

HUMBOLDT COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES SOCIAL SERVICES BRANCH CHILD WELFARE SERVICES DIVISION	DATE: September 21, 2004	Page 1 of 2 Section
POLICY AND PROCEDURE MANUAL		
Title: Grievance Review		

POLICY:

This policy is to assure concerned individuals (complainants) receive thoughtful and timely response to their grievances. A Grievance Review is to review grievances from foster parents, legal parents, guardians, and children concerning the placement or removal of a child from a foster home.

Grievance Reviews shall **not** be granted for the following issues:

- Removal of a child under any of the circumstances specified in CWS Division 31-440.21 through .25 such as, a court has ordered the removal of a child, or removal of a voluntarily placed child is made or requested by the child's parent(s)/guardian.
- Removal of a child or modification of services resulting from an administrative review panel determination;
- Removal of a child for direct placement into an adoptive home;
- Any complaint regarding only the validity of a law or of a statewide regulation; and
- Any complaint regarding an issue for which a state fair hearing is available (Welfare & Institutions Code Sections 10950 through 10965) such as, benefit delinquencies or benefit reductions.

PROCEDURE:

The following actions will be taken:

- a) Humboldt County shall explain the right to a Grievance Review, and shall provide a copy of the grievance policy to the following parties:
 - A legal parent/guardian at the time the child is placed.
 - A foster parent at the time of licensing.
 - Any complainant at the time a complaint is filed.
- b) A Grievance Review request shall be filed in the form of a written statement signed by the individual by using the Complaint/Grievance form, and marking the Grievance box. Supporting materials may be submitted at this time.
- c) The Grievance shall set forth the facts, which the individual believes provide a basis for reversal of the county's actions.
- d) The individual shall submit the Grievance Review request to the Foster Care Coordinator within ten calendar days after becoming aware of the action under complaint, pursuant to Division 31, § 31-020.334.
- e) Foster Care Coordinator immediately forwards the form to the appropriate Child Welfare Services Review Agent.
- f) The Grievance Review shall be held within ten working days from the date the written grievance is received by the agency.

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- g) Notice of the date, time and place for the Grievance Review shall be received by all parties not less than five calendar days prior to the hearing.
- h) The Review Agent shall be:
 - A CWS staff or Social Services staff member not involved in the grievance.
 - Neither a co-worker nor a person directly in the chain of supervision of any of the persons involved in the grievance unless the agent is the director or deputy director of CWS.
 - Knowledgeable of the field and capable of objectively reviewing the grievance.
- i) The Review Agent shall render a written recommended decision, and the CWS Director shall issue a final written decision, within five calendar days after review completion.
- j) Individuals also have the ability to contact California Department of Social Services – Community Care Licensing and the Foster Care Ombudsperson Office, if not satisfied with the final written decision.