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GOVERNMENT OF THE DISTRICT OF COLUMBIA
DC MURIEL BOWSER, MAYOR



Office of the Ombudsman Annual Report

Foster Youth and Foster Parent Statements of
Rights and Responsibilities

Annual Status Report 2022

Submitted to the Council of the District of Columbia
February 28, 2023

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Executive Summary

Introduction and Overview of Concerns Received in CY 2022

The 2022 Foster Youth and Foster Parent Statements of Rights and Responsibilities Annual Status Report details the findings from and resolution of complaints and inquiries (“concerns”) received by the Child and Family Services Agency’s (“CFSA” or “Agency”) Office of the Ombudsman (the “Ombudsman”) from youth in foster care, licensed resource parents, birth parents, and concerned parties (collectively, “complainants”).¹ In response to concerns relating to CFSA, the Office of the Ombudsman performs independent informal investigations and facilitates resolutions.

In calendar year (“CY”) 2022, the Ombudsman received 121 concerns from a range of complainants. This report details the types of issues addressed and the source of reports to the Ombudsman. The report also includes the Ombudsman’s recommendations to address observations made throughout CY 2022.

Role of the Ombudsman at CFSA

The CFSA Ombudsman’s role is to provide conflict resolution for issues that affect CFSA families by supplementing – though not replacing – CFSA’s formal dispute and complaint resolution channels. The Office applies the characteristics and standards discussed above to create an accountability mechanism by investigating concerns, identifying and evaluating options for resolution, encouraging effective communication between parties, offering referrals to other resources, and consulting with CFSA management about observed issues and trends. Specifically, the Ombudsman is charged with fielding and reviewing concerns regarding the District’s child welfare system and making recommendations for internal Agency improvements or interagency systemic change.

Ombudsman’s Mission

- Address immediate concerns relating to CFSA families
- Act as a mechanism for early detection of emerging Agency-wide issues
- Prevent recurring problems and improve existing processes by collaborating with CFSA teams and stakeholders to effect systemic changes

¹ The District’s *Foster Youth Statement of Rights and Responsibilities Act of 2012* (D.C. Law 19-276; D.C. Official Code § 4-1303.71 *et seq.*); and the *Foster Parents Statements of Rights and Responsibilities Amendment Act of 2016* (D.C. Law 21-217; D.C. Official Code § 4-1303.81 *et seq.*) requires the submission of this annual report, which must include concerns reported by youth and licensed foster parents in addition to the outcomes of the resulting investigations.

Ombudsman Case Process

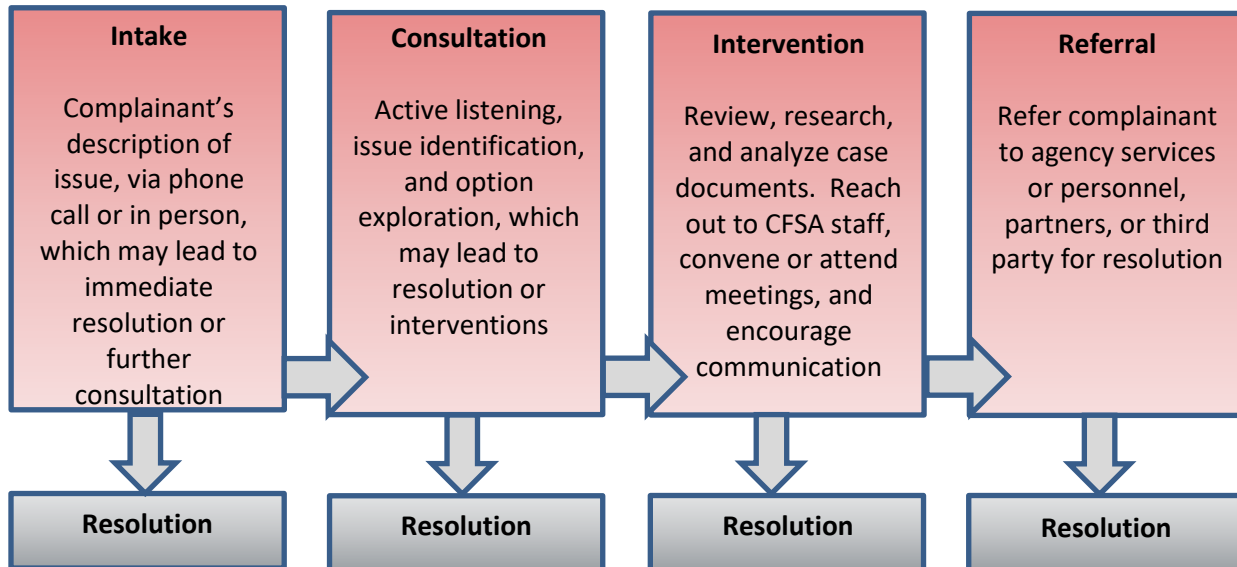
The Ombudsman's case process has four steps, though some may repeat, and resolution can be reached during any step of the process:

1) Intake

2) Consultation

3) Intervention

4) Referral



All individuals are strongly encouraged to first address concerns with their assigned social worker or CFSA contact as soon as the issue arises. If a concern has not been adequately addressed, the individual is encouraged to reach out to the managerial supervisory chain of command. If the individual still feels the concern has not been adequately addressed, then it is appropriate to seek help from the Ombudsman. Notwithstanding this standard operating procedure, the Ombudsman maintains an open door and takes concerns from complainants at any level of engagement with CFSA.

The Ombudsman receives concerns regarding youth, birth parents, and resource parents through the following pathways:

- Email: Marianna.Abraham@DC.Gov
- Office Phone: (202) 727 – 2111
- Cell Phone: (202) 246 – 9364
- Direct contact or a visit to the Ombudsman at the Child and Family Services Agency, 200 I St. SE.



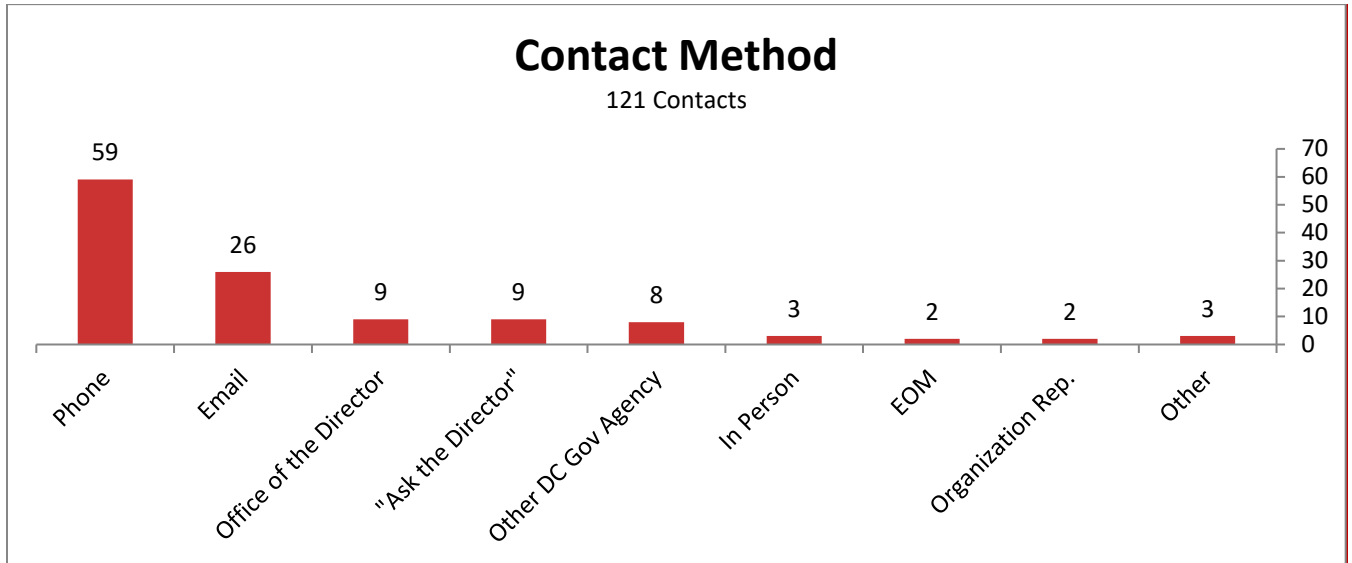
Accomplishments During CY 2022

- Closed all 121 concerns received in CY 2022.
- Continued to partner with the Department of Human Services' Strengthening Teens Enriching Parents Program (STEP) to provide immediate outreach and assessment to children and youth reported missing.
- Continued to provide relevant CFSA data to the Executive Office of the Mayor's Family and Survivor Support Services (formerly Community Stabilization Protocol).
- Participated in CFSA's Internal Child Fatality Review Committee meetings.
- Partnered with the newly appointed Ombudsperson for Children to establish data sharing agreements, interagency protocols, and complaint referral processes.

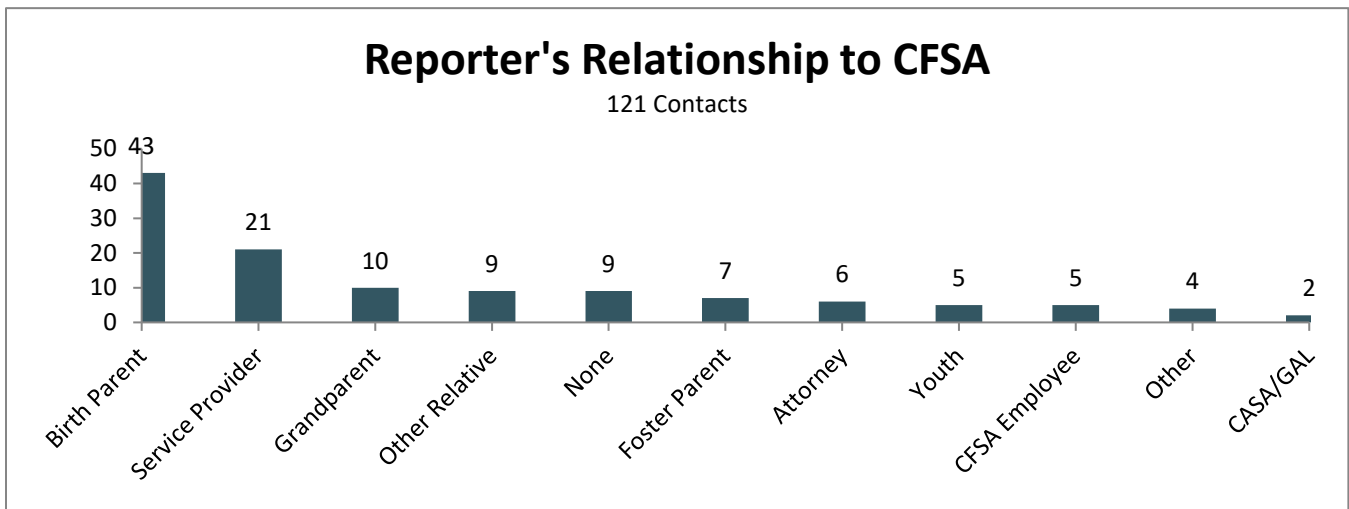
Ombudsman's Office Data

Who We Serve

Almost half of concerns (48%) received in CY 2022 began with a phone call to the Office of the Ombudsman and E-mail accounted for 21%. Other referral sources included the Office of the Director, "Ask the Director" email inbox, and other DC government agencies.



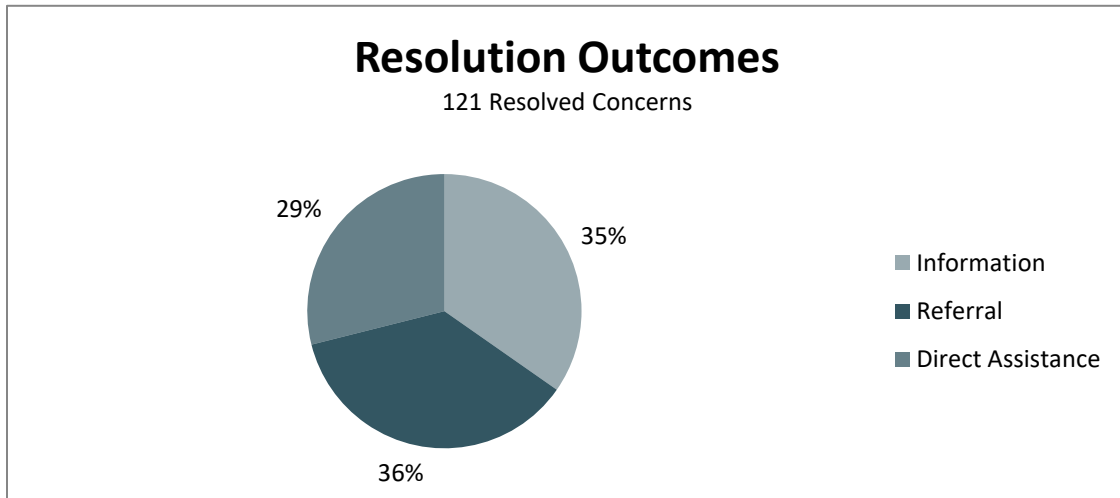
The largest percentage of complainants were birth parents (35%); and a significant number of contacts were from service providers and community professionals (17%), as well as family members (16%)².



² Percentage is the combined total of grandparents and child's other relative.

Complaint and Inquiry Resolution

Of the 121 concerns in CY 2022, 42 were resolved by educating the complainant on CFSA policies or by providing information that would allow the individual to make an informed decision. The Ombudsman also received 35 concerns that required direct assistance or intervention through mediation, negotiation, or the facilitation of dialogue. The remaining 44 concerns resulted in referrals to internal or external parties.

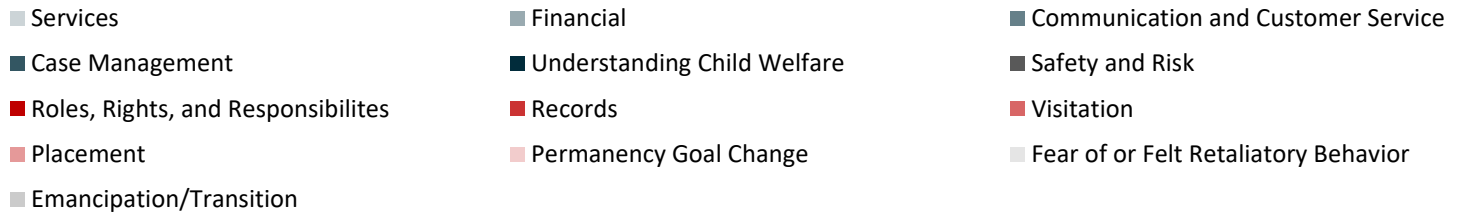


Complaint and Inquiry Themes

There were 18 complaint and inquiry theme categories³ that the Ombudsman used to track issue trends. The majority of concerns fell into four categories:

1. Services
2. Financial
3. Communication and Customer Service
4. Case Management

Issue Themes



Based on these themes, the Ombudsman makes the following findings and recommendations.

³ Complaint and Inquiry Themes:

Case management; Communication and customer service; Custody; Emancipation and transition from care; Fear of retaliatory behavior; Financial; Medical; Permanency or goal change; Placement; Records; Removal; Roles, rights and responsibilities; Safety and risk; Services; Teen parent; Understanding child welfare; Vetting of kin; and Visitation.

Findings and Recommendations

Services and Financial

Summary of Concern: Most of the concerns and requests around services also related to a subsidy or financial grant.⁴

Observations:

At the start of 2022, the Ombudsman's Office received eight concerns from constituents regarding services provided by the DC Department of Human Services ("DHS"). Families that had previously worked with CFSA reached out for assistance due to a DHS systems error that resulted in a termination of their social service benefits such as Medicaid, Temporary Assistance for Needy Families (TANF), Supplemental Nutrition Assistance Program (SNAP), etc.

Resolution for these concerns was swift and required collaboration across DC government agencies. Internally, the Ombudsman partnered with CFSA's Business Services Administration to establish a complaint response process that immediately alerted DHS and helped identify the system's glitch and necessary corrective action. CFSA and DHS were able to remedy the system error, which narrowed those affected to a static population of families reunified in the early months of the 2022 calendar year. By March, these complaints leveled off and declined to zero. This system fix benefitted other persons, beyond the eight who complained to the Ombudsman.

The Ombudsman also received six complaints from constituents and from advocacy groups on behalf of constituents concerning benefits that were delayed or denied under the Grandparent Caregiver Program or Close Relative Caregiver Program (collectively, "CRCP"). The Ombudsman partnered with CFSA's Kinship team to help resolve these issues by updating constituents concerning benefit eligibility, the timeline of expected benefits, the application process, and the services provided by the program.

After investigating, the Ombudsman found that in most cases the complainant's CRCP application packet was submitted incomplete, contributing to processing delays. In each of these cases, the Ombudsman directly assisted complainants as they gathered the necessary documentation within the program's application timeline. If the complainant expressed an immediate need for a financial grant, the Ombudsman worked with Partners for Kids in Care to secure gift cards for food and necessities as the complainants awaited their CRCP subsidy. The Ombudsman also supported advocates guiding families through a CRCP, providing team contact information, application status updates, and resources to appeal application denials as appropriate.

Some complainants (three) reported frustration at being deemed ineligible to receive a CRCP subsidy, additional Agency supports, or benefit. In all of those (non-CRCP) cases, the complainants sought to appeal a denial of benefits. The Ombudsman resolved these concerns by providing information concerning the

⁴ Due to this correlation, the concerns regarding services and financials were analyzed together.

Fair Hearing appeal process, referring complainants to alternate resources, and providing further explanation of the Agency's decision. Additional concerns and inquiries relating to services came from caregivers requesting post-permanency action or support. These five requests were resolved through referrals to CFSA's post-permanency team.

Recommendations:

- CFSA's Kinship team should consider increasing outreach and follow-up to enquire about unfinished CRCP applications and late renewals. This will avoid rushed applications and provide more opportunities to guide CRCP recipients through the application and renewal process, to prevent delays to their benefit.
- The CRCP program would benefit from an automated intake system for potential clients to better understand eligibility requirements, application process, and timeframe.

Case Management

Summary of Concern: Some complainants want to be more involved in case management and decision making, particularly when it comes to substantiations and removals.

Observations:

All the complaints and inquiries about case management (18 total) reflected a concern or disagreement with CFSA's clinical decisions and, occasionally, with the clinical decision-making process. The situations varied, as did the complainants' relationships with the Agency. However, more than half of the concerns relating to case management were from birth parents and other family members who did not agree with CFSA's decision to either substantiate allegations or facilitate a removal (separation). When complainants were interested in appealing a substantiation, the Ombudsman shared information about the Program Administrator's Review and Fair Hearing processes, facilitating an introduction with CFSA's Fair Hearing Coordinator for scheduling.

When a complainant questioned why a child had not been separated or why CFSA had not taken additional action, the Ombudsman elevated the concern and conferred with the assigned social work team. In most of these cases, CFSA was already aware of the complainant's concern. The Agency was either working with the caregiver to address the issue or had previously discussed the concern with the complainant. Due to confidentiality regulations, CFSA social workers are restricted from sharing case details with outside parties, including remedies and services. Often, this caused some complainants to feel as if their concerns or interests were being ignored.

Forty percent of case management concerns were raised by educators such as principals and school personnel experiencing challenges enforcing education requirements. Some educators shared that they felt there were no "consequences" for parents and caregivers whose children missed significant classroom time, even for parents with open In-Home cases. To address these concerns, the Ombudsman partnered with the In-Home, Hotline, and Child Protective Services (CPS) teams to support education partners and CFSA families as they created unique plans and solutions to balance challenging family circumstances with the schools' responsibilities to children's education.

Recommendations:

- CFSA's Out of Home and In-Home Administrations should increase clinical supervision for cases in transition or stagnation. It is important for families and partnering service providers to feel confident in case management and progress, whether in the form of services or steps to case closure and positive permanency.
- Interagency team functioning, and decision-making processes should be consistent with the principle of family-centered practice and integrated services. Sometimes this requires increased teaming between CFSA staff and other DC government agencies, such as DC Public Schools, to explore and discuss the expectations around CFSA's involvement with a family and its role as the child welfare agency. Having DC's foster care agency lead in interventions to support educational needs is not always in the family's best interest. In some instances, this may be more appropriately led by DC Public Schools in collaboration with CFSA or other community supports.

Communication and Customer Service

Summary of Concern: Some complainants reported challenges in partnering with their assigned social worker, while others felt CFSA staff needed to improve communications and customer service overall.

Observations:

The child welfare space can be challenging to navigate, and the experience can be traumatic and frustrating for families. These circumstances often heighten communication challenges and sour relationships between CFSA staff and the families they are working to support. In eleven instances, the Ombudsman spoke with complainants who felt they could not continue working with their assigned social worker, either because they felt at odds with the social worker or distrusted the government and child welfare system.

In responding to these concerns, the Ombudsman found that, in all cases, the supervisory social worker was already aware of the ongoing communication challenges between the complainant and the assigned social worker. Sometimes, a caregiver no longer wanted to communicate with the social work team. In these instances, the Ombudsman collaborated with the supervisory social worker to identify another point of contact for the complainant to ensure regular communication between the Agency and the family.

Additionally, thirteen complainants raised concerns about their belief that CFSA had not adhered to the District government's customer service standards concerning responsiveness and communication. In some cases, complainants contacted the Ombudsman to report that CFSA staff were either rude or uncooperative. In other instances, complainants felt CFSA staff was unreliable or unhelpful. To resolve these concerns, the Ombudsman connected with the social work team, service providers, and advocates to encourage increased communication and understanding between CFSA staff and appropriate parties. The Ombudsman also elevated concerns when appropriate and provided information and updates directly to complainants when possible.

Recommendations:

- CFSA's case carrying teams should continue encouraging timely, clear, and consistent communication regarding case management and clinical decisions, particularly during a crisis or

transition. This is a recurring recommendation from the Office of the Ombudsman, as it is essential for CFSA families and partners to feel respected as valuable team members.

Conclusion – Looking Ahead

The Office of the Ombudsman considers it a privilege to have helped so many CFSA families and complainants resolve a varied range of concerns through collaboration and partnership with CFSA leaders and staff throughout CY 2022. The year brought much change, including the new partnership with the recently established Office of the Ombudsperson for Children ("OFC"). In 2023, CFSA's ombudsman will continue to support the OFC. The two agencies will work towards the shared goal of transitioning the responsibility of reviewing and responding to constituent complaints to the OFC and closing CFSA's Office of the Ombudsman.

