



SUBJECT: GRIEVANCE REVIEW HEARING POLICY

POLICY MANUAL SECTION: Administration

NO.: TBD

Approved: 3/24/2021

Effective Date: 3/24/2021

Date(s) of Revision: 3/2015, 3/2017, 10/2019

Responsible for Implementation: All WCCS Staff

ORC:
OAC: 5101:2-33-20
CFSR:
OTHER:

Next Review Date: 3/24/2026	Review Responsibility: WCCS Administration
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POLICY:

Warren County Children Services (WCCS) is mandated by the Ohio Revised Code to provide specific services to the community, such as emergency services, protective in-home services, emergency shelter, unmarried parent services, protective services, child placement services, counseling, adoption services, supplementary services and care, and administrative and supportive services. Warren County Children Services’ goal is to provide quality service to the public utilizing the expertise of the employed staff and volunteers, the funding at its disposal, and all the community resources that are available or can be cultivated.

WCCS is committed to ensuring the rights of any families and children served by our agency. The agency staff provide a Client Rights brochure to each family and discuss it at the first in person interview. The brochure details the rights and responsibilities of families working with our agency. The brochure is also available on our website at [Children Services \(warren.oh.us\)](http://Children Services (warren.oh.us)).

WCCS strongly encourages anyone with concerns and/or complaints about the agency and its services to discuss them with the caseworker involved and his/her supervisor. If this method does not resolve the issues, the agency offers the following formal Grievance Review Hearing Policy to those eligible.

It is the intent of this grievance review hearing policy to ensure that a procedure is in place to receive, review, and resolve the following:

- 1) Complaint Reviews - Complaints concerning the provision of services
- 2) Report Disposition Appeals - Appeals by alleged perpetrators who disagree with this agency’s disposition/resolution of a report of child abuse or neglect

PROCEDURES:

A. GENERAL GUIDELINES

1. Concerns/Complaints regarding Agency Service Provision or Report Dispositions

- a. Eligible persons who have a concern/complaint regarding the Agency's service provision or report dispositions should initially express his/her concern to the caseworker and supervisor.
- b. If, after discussion (with caseworker and supervisor), the issue is not resolved at this point, the staff member shall offer to provide a copy of this Grievance Review Hearing Policy, including Grievance Review Form, so that the complainant is aware of the option of formally requesting a review hearing.

2. Confidentiality will not be compromised in any part of the grievance review hearing policy or procedures.

3. COPIES of WCCS GRIEVANCE REVIEW HEARING POLICY

- a. Upon request, WCCS shall provide written copies of this Agency's Grievance Review Hearing Policy to an individual within three working days from the date of the request.
- b. All grievance / review policies and their respective forms are available by contacting:

**Grievance Review Officer
Warren County Children Services
416 South East Street
Lebanon, Ohio 45036
(513) 695-1546**

4. HEARING, VISUALLY IMPAIRED OR LEP PROCESS

- a. the Agency will make special arrangements at the request of the party member for those with hearing or visually impaired or limited English Proficiency.
- b. The special arrangements required need to be coordinated through the Director's office.

B. ELIGIBLE PARTIES

1. COMPLAINT REVIEWS - The following individuals who have a concern/complaint regarding the provision of services are eligible for the review hearing process:

- a. Parents
- b. Custodians
- c. Legal Guardians

- d. Foster Caregivers
- e. Kinship Caretakers
- f. Applicants or Providers of Approved Adult-Supervised Living Arrangements
- g. Children

2. REPORT DISPOSITION APPEALS

- a. Alleged perpetrators who disagree with the report disposition/resolution of child abuse or neglect
- b. WCCS provides written notice initially to the alleged perpetrator of his/her right to appeal the report disposition and the method for the appeal per OAC 5101-2:36-03

C. REQUESTING A FORMAL REVIEW HEARING

- 1. Grievance Review Form** - A written statement (Grievance Review Form), signed by the complainant, must be submitted to the Grievance Review Officer, Warren County Children Services, 416 S. East St., Lebanon, Ohio 45036.
- 2. The Grievance Review Form** must state the facts which the interested person believes provides a basis for his/her objection to the Agency action.
- 3. Timeframes** - The Grievance Review Form must be received by this agency within thirty (30) days following the notice of the Grievance Review Hearing Policy.

D. GRIEVANCE REQUEST REVIEW

- 1.** The Grievance Review Form will be reviewed by the Grievance Review Officer or designee
 - a. Should the request be deemed ineligible, the Grievance Review Officer will provide written notification to the appellant of the denial and reasoning for such denial.
 - b. Should the request be deemed eligible, the Grievance Review Officer will contact all necessary parties to schedule the Review Hearing.

E. DENIAL OF COMPLAINT REVIEW HEARING or APPEAL OF THE DISPOSITION HEARING -

No review hearing will be granted under certain circumstances including but not limited to the following:

- 1. Ineligible parties
- 2. Removal of a child resulting from a court order or officer acceptance.
- 3. Complaint involving only a question regarding the validity of State statute or the Ohio Administrative Code.

4. Removal of a child based on revocation of the foster home license or certification.
5. Removal of a child placed voluntarily by a parent or guardian.
6. Removal of a child from foster care for direct placement into an adoptive home. (Applies only to birth parents when Agency has permanent custody.)
7. Any issue for which a court review is available pursuant to statute and Administrative Code Rules (e.g. - SAR.)
8. Requests for a hearing that is beyond 30 days of the disposition or knowledge of the disposition
9. Requests for a hearing on provision of services that is beyond 30 days of the event or learning of the event

F. TIMEFRAMES

1. The determination of eligibility will be made within 30 days of the receipt of the Form.
2. The review hearing must be held within thirty (30) days of the eligibility determination.
3. No report disposition appeal can proceed until all cases in a criminal or juvenile court related to the investigative finding have been finalized. Once all adjudications related to the finding have been finalized, the appellant must notify the Grievance Review Officer no later than thirty-calendar days following the resolution of related judicial matters.

G. CONDUCTING THE HEARING

1. The Grievance Review Officer or designee conducting the 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.
2. The Grievance Review Officer or designee must conduct all review hearings in a non-adversarial atmosphere to the extent possible. All parties and representatives must be permitted to examine all documents and physical evidence introduced by parties to the hearing.
3. The parties and their representatives, and witnesses while testifying, must be the only authorized persons present during the review hearing. The Grievance Review Officer or designee must exclude unauthorized persons from the review hearing unless all parties and the review agent consent to their presence. All testimony must be given under oath or affirmation and the hearing will be recorded. All documents, copies of documents, and physical evidence which are accepted as evidence at the review hearing must be retained as a part of the review record.

4. If necessary, the Grievance Review Officer or designee may continue the review hearing, if additional time, evidence, or documentation are needed. This is at the sole discretion of the Grievance Review Officer or designee.
5. Report Disposition Appeal Considerations – Totality of the information
 - a. Assessment/Investigation information in the case record
 - b. Information presented by WCCS
 - c. Information presented by the appellant

H. FINDINGS

1. The Grievance Review Officer or designee must render a written recommendation, based on the evidence presented at the hearing, to the Director within thirty (30) calendar days after the review hearing has been completed.
2. The written recommendation will contain:
 - a. A summary statement of the facts
 - b. The issues involved
 - c. Finding and recommendations
 - d. The basis for the recommendations
3. The record of the review hearing must be retained by the Agency.
4. The Director may accept or reject, in whole or in part, the recommendations of the Grievance Review Officer or designee.
5. The Director will issue a decision which is binding within 30 calendar days.
 - a. The decision of WCCS regarding the complaint review or report disposition appeal is final and is not subject to a State hearing
6. The report disposition shall be changed if any of the following occur:
 - a. The Report Disposition was made in error
 - b. The appellant did not engage in conduct constituting child abuse or neglect as defined in 2151.03 and 2151.031 of the ORC
 - c. The report disposition is not supported by the totality of the information presented by the appellant, WCCS, or contained in the case record

I. DOCUMENTATION

1. The Review Agent will document in SACWIS (case record) the complaint or the report disposition appeal, the review process and findings of the complaint review or the report disposition appeal review
2. The Review agent will update SACWIS information as needed
3. The Review agent will notify the principals of the report disposition in writing as to the revised report disposition
4. WCCS will maintain all documents submitted or reviewed during the complaint review hearing process or report disposition appeal hearing process in the case record.

FORMS:

1. WCCS Grievance Review Form
2. SACWIS Appeal disposition notification
3. Denial/Approval letter Template for Grievance Review Request
4. Hearing Procedures- Complaint Review hearing and Report Disposition Appeal Hearing
5. Template for Agency Findings/Recommendation