

HARDIN COUNTY JOB AND FAMILY SERVICES PERSONNEL POLICIES AND PROCEDURES HANDBOOK

CHILDREN SERVICES COMPLAINT AND GRIEVANCE POLICY

Parents, child custodians, legal guardians, foster parents, kinship caregivers, applicants, or providers of approved adult supervised living arrangements for children, adoptive applicants, adoptive parents, and children regarding provision of services. Alleged perpetrators, who disagree with the disposition of a report of child abuse neglect....

1. Have the right to request a Grievance Review in the event they do not agree with agency decisions concerning provision of services or disposition/resolution of a report of child abuse or neglect. Such an appeal may not regard a decision or judgment of the court. In the event of disagreement with court decisions, usual and customary legal channels must be utilized by the appellant.
2. A Grievance Review must be requested by the individual within thirty (30) days of the effective date of the action, disposition, or resolution. If the individual requires an alternative format or reasonable accommodation, contact the agency ADA Coordinator.
3. Upon receipt of the request for a Grievance Review, the agency will date stamp the request, place a copy in the client file and forward the original to the County Director or Designee responsible for conducting the county appeal. The individual responsible for conducting the hearing shall be delegated the authority to overturn the case disposition and may not have been directly involved in the assessment/investigation of the incident or in the approval of the case disposition.
4. Upon receipt of the request for Grievance Review, the Director or Designee shall send a written notice of time, date, and place of the Grievance Review Hearing. The Hearing must be scheduled within 10 working days of receipt of the request for Grievance Review. Such notice will contain the name, address, and telephone number of the person to contact in the event the requestor is unable to attend the appeal review as scheduled. If re-scheduling is warranted, written notice of the new date and time will be mailed to the requestor, and hearing date may occur after the 10-working day limit. Written notice(s) shall be retained in the case file. All grievances will be reviewed by the Agency Director or Director Designee within thirty (30) calendar days of the filing of the grievance.
5. The Agency Director or designee shall be responsible for conducting the review. The personnel conducting complaint reviews and hearings regarding report disposition appeals cannot be involved in the case, including the assessment/investigation of the incident or the approval of the report disposition. **Due to confidentiality concerns, the Individual conducting the hearing should review the complete agency file on the situation within twenty-four hours prior to the Grievance Hearing to become familiar with the situation and may request that the Grievant provide a written summary of the basis of their objection prior to the hearing.** The Individual conducting the hearing must have the authority to overturn agency action if that is determined to be the appropriate action.
6. The actual hearing will be recorded, and such recording will be a permanent part of the record.
7. The following may be present at a Grievance Review Hearing: Legal Representative(s) for all

involved parties; Agency staff who are party to the action involving the appellant or provider; Witnesses called by the appellant or the CDJFS to present relevant testimony or evidence.

8. The appellant shall have opportunity to present their case.
9. The appellant shall have the opportunity to examine contents of the case file relevant to the decision, excepting confidential information.
10. The appellant shall submit evidence to all pertinent facts and circumstances.
11. The appellant shall advance arguments without undue interference.
12. The appellant shall question or refute any testimony or evidence presented by CDJFS witnesses or staff in a manner prescribed by the individual conducting the hearing.
13. The individual conducting the review shall provide the following introductory information:
 - a. Name and role
 - b. Explanation of how the hearing will be conducted, including order of presentation and questioning
 - c. Time frame in which a decision will be issued
 - d. How the individual will be notified of the decision.
14. Following presentation of introductory information, the individual conducting the hearing shall:
 - a. Request the CDJFS staff explain the reasons for the agency's action
 - b. Cite regulation on which the action was based
 - c. Provide relevant case information and documents excluding confidential information protected from release.
15. The individual conducting the hearing shall then provide the appellant the opportunity to present their case, submit evidence, establish pertinent facts, advance arguments, present witnesses, and question, or refute testimony or evidence presented by the CDJFS.
16. The individual conducting the hearing may then question testimony or evidence presented by the appellant, witnesses, or CDJFS staff, if applicable.
17. The PCSA personnel conducting complaint reviews shall document in the case record the complaint, the complaint review process, and the findings of the complaint review.
18. The PCSA hearing personnel shall facilitate the report disposition appeal hearing and consider the totality of the information including the assessment/investigation information contained in the case record which led to the report disposition as well as any information presented by the PCSA and the appellant.

19. The PCSA hearing personnel shall change the report disposition if any of the following circumstances occur:
 - (1) The report disposition was made in error.
 - (2) The appellant did not engage in conduct constituting child abuse or neglect as defined in sections 2151.03 and 2151.031 of the Revised Code.
 - (3) The report disposition is not supported by the totality of the information presented by the appellant or the PCSA or contained in the case record.
20. The decision of the PCSA personnel conducting hearings regarding the report disposition appeals shall be final and the decisions are not subject to state hearing review under section 5101.35 of the Revised Code.
21. When an appeal of a PCSA report disposition of a report of child abuse or neglect is heard, the PCSA shall do all the following:
 - (1) Document the report disposition appeal hearing process and findings in the case record.
 - (2) Update the statewide automated child welfare information system according to procedures contained in rule 5101:2-33-05 of the Administrative Code and notify the principals of the report in writing as to the revised report disposition if a report disposition appeal hearing results in the revision of the disposition.
 - (3) Maintain all documents submitted or reviewed during the report disposition appeal hearing in the case record.

The agency will make reasonable accommodations for any individuals who are hearing or visually impaired or who have limited English proficiency and request such.

Effective Date: 12/11/17

**Hardin County Job and Family Services
Children Services Grievance Form**

Name:	Date:
To understand the nature of your grievance against the agency please answer the questions below. PLEASE PRINT CLEARLY.	
What is the specific agency or staff action, inaction, or violation you are grieving?	
Date of occurrence	
What unit or staff was involved?	
Please explain how this has impacted yourself and/or your family	
How do you feel this situation could be changed or corrected?	
Have you discussed your concern with the staff person involved?	
What were the results of that discussion?	
Have you discussed your concern with the supervisor of the staff person involved?	
What were the results of that discussion?	

Individuals filing grievances must understand that neither the staff and the director of Hardin County Job and Family Services may only deal with issues specifically concerning agency or staff actions. Any issues surrounding decisions or rulings of the Court, State or Federal Law may not be dealt with in the agency Children Service Grievance process.

Signature of Grievant Date

Area below is to be completed by Hardin County Job and Family Services Staff only

Date Received by HCJFS: _____	
Date of contact to arrange grievance hearing	
Date agreed to for grievance	
Date re-scheduled if necessary	
Date hearing findings or results completed	