

Division of Children and Family Services Protection and Safety Procedure #10-2014	
Regarding:	Parent Grievance and Complaint Procedures
Date Effective:	November 19, 2014
Contact:	Sherri Haber at sherri.haber@nebraska.gov or 402-471-7989
Issue by:	Thomas D. Pristow, Director, Division of Children and Family Services

Philosophy:

DHHS believes that family members of children involved with the Child and Family Services Division have a right to have their concerns heard and addressed as defined in Neb. Rev. Statute 81-603.

Procedure:

What constitutes a grievance?

A grievance is a complaint based on circumstances or action that the person wants to protest because he/she believes DCFS failed to follow child welfare statutes, regulations, or written procedures.

Who may file a grievance?

Parents and children involved in the child welfare or juvenile justice systems who are participating in ongoing non-court or court involved cases through DHHS or an entity contracted with DHHS to provide child welfare or juvenile services.

Prior to filing a grievance, parents and children are encouraged to resolve their concern by informal discussions with the assigned CFS Specialist, the CFS Specialist's Supervisor, the CFS Administrator and/or the Service Area Administrator.

What cannot be grieved through this process?

1. Any court ruling or current statute.
2. Actions of Guardians ad Litem (GAL), Court Appointed Special Advocates (CASA), Office of Probation Administration, judges or any other person not employed by the Department.

Process:

1. The grievant will begin the grievance process by submitting a completed "Grievance Form" to DHHS Central Office. The "Grievance Form" can be located at: www.dhhs.ne.gov/children_family_services/Pages/jus_cfsr_grievance.aspx. The "Grievance Form" should be mailed to the address listed the top of the form, attention Grievance Specialist.
2. The grievance will be assigned to a DCFS Central Office representative.

3. The grievance process shall ensure that families are not dissuaded from utilizing the grievance process for fear of reprisal from DHHS, providers or foster parents.
4. Within 10 working days of receiving the grievance, the assigned DCFS representative will arrange a team meeting consisting of a Service Area representative, a Program Specialist, an advocate of the family's choice, and the grievant(s) to discuss the concerns. This discussion can be in person and/or by phone.
5. Prior written notice of the date and time of the team meeting will be provided to all parties involved. All attempts will be made to accommodate the schedules of the participants.
6. If the team reaches a conclusion satisfactory to all parties, no further review will be necessary.
7. The assigned DCFS representative will provide a written summary of the discussion and decisions to all parties. The assigned DCFS representative will also submit this summary and the completed "Request for Grievance Form" to the Inspector General within 10 business days after the determination of action is made.
8. If the grievant is not satisfied, the written summary of the discussion, any documentation provided by the grievant, and the recommendation of the Team will be forwarded to the Director of Children and Family Services for further review.
9. The written decision of the Director will be provided to all parties. The decision of the Director will be final. The decision of the Director will be sent to the Inspector General.

Confidentiality and access to records:

The documentation that is generated from this process will be maintained in the family case record. The same confidentiality guidelines apply to information generated from this process as any other information related to the family.

Grievances and summaries of the process will be tracked and aggregated as part of the DCFS Continuous Quality Improvement process. Quarterly reports will be shared with the Service Areas. Staff will look for trends related to the quality of services being delivered, program issues, communication issues, or other themes that may have led to grievances.

Personnel action taken by DHHS is confidential.

References:

Nebraska Revised Statute 81-603