ACHIEVING CULTURALLY COMPETENT PEER INVOLVEMENT IN CLIENT COMPLAINT AND GRIEVANCE PROCESS: A FRAMEWORK FOR ACTION

WORKSHOP PRESENTERS

JOHN MIRELES, BS, BA, CHIEF OFFICER FOR DIVERSITY INITIATIVES AND COMMUNITY AFFAIRS, OMBUDSMAN PSA BEHAVIORAL HEALTH AGENCY

CHARLOTTE WEBB, MED, CHIEF RECOVERY OFFICER, PSA BEHAVIORAL HEALTH AGENCY
PART I
Overview of cultural competency

PART II
Overview of culturally competent peer ombudsman services

PART III
Culturally competent peer involvement model
PART I

OVERVIEW OF CULTURAL COMPETENCY
PROCESS-MODELS OF CULTURAL COMPETENCY

- CROSS Model of Cultural Competency

- Anand Model: Teaching Skills and Cultural Competency

- US Dept. of Health and Human Services Office of Minority Health Cultural and Linguistically Appropriate Standards (CLAS Standards)
The Cross Model of Cultural Competency consists of six phases:

1. Cultural Destructiveness
2. Cultural Incapacity
3. Cultural Blindness
4. Cultural Pre-Competence
5. Basic Cultural Competence
6. Advanced Cultural Competence
This is the most negative end of the continuum. Individuals in this phase:

a. View culture as a problem

b. Believe that if culture or population can be suppressed or destroyed, people will be better off

c. Believe that people should be more like mainstream; and

d. Assume that one culture is superior and should eradicate “lesser” cultures
CULTURAL INCAPACITY

Individuals in this phase:

a. Brought up in a homogeneous environment, taught to behave in certain ways, and never question what they were taught

b. Lack of cultural awareness skills

c. Believe in the racial superiority of a dominant group and assume a paternalistic posture toward others; and

d. Maintain stereotypes.
CULTURAL BLINDNESS

Individuals in this phase:

a. See others in terms of their own culture and claim that all people are exactly alike

a. “We are all the same”
CULTURAL PRE-COMPETENCE

Individuals in this phase:

a. Recognize that there are cultural differences and start to educate themselves and others concerning these differences.

a. May become complacent in their efforts.
Individuals in this phase:

a. Accept, appreciate, and accommodate cultural differences;

b. Value diversity and accept real differences;

c. Accept the influence of their own culture in relation to other cultures.
ADVANCED CULTURAL COMPETENCE

Individuals in this phase:

a. Move beyond accepting, appreciating, and accommodating cultural difference and begin actively to educate less informed individuals about cultural differences, and

b. Seek out knowledge about diverse cultures, develop skills to interact in diverse environments, and become allies with and feel comfortable interacting with others in a multicultural settings.
ANAND MODEL: TEACHING SKILLS AND CULTURAL COMPETENCY

1. Being aware of your own culture, values and biases.

2. Controlling your own biases and how these may affect interactions with others.

3. Culture-specific knowledge

4. Institutional barriers

5. Ability to build strong cross-cultural relationships and to be at ease with difference.
6. Flexibility and ability to adapt to diverse environments.

7. Ability and willingness to ally to individuals who are different from oneself.

8. Effective communication skills across differences.

9. Able to mediate cross-cultural conflicts.
Standard 1

Effective, understandable, and respectful care

Standard 2

Strategies to recruit, retain, and promote a diverse staff and leadership

Standard 3

Ongoing education and training in culturally and linguistically appropriate service delivery.
Standard 4
Offer and provide language assistance services at no cost

Standard 5
Provide to patients/consumers in their preferred language both verbal offers and written notices

Standard 6
Assure the competence of language assistance provided

Standard 7
Make available easily understood patient-related materials
Standard 8
Develop, implement, and promote a written strategic plan

Standard 9
Conduct initial and ongoing organizational self-assessments of CLAS-related activities

Standard 10
Ensure that data on the individual patient's/consumer's race, ethnicity, and spoken and written language are collected
Standard 11
A current demographic, cultural, and epidemiological profile of the community as well as a needs assessment

Standard 12
Participatory, collaborative partnerships with communities

Standard 13
Conflict and grievance resolution processes are culturally and linguistically sensitive

Standard 14
Regularly make available to the public information about progress
PART II

OVERVIEW OF CULTURALLY COMPETENT PEER OMBUDSMAN SERVICES

A. Conflict Resolution
B. Mediation
C. Interest Based Negotiation (INT)
CAUSES OF CONFLICT

- Miscommunication
- Lack of respect and recognition
- Clash of egos
- Lack of time
CONFLICT MANAGEMENT STYLES

- Competitor: My Way
- Collaborator: Our Way
- Compromiser: 50/50
- Accommodator: Your Way
- Avoider: No way
TECHNIQUES THAT ASSIST IN COMMUNICATION

-Listen actively-

• Do not interrupt.

• Generate options.

• Use open-ended questions; avoid “why” questions.

• Separate the people from the problem.

• Focus on interests, not positions
  • Do not give advice.

• Describe, don’t evaluate.

• Be non-judgmental/Assess your attitudes.
WHAT IS MEDIATION?

Mediation is a chance to talk and solve problems for people who want to save a relationship.
The goal of mediation

• to help people communicate clearly
• to understand one another
• to focus on how they can best work together in the future
• to solve differences before they become serious problems
• to help people be able to respond positively to each other’s issues or needs.
CHARACTERISTICS OF MEDIATION

- Voluntary
- Non-adversarial
- Informal
- Private and confidential
- Focused on communication
- Safe
- Respectful
- Neutral
MEDIATION IS NEEDED

- When there is an ongoing relationship that you want to keep;

- When a misunderstanding or lack of cooperation is causing conflict;

- To address concerns early and constructively without escalation;
ADVANTAGES OF USING PEER MEDIATION

• Costs less.

• Has faster resolution.

• Keeps both parties in control.

• Has a satisfactory outcome that both parties can live with.
THE MEDIATION MODEL

- Preliminary Arrangements
- Introductory Statements
- Initial Statements (uninterrupted time)
- Two-way exchange (Ventilation and information Gathering)
- Issues and Problem Clarification
- Generating Options (Bargaining and Negotiations)
- Agreement Writing (Reality Testing)
- Closure
FOUR PRINCIPLES OF INTEREST-BASED NEGOTIATION (IBN)

a. Separate the people from the problem.
b. Focus on interests not positions.
c. Invent options for mutual gain.
d. Insist on objective criteria.
IBN PRINCIPLE: SEPARATE PEOPLE FROM THE PROBLEM

- PERCEPTIONS
- EMOTIONS
- COMMUNICATION PROBLEMS
IBN PRINCIPLE: FOCUS ON INTERESTS…NOT POSITIONS

• POSITIONS are PRE-DETERMINED outcomes that may not easily be satisfied.

• INTERESTS are the need that can often be met to both parties satisfaction.

• The ROLE OF A NEUTRAL PEER OMBUDSMAN is to help parties to express their needs and self-interest rather than their positions.
PART III

CULTURALLY COMPETENT PEER INVOLVEMENT
• Peers who know they always have more to learn about other cultures and groups.

• Peers who are willing to identify and work through their own biases and prejudices.

• Peers who are willing to recognize and change their intentional and unintentional discriminatory behavior.
• Peers who are comfortable with cultural and other differences between themselves and their peers.

• Peers who understand that people across cultures have different ways of viewing emotional distress and how to deal with it.

• Peers who communicate appropriately using verbal and non-verbal strategies.
Peers who see other peers’ strengths and problems within the context of their culture, age, gender, sexual orientation, and other characteristics.

Peers who accept culturally indigenous forms of treatment when peers talk about them or want to use them.

Peers who identify barriers that may prevent diverse people from using peer supports and self help. (Adapted from Hernandez & LaFromboise, 1995; Ponterott, et al, 1996)
WHEN A PEER WANTS TO FILE A COMPLAINT OR GRIEVANCE:

1. Meet individually with the client

2. Ask the client to tell you the situation in their own words. Ask for clarification as needed.

3. Help the person to separate the complaints into: situations he/she is not happy with; and violations of laws and regulations
5. Show the person the sections of regulations or laws pertaining to his/her complaint.

6. Develop options with the person.

7. Stress that the person try to resolve the problems at the lowest level.

8. Give the person time to think about his/her situation.
9. If the person decides to do nothing, the choice must be respected.

10. Develop a plan of action.

11. Assist the peer in completing the plan of action.

12. Don’t insist that the person do more than she/he is capable of doing.

13. If action plan is not working, reevaluate and support the person in doing a new one if needed.
References

- Cultural Competency in Mental Health Peer Run Programs and Self Help Groups: A Tool to Assess and Enhance Your Services, prepared in Partnership with the NAMI Star Center and the University of Illinois at Chicago, National Research and Training Center.
- Diversity and Human Rights Consortium: What is Cultural Competency? By Jason Mak, Lane Community College
- Basics of Mediation from a presentation by Marlene Montesinos, Phoenix School of Law
THANK YOU

Merci

THE END

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