thorny issue of unacceptable behaviour by complainants, recognising that people may act out of character in times of trouble or distress. Behaviour should not be viewed as unacceptable just because a service user is forceful or determined. In fact, being persistent can be a positive advantage when pursuing a complaint. However, the actions of service users who are angry, demanding or persistent may result in unreasonable demands on time and resources or unacceptable behaviour towards staff. The threat or use of physical violence, verbal abuse or harassment towards staff may result in the ending of all direct contact with the citizen. It may be appropriate to report incidents to the police. Incidents, where physical violence is used or threatened, should always be reported. Complaint-handling bodies should have policies and procedures in place to protect staff from unacceptable behaviours such as unreasonable persistence or offensive behaviour from complainants.

**Informing citizens about the outcome(s) of their complaints**

When an investigation is completed, most complaint-handling bodies prepare a report on the outcome(s) of the complaint. These reports normally include a summary of the complaint, a description of the investigation and the facts developed from it, the findings on the complaint and recommendations, where appropriate, to prevent future violations. The person or team who investigates the complaint normally drafts the report for review. In line with the above notions of a single, end-to-end point of contact, however, the service provider’s decision may be formally communicated to the citizen by GSAC at the end of the investigation.

Literacy should not be assumed, and the use of telephone contact may be appropriate if the service user has special needs, or where the subject matter to be communicated is sensitive. In these cases, it is good practice to communicate the information by telephone, followed by a letter. Each of the issues agreed between the service provider
and the service user as forming the complaint should be responded to in full. Correspondence should be clear and easy for the recipient to understand. Where an investigation identifies a service failure and the service provider proposes to take action to resolve the service user’s dissatisfaction, the correspondence should include details of what will be done and when.

There may be occasions where an organisation has no option but to suspend a complaint investigation in circumstances where the case cannot be closed but, for reasons out of the service provider’s control, it cannot be progressed either. Examples of such situations may include cases where the organisation cannot get the information it requires as a result of incapacity/health issues or in cases where a person cannot be contacted. Suspending a complaint should be very much the exception, with any decision to suspend an investigation being agreed by a senior executive. A decision to suspend should be formally recorded and be for a defined period of time, at the end of which it should be reviewed.

**Building capacity for effective system learning**

The CO Guide (2009) details how information about complaints can be used to improve the current situation by revealing problems and trends that can be acted on by stakeholders and highlighting key failings that need to be remedied. Anti-corruption agencies need to think ahead. They need to develop and implement new programmes in accordance with government policy and offer different services. Complaints can help these agencies to see what is needed and how to make systems work more effectively. Complaint information is a valuable resource for evaluating possible strengths and weaknesses in new programmes and services. Complaint analysis should be part of the continuous cycle of review and improvement. For SPSO (2011), there are obvious lessons to be learned where failures are identified, and remedial action can be taken to ensure that similar mistakes are avoided in the future. Close monitoring of service user complaints and feedback can even highlight opportunities for operational improvements even where the service was initially delivered effectively. On the other hand, mishandled complaints can undermine community confidence in agencies and even compromise security. Hence, while complaint information can provide a picture of weaknesses in existing programmes, policies, and service and programme delivery, it can also point to a need to improve how complaints are handled.

SPSO (2011) argue that to ensure the quality of information, it is important that there is consistency in the data captured within organisations and, where possible, within sectors. Organisations should record all complaints details in a common format, on a single system where possible, which should be accessible by staff from different departments. The categories of complaints should be consistent to allow direct comparisons between organisations. The CO Guide (2009) suggests that reports on complaints should include the following:

- the number of complaints about a particular matter
- spikes in complaints
- the geographical spread of complaints
the characteristics of the complainants—for example, whether they are businesses, community groups or individuals and whether they represent a particular demographic background

- complaint issues, whether occurring just once or more often that exposes a weakness in the agency’s processes or that raise questions about integrity or reputation.

Complaint managers must keep up to date with best practice, regularly review the agency’s complaint-handling system and ensure that learning from complaints is sent to relevant staff. It also can be valuable if staff participate in complaint-handling forums established in the public sector or by CSOs, unions or business associations. Because of the similarities in complaint handling in many areas of government, CSOs, unions or business associations, there is much to be learnt by sharing experiences and information about best practice. Support for these forums also promotes the principle that complaint handling is an important activity that must be treated in a professional and committed way. There should be regular reporting to the agency executive about the subject matter of complaints, how the complaints have been managed, and the steps taken to resolve systemic problems. Senior management should take an active interest in complaints and review the information gathered on a regular basis. Sector-wide learning to inform improvement should be shared and processes put in place to ensure appropriate service delivery improvements are agreed and actioned. Lessons learned from complaints may be helpful to other service providers both within the same sector and across other areas of public service provision.

Numerous ongoing complaints about the same thing are usually a sign of a systemic or recurrent problem that requires further investigation and possible action. For example, the complaints might reveal that legislation is being wrongly interpreted or applied, an internal manual contains confusing guidelines or incorrect advice, record keeping needs to be improved, or staff need further training. Nevertheless, complaint data can be analysed in various ways, and care must be taken in the interpretation. For example, an increase in complaints could suggest problems with a new programme or service, or it could reflect greater public awareness and use of complaint mechanisms, or both. It is important not to look for only one cause of a problem: often there will be several, such as process, behavioural, system and organisational causes.

According to the CO Guide (2009), effective root-cause analysis of complaints information —how did this particular problem happen? —should be carried out by a team of people in the agency who have a range of skills and organisational knowledge. The likelihood that problems will recur and complaints will continue to be made can be reduced only if the root causes of problems are identified and dealt with in a co-ordinated way. Over time, a risk profile may be built/modelled within a particular risk area in a particular contextual setting. This can serve as an important part of risk prevention strategies.

Summary

This section provides a review of how an effective complaint-handling process is enacted in a series of practices, each of which requires careful attention. However, while this
discussion draws extensively on existing good practice models, it is not intended to serve as a model CHP for GSAC. Currently, there are many questions that GSAC and its stakeholders will need to answer first in order to make the production of such a model CHP possible. Space would be required in this document in which to detail the responsibilities, standards and expectations attached to different elements and actors associated with the complaint-handling process. Before proper clarity could be achieved in framing these responsibilities, standards and expectations, prior decisions would need to be made about the extent of GSAC’s competence and its role within the broader corruption complaint-handling system.

Key questions concern the extent to which it makes sense for GSAC to undertake and participate in certain practices, such as pre-investigation and investigation planning. Judgements about this are likely to depend on the extent of its ability to add value to the corruption complaint-handling system in Greece. The next section discusses some of the potentials for this.
Good practice in corruption complaints management in Greece

GSAC and corruption complaints management

It is commonly perceived that the corruption complaint-handling system in Greece lacks coherence and effectiveness. Building an underpinning culture that truly values citizens’ corruption complaints is crucial to counteracting such perceptions. Creating and embedding that culture needs strong leadership. This document considers how sound procedures might be created through a stronger combination of values, systems and practices. GSAC can play a strong role in delivering on this agenda. However, for such things to take hold, GSAC must promote a general culture that complaints are important; where people are empowered and equipped to “get it right the first time”, to learn from mistakes, and use complaints to drive improvement in the services they deliver.

For the positive learning from complaints to be harnessed, it is important that the right procedures are in place to receive, investigate and resolve complaints. The detailed guidance above provides some necessary tools and thinking to help GSAC move towards a positive role in a system in which more efficient, effective, standardised and fair complaints procedures are promoted. In this way, GSAC may wish to establish itself as a beacon of good practice in the anti-corruption complaint-handling system, supporting others to work in partnership with them to develop appropriate complaints procedures.

Establishing good internal complaint-handling systems and practices in GSAC

Good complaint-handling systems often benefit from developing a model complaint-handling procedure (CHP). Model CHPs often seek to reduce the complexity of complaints processes by having as few steps as necessary within an agreed and transparent timeframe. However, care must be taken within such CHPs to accurately take into account the specificities of particular contexts and situations.

In Scotland, SPSO (2011) have devised CHPs that are specific to various public sector environments, such as health, social work and local government. It is also highly likely that different model CHPs might be needed to separately reflect the specific requirements in each of the six high-risk policy areas targeted by the Greece-OECD Anti-Corruption Project: tax and customs, health, public procurement, the defence sector, local government entities and private and public investment. Within SPSO, this work has been done by a dedicated body, the Complaints Standards Authority (CSA), which provides support for each sector in line with the framework of agreed principles and guidance. Through networks, training programmes and learning from complaints, the CSA aims to help bring about a culture in which complaints are valued. In Greece, it may be a potential medium-term goal for GSAC to establish its position in relation to corruption complaint handling by developing a similar role.

The development of a Model CHP for corruption complaint handling provides an important step in establishing how effective complaint-handling procedure should be implemented. Two further issues must be addressed, however: first, how capacity for effective corruption complaint handling might be built through an appropriate allocation of resources and supporting infrastructure, better training and development, and the
development of IT resources and data sharing; second, the need to establish better communication and co-ordination between different agencies for corruption complaints management. Little can be achieved in the long term in introducing effective values, systems and practices into the handling of corruption complaints in Greece unless both of these issues are addressed in tandem with the above. These issues will be addressed in turn.

**Building capacity for effective corruption complaints management**

**Resource and infrastructure requirements: Human resource issues**

A complaint-handling system must be properly staffed and resourced (CO Guide 2009). The staff who handle complaints must be skilled in their roles and have a positive attitude when dealing with complainants. Responsibility for handling complaints should be allocated to staff who are identified, well trained and supervised. They should be chosen for that function and be fully trained in the work of the agency and in exemplary complaint-handling practices. There should be sound appointment or selection, continuing training and learning opportunities, and they should receive effective supervision and regular feedback about their work.

The agency must also have enough staff to enable it to comply with its own timeliness standards for complaint handling. However, as the UNDP Guidelines (2006) observe, no single approach to organise and apportion the workload of investigative staff at complaint-handling bodies has yet been perfected. It has not proved possible to develop methods for measuring how much work an investigator can be expected to accomplish over a specific time period — how many complaints of what complexity can an investigator be expected to examine or resolve during what period of time.

Two basic approaches are commonly used to evaluate individual investigator workloads and the office’s overall general performance. The first examines individual workloads and attempts to compare the work performed by different investigators. The second approach examines the office’s workload and attempts to set standards and expectations for how long it will take to close what percentage of the complaints made to the office. Both approaches require a properly designed method to account for and track complaints. Systems to help manage investigative workloads are therefore best accomplished through a properly designed computerised complaint registration and tracking database.

All staff should be provided with the appropriate skills and resources. Complaint-handling bodies should regularly review the training needs of their employees to ensure they have the skills and confidence to follow best practice in complaint handling. The CO Guide (2009) suggests that training of complaint-handling staff must occur at multiple stages and in many ways. When first assigned to a position that involves complaint handling, a staff member must be trained in the agency’s complaint-handling policies and procedures. This should be supplemented by training that deals with specific challenges that arise in complaint handling — for example, having an excellent telephone manner and good writing skills, having sound record-keeping skills, dealing with difficult or unreasonable behaviour by a complainant, handling anonymous complaints, protecting the privacy of complainants, and transferring out-of-jurisdiction complaints to other bodies.
It is also important to educate complaint-handling staff about programmes and risk areas that affect members of the public and could give rise to corruption complaints. Those risk areas will change and develop over time, and it is important that complaint staff are kept aware of changes. In this way, the training programme should draw attention to the reports of investigations by other areas of government — by the Ombudsman, parliamentary committees, special inquiries, and so on — into prominent or serious incidents.

Training objectives are best achieved if there is a structured training programme with a specific budgetary allocation and performance measures. At a cultural level, an agency must believe that time devoted to training — which often involves the temporary absence of staff from their complaint-handling duties — is a necessary and productive strategy.

**Resource and infrastructure requirements: IT resources and data-sharing issues**

Unless complaints are few in number, an electronic system for entering, tracking and monitoring complaints and for analysing complaint data is essential. The system should incorporate key basic features:

- simple access by all staff involved in complaint handling and simple data entry
- the ability to search across various fields, such as the complainant’s name, staff member’s name, type of problem, the location of the problem, the time taken to resolve the complaint
- regular reporting, to monitor trends and quickly identify and respond to new challenges
- compliance with the agency’s record-keeping practices
- compliance with any relevant legislation.

However, it is strongly recommended that this electronic system enables data sharing across the network of anti-corruption complaint-handling bodies in Greece. Data sharing involves the disclosure of data from one or more organisations to others in the network. In the United Kingdom, bodies can share without an individual’s knowledge in cases where, for example, personal data is processed for the prevention or detection of crime; the apprehension or prosecution of offenders; or the assessment or collection of tax or duty. Clearly, the data held by anti-corruption complaint-handling bodies in Greece will be highly sensitive in nature, and both strong protocols and highly secure platforms would be necessary to govern any data-sharing agreement. However, the potential benefits of data sharing are considerable in helping the system, which is currently fragmented and uncoordinated, to both close the net around examples of fraud and corruption and build citizen confidence in the efficacy of the system. Data sharing can take the form of:

- a reciprocal exchange of data
- one or more organisations providing data to a third party or parties
- several organisations pooling information and making it available to each other
exceptional, one-off disclosures of data in unexpected or emergency situations.

Systematic data sharing involves routine sharing of data sets between organisations for an agreed purpose. It could also involve a group of organisations making an arrangement to pool their data for specific purposes. Is such sharing justified? Key points to consider include:

- Do complaint-handling bodies have the power to share?
- What is the sharing meant to achieve?
- Have the potential benefits and risks to individuals and/or society been considered?
- Is the sharing proportionate to the issues complaint-handling bodies are addressing?
- Could the objective be achieved without sharing personal data?
- How can complaint-handling bodies check the sharing is achieving its objectives?

Data-sharing agreements – sometimes known as “data-sharing protocols” – set out a common set of rules to be adopted by the various organisations involved in a data-sharing operation. These could well form part of a contract or Memorandum of Understanding between corruption complaint-handling bodies in Greece. It is good practice to have a data-sharing agreement in place, and to review it regularly, particularly where information is to be shared on a large scale, or on a regular basis. A data-sharing agreement should, at least, document the following issues:

- the purpose, or purposes, of the sharing
- the potential recipients or types of recipient and the circumstances in which they will have access
- the data to be shared
- data quality – accuracy, relevance, usability, etc.
- data security
- retention of shared data
- individuals’ rights – procedures for dealing with access requests, queries and complaints
- review of effectiveness/termination of the sharing agreement
- sanctions for failure to comply with the agreement or breaches by individual staff.

Data-sharing agreements can take a variety of forms, depending on the scale and complexity of the data sharing in question. It is important to remember that a data-sharing agreement is a set of common rules binding all the organisations involved in a data-sharing initiative. This means that the agreement should be drafted in clear, concise language that is easily understood. Agreements should explain why the data-sharing initiative is necessary, the specific aims it has and the benefits it hopes to bring
to individuals or to society more widely. This should be documented in precise terms so that all parties are absolutely clear as to the purposes for which data may be shared, and shared data may be used.

Different organisations may use very different IT systems, with different hardware and software and different procedures for its use. This means that it can be very difficult to join systems together in order to share personal data properly. Some appropriate interventions therefore include:

- Checking that the information complaint-handling bodies are sharing is accurate before they share it. Before complaint-handling bodies share data, they should take steps to check its accuracy. After the information has been shared, it can be difficult to have it amended.

- Establishing ways of making sure inaccurate data is corrected by all the organisations holding it. Complaint-handling bodies should ensure that procedures are in place for amending data after it has been shared. If the data is intended for ongoing use, then it could be necessary for all the organisations holding it to amend it.

- Agreeing common retention periods and deletion arrangements for the data complaint-handling bodies send and receive. The various organisations sharing personal data should have an agreement about what should happen once the need to use the data has passed.

Technical security is a further issue to consider. For example, is technical security appropriate to the type of system complaint-handling bodies have, the type of information complaint-handling bodies hold and what they do with it? If complaint-handling bodies have staff who work from home, do they have security measures in place to ensure that this does not compromise security? How is encryption of personal data implemented and managed? Have complaint-handling bodies identified the most common security risks associated with using a web product, e.g. a website, web application or mobile application? How do complaint-handling bodies control access to their systems? Do they set privileges to information based on people’s need to know? What measures are in place for the security of information in transit?

Overall, the above issues need to be considered and resolved before data sharing can become a reality. However, if an assessment is made that the potential benefits exceed the potential costs and risks, data sharing can become a powerful tool in the fight against fraud and corruption and the improvement of corruption complaint-handling procedures.

**Establishing better communication and co-ordination for corruption complaints management**

Few agencies work independently of other organisations. Hence, in fighting corruption and responding to citizens’ complaints, two or more agencies may provide a joint service or work alongside each other. Decisions made here by one agency can partly depend on actions taken or information supplied by another. For these reasons, it is important for GSAC to build good channels of communications with other corruption complaint-
handling bodies in Greece. However, cultivating good communications is not necessarily the same as cultivating good relations. GSAC needs to be able to communicate clearly with each such body, but also to build good relations with others in order to combine effectively with other actors’ powers and responsibilities. GSAC and other complaint-handling bodies will disagree from time to time about how to resolve complaints or fight fraud and corruption, but these disagreements should not result in a breakdown in communications.

There are two related issues that need to be openly addressed at this point: 1) a system capacity issue; and 2) a system co-ordination issue. The capacity issue concerns the overall level of resources within the system. Given that it is unlikely that this overall system capacity will increase significantly in the near future, it is important to make the best use of those resources that are currently available. This means using the current resources as effectively as possible, which leads to the second issue of system co-ordination. It is not recommended that there should be a central corruption complaint-handling agency in Greece. All current agencies and authorities play a specific and important role in that system. However, there is a strong argument that the efficiency and effectiveness of all such agencies would be promoted by the co-ordination of shared services that are common to all.

Shared services models are becoming commonplace in the public sector as a way to cut costs and/or improve co-ordination (Borman and Janssen, 2012). They enable common tasks that are required by all agencies to be undertaken by a single, shared service provider. For the corruption complaint-handling system in Greece, there could be substantial benefit in the fulfilment of common tasks by a shared service provider. This would leave agencies, for example, investigative bodies, free to work on their core roles in the investigation. Common tasks to be shared could include:

- managing the electronic recording system for corruption complaint handling
- compiling and monitoring reports and generating statistics
- identifying learning opportunities for better efficiency and co-ordination from this data
- identifying and communicating common and specific corruption red flags
- enhancing communication and raising awareness internally (within the administration) and externally (with the public)
- developing training on complaint handling on behalf of all agencies within the system.

It is suggested that GSAC could seek to provide these shared services on behalf of the wider network. In order to do so, it could establish Memorandum of Understanding with other competent bodies, along with agreement on the tasks to be fulfilled in each case, and possible secondment of human resources. Where the above activities are not being delivered successfully by actors within the corruption complaints system, this role for GSAC could provide a way to help close the net in relation to the anti-corruption activity. Where these activities are being duplicated by various agencies within the current system, this could result in increased overall efficiency.
In pursuing such a role, for GSAC there is a need to educate agency leadership — ministers, deputy ministers, etc. — about GSAC’s competencies and how working together with GSAC could help the whole anti-corruption and complaint-handling system to improve and function better in the public’s eyes. This may mean making individual visits to ministers and other high government officials to get acquainted and lay the foundations for good relationships. Indeed, GSAC’s artistry at human relations is ultimately likely to determine whether it will successfully build those kinds of relationships that will promote more effective working and integration across the system as a whole.

Attempting to improve the communication and co-ordination between all of the different agencies and authorities in the corruption complaint-handling system is a multi-pronged educational effort. Many of these bodies do not currently have an efficient and dedicated complaints management system in place, with little capacity to triage and manage incoming complaints.

There is a general need to develop more effective policies, procedures and complaints manuals to guide their complaints-handling processes and to connect with electronic complaints management systems. In the absence of proper timeframes for finalising the different stages of handling a complaint and the reported limited human and financial resources, these services are likely to be beset with a backlog of unresolved cases.
Recommendations

There undoubtedly seems to be scope for GSAC and other stakeholders in Greece to improve the performance of the corruption complaint-handling system. However, finding answers to the questions that emerge in the above discussion is essential before embarking on system innovation. The role and potential of GSAC to help lead forward change are also dependent on the answers provided to these questions. In line with the above text, the key points are summarised below (with recommendations) regarding the corruption complaint-handling system as a whole; fighting corruption; GSAC’s role within the complaint-handling system; GSAC as a best practice model (with particular focus on its values, systems and practices); how to generate and disseminate learning from complaints; and IT and data-sharing issues.

System level issues

For the given level of capacity located in the Greek corruption complaint-handling system (i.e. the number of bodies involved), it is widely accepted that it is possible for the system to be more effective. It is recommended that currently responsible agencies should all retain their power to receive complaints. However, they could co-exist more effectively as independent participants within a unified, streamlined system.

Poor co-ordination within the complaint-handling system is a risk factor in itself since both citizens and employees lose faith that the competent authorities are able to manage corruption complaints. One way to increase efficiency and have a real impact is to have a shared service provider arrangement to triage and learn from the incoming complaints. It is recommended that GSAC should investigate performing this shared service role.

Proposed measures

- **Measure 1**: Define corrupt behaviours that are “in scope” for each agency.
- **Measure 2**: Map responsibilities of each agency to identify what overlaps and duplications exist within the overall system. Consider those tasks that are common to each agency and those that are specific to particular agencies.
- **Measure 3**: For tasks that are common to each agency, convene a short-life working group to consider how these tasks might be better co-ordinated. Better co-ordination could include the development of shared services in common to all agencies, as suggested above.
- **Measure 4**: For tasks that are specific to each agency, direct inter-agency dialogue needs to take place to identify how cases are referred between different agencies most efficiently and effectively.
- **Measure 5**: Establish formal system co-ordination mechanisms (i.e. with representation from all legitimate stakeholders: high-level, strategic and agency-level, operational). Draw up MOUs to reinforce co-operation where appropriate.
There are possibilities to improve the nature of the overall referral model by standardising what is possible and sensible to be standardised across the system. **It is recommended that** GSAC should look to provide useful insights and demonstration models to other actors in the network in relation to complaint-handling procedures. This should include a common set of protocols and administrative information-sharing systems to avoid confusion and duplication over the roles of different agencies and ensure a more coherent and co-ordinated approach.

**It is recommended that** GSAC should offer other agencies practical advice and hands-on assistance. This should include helping them to develop proper policies, procedures and complaints manuals to guide such complaints-handling processes, including guidelines on timeframes for finalising the different stages of handling a complaint and following up on the fate of complaints in order to communicate back with citizens. This can help build faith and trust from citizens in the ability of the system to confront corruption. GSAC can also provide a location for specialised administrative staff who can provide support services to the entire network with regard to identified activities.

Providing standards and training is pivotal to enhancing co-ordination. Where practice in the system is currently variable, it should be considered whether it is more practical and sensible for it to be standardised. **It is recommended that** GSAC should seek to convene meetings of stakeholder agencies in order to facilitate wider discussion about these issues so that the strengths of a multi-agency system are maximised, and its weaknesses minimised.

**Proposed measures**

- **Measure 6**: Set up appropriate operational systems such as standard operating procedures (SOPs) and complaints manuals.
- **Measure 7**: Convene a short-life working group to agree key performance indicators (KPIs) by which the performance of the system and each actor within it can be evaluated.
- **Measure 8**: Build a common information technology (IT) platform for corruption complaint handling.
- **Measure 9**: Develop training programmes to deliver appropriate training to staff in identified roles within each agency and between different agencies.
- **Measure 10**: Establish a specialist Complaint Standards Authority to lead in developing standards and the dissemination of good practice to all relevant agencies.

**Fighting corruption**

**It is recommended that** GSAC should decide the criteria against which citizen reports of fraud and corruption will be defined as concerns or crime reports rather than complaints. This will allow faster and more appropriate referrals to the right place in the network.
Proposed measures

- **Measure 11**: Convene a short-life working group to agree what should be considered a concern, complaint, or crime report, and establish the course of action to be followed in response to each case.

**GSAC’s role within the complaint-handling system**

Due to the current low internal capacity of GSAC and the fragmentation of the system, it is recommended that GSAC’s initial role might focus particularly on: 1) differentiating concerns from real complaints and reports of actual crimes; 2) conducting an initial due diligence assessment; and 3) referring the complaints to the competent body (with the exception of complaints related to EU co-financed projects, for which GSAC is the competent agency).

Over time, this could develop into the envisaged shared services role. Moreover, if the proposed complaint-handling procedures work well for GSAC, it is recommended that this could be offered to other stakeholders that do not yet have a fully functional system.

Another idea could be to incorporate the option for citizens not only to submit complaints but also share ideas, proposals, and so on (similar to Korea’s petition and discussion portal for citizens at www.epeople.go.kr/jsp/user/on/eng/intro01.jsp).

Proposed measures

- **Measure 12**: Use the information from the mapping exercise (Measure 2) and short-life working groups (Measures 3, 7 and 11) to identify a clear role for GSAC within the corruption complaint-handling system.

- **Measure 13**: Organise a strategic management “away day”, with or without external facilitation, to develop an organisational strategy.

**GSAC as a “best practice” model: Values systems and practices**

It is recommended that GSAC should devise an internal policy statement and code of conduct based on the best practice identified in this document. This will include such things as vision and mission statements.

It is recommended that there should be an efficient and highly competent staff group for GSAC to demonstrate that it operates to the highest possible standards of ethical principles and behaviours. Not only this, there should be codes of practice and formal training given to staff to ensure that key values of probity/integrity; fairness/impartiality; responsiveness/person-centeredness; accessibility/transparency; efficiency/timeliness; effectiveness/improvement will be promoted within GSAC and communicated to all stakeholders.

It is recommended that GSAC’s internal systems should be set up to support the above (e.g. policies, guidance; HR, training and development; IT systems and procedures). It should then seek standardisation of these systems across the corruption complaint-handling sector.
**Receiving a complaint:** It is recommended that citizens should be able to make their complaint through a choice of mechanisms – whether call centres, on line, by mail, fax, or in person. Complainants should be supported by skilled staff as far as possible in communicating their complaint. GSAC needs a communication policy and to identify ways to educate “citizens” on best ways to file complaints. The issue of receiving anonymous complaints without having to identify the complainant needs to be considered.

**Registering and recording a complaint:** It is recommended that GSAC decide what information will be required/requested; how and where will this be recorded; and how the accuracy and integrity of data entered into the system will be checked. This will be necessary in the first instance for its own internal procedures, but eventually could be standardised across the agency network.

**Prioritisation of complaints:** It is recommended that staff be guided to know when early resolution, pre-investigation or immediate referral is appropriate. This will require discussion with other agencies and stakeholders, agreement on procedures between different agencies and training support for staff. Clear guidelines will need to be put in place about what additional information will be sought in order for risk to be assessed. Clear timescales should also be put in place for handling complaints. A standard response time for complaint resolution in the United Kingdom would be 3 days for referral and no more than 20 days for investigation. If the investigation is expected to take longer than 20 days, this should be communicated clearly, with reasons, to the complainant.

**Pre-investigation:** It is recommended that protocols be agreed with other complaint-handling bodies to establish the extent/boundaries of pre-investigation activity. It is recommended that a clear line is drawn between initial filtering of information from publicly available sources and more detailed pre-investigation. GSAC should only undertake the latter if there is clear agreement to do so with the investigative body (either through an MOU or on a case-by-case basis). It is also important that the risks be assessed of jeopardising subsequent investigations and/or the safety of all concerned parties. At present, it is recommended that GSAC should not go too far in their pre-investigation (other than for EU structural funds and co-financed projects) because: 1) this could cause overlapping with other competent agencies with the mandate to conduct investigations; and 2) it is still in the process of developing sufficient internal capacity and knowledge. If GSAC is able to demonstrate success in this role, it could evolve over time to become more significant (e.g. involvement in investigation planning).

**Monitoring:** It is recommended that GSAC seek to play an important role in monitoring the progress of a complaint once it has been referred for investigation. This should include electronic monitoring of information recorded/not recorded on a secure common platform. Due to the protection of personal data, the sharing of information among different stakeholders will be necessarily limited. However, this does not preclude the implementation of a coding system to show the current status of the complaint (e.g. active, dormant, closed), and when the file was last updated. This information would allow GSAC to become the point of contact for all agencies in the network in order to field enquiries from citizens about the progress of their complaint.
Currently, this role is duplicated within all the agencies within the system, at a significant cost of staff time. Moreover, if the same complaint is made to more than one agency, this work is multiplied across the whole network. It is proposed that providing a single port of call for all complainants would result in significant efficiencies that could be reinvested in strengthening other parts of the system. It is recommended that GSAC seeks to undertake this role, perhaps with further secondment of staff to accommodate the additional workload.

Proposed measures

- **Measure 14:** Establish a clear public communications function within GSAC to coordinate messages to the public about the best way for the public to communicate information about corruption. Use this function to ensure that complainants are informed about the progress and outcomes of their complaint.

- **Measure 15:** Recruit staff to clear roles in GSAC (e.g. intake officers, pre-investigators, communications staff, administrative system operators, data analysis/system learning staff).

- **Measure 16:** Set up appropriate internal operational systems such as SOPs, complaints manuals and KPIs.

- **Measure 17:** Develop training programmes to deliver appropriate training to staff in identified roles within GSAC.

- **Measure 18:** Contribute to the development and operation of a common IT platform for corruption complaint handling.

Learning from complaints

It is recommended that GSAC should seek to undertake a role in building capacity for effective system learning. It should assume responsibility for compiling monitoring reports and statistics from any shared information system that might be developed (electronic or manual). From this, it could help identify systemic red flags.

It is recommended that GSAC should support the rest of the network in communicating systemic learning to different audiences, by organising and participating in regular dialogue with other stakeholders (including complaint-handling forums/regular meetings of co-ordination liaison officers) to share ideas, offer standardised procedures, discuss statistics, follow up on the development of complaint-handling initiatives, and so on. It could also provide information to the network about any improvements or impacts in fighting corruption and complaint handling and/or learning from mistakes.

Proposed measures

- **Measure 19:** Convene regular (quarterly) and periodic (responsive) complaint-handling forums and meetings of co-ordination liaison officers.

- **Measure 20:** Build confidence in the complaint-handling system overall by increasing the efficiency and effectiveness of case management; communicating outcomes and showing effective learning has taken place.
IT and data-sharing issues

While it is currently difficult to envisage a fully integrated electronic complaint monitoring system that is shared among all agencies within the corruption complaints system, it is recommended that this should nevertheless be an important goal. This is an important step in helping both closing the net around fraud and corruption and building citizen confidence in the efficacy of the corruption complaints system.

At this point, it is recommended that GSAC play a role in convening stakeholder discussions on what such a system would look like, and produce reports to inform policy makers of the necessary criteria and level of investment required. In the longer term, if the electronic system is implemented, GSAC should seek to provide overall management support for this function in line with the proposed wider shared services remit.

Proposed measures

- **Measure 21**: Convene a short-life working group to discuss IT system harmonisation.

Timeline

A tentative timeline for the implementation of the above-mentioned measures over a period of four years is presented below.
References


40 – RECOMMENDATIONS

PROPOSAL ON CORRUPTION COMPLAINTS MANAGEMENT IN GREECE: THE ROLE OF THE GENERAL SECRETARIAT AGAINST CORRUPTION

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