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	CHILD AND FAMILY SERVICES AGENCY Approved by: <u>Brenda Donald</u> Agency Director Date: January 16, 2018	REVISION HISTORY:
	LATEST REVISION:	

I. AUTHORITY	The Director of the Child and Family Services Agency (CFSA or Agency) adopts this policy to be consistent with the Agency's mission and applicable federal and District of Columbia laws and regulations.
II. APPLICABILITY	All Agency employees, contracted agency staff, and contracted personnel.
III. RATIONALE	CFSA has established an internal Office of the Ombudsman (the "Ombudsman") in order to ensure the public has a point of contact within CFSA to communicate concerns directly to the Agency. The Ombudsman is responsible for responding to, investigating and resolving concerns, complaints, inquiries, and suggestions from CFSA constituents.
IV. POLICY	<p>CFSA has established the Office of the Ombudsman to serve as CFSA's impartial liaison for constituents (i.e., children, youth, birth parents, foster parents, kinship caregivers, guardians, adoptive parents, mandated reporters, concerned citizens, contractors) who are seeking internal resolutions to issues, and to promote child safety and well-being. The Ombudsman reviews concerns and prepares recommendations and responses when necessary. The Ombudsman may utilize alternative dispute resolution and facilitate meetings to identify recommendations and resolve concerns in adherence with local and federal laws, DC Municipal Regulations, and Agency policies and procedures.</p> <p>The Ombudsman will maintain a transparent review process.</p> <p>The Ombudsman may maintain constituent confidentiality as necessary.</p> <p>The Ombudsman shall alert appropriate managers and staff in the Agency chain of command regarding concerns that require intervention.</p> <p>Individuals desiring to contact the Office of the Ombudsman may do so in person or through the following means:</p> <ul style="list-style-type: none"> • Email: cfsa.ombudsman@dc.gov • Website: http://cfsa.dc.gov/service/be-heard • Youth Ombudsman (YO BUD) hotline: (855) 874-3273 or yo.bud@dc.gov • Youth Be Heard! Website: http://cfsa.dc.gov/service/be-heard-for-youth
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<p>VI. SECTIONS</p>	<p>Section A: The Scope of the Office of the Ombudsman</p> <ol style="list-style-type: none"> 1. The Office of the Ombudsman is responsible for the following duties: <ol style="list-style-type: none"> a. Reviews constituent concerns regarding the safety, permanency, and well-being of children and families involved with CFSA (e.g., concerns regarding Agency action, inaction or decisions). <p><i>Note: if the concerned party is from (or associated with) a contracted family-based agency or congregate care facility, then he or she must exhaust the grievance process prescribed in the contractual agreement before the Ombudsman can accept the concern. The Ombudsman may collaborate with the contract monitor and others as necessary to resolve the concern.</i></p> b. Interprets policy, procedures, and Agency directives in consultation with CFSA leadership and the Office of General Counsel (OGC). c. Documents the receipt, subject matter, status, and outcome of all reported concerns. d. Responds to concerns to ascertain whether CFSA followed policy, procedure, law, contractual obligations, and practice standards in its decision-making. e. Provides education, information, and referrals to individuals contacting the office. f. Alerts the appropriate CFSA programs or departments, including the Agency Director and OGC, if necessary, of identified concerns and makes recommendations for improvement. 2. If a potential conflict of interest exists, then the Office of the Ombudsman shall recuse itself from any official activity regarding that conflict and refer the issue to the Agency Chief of Staff and/or the OGC. 3. The Ombudsman is a mandated reporter and shall file a report with CFSA's abuse and neglect Hotline whenever there are concerns about a child's safety or allegations of abuse or neglect. 4. The Ombudsman is bound to HIPAA regulations and confidentiality in all areas of practice (<i>See the Confidentiality Policy for more information</i>). 5. The Ombudsman identifies trends and systemic issues and brings them to the attention of CFSA management and staff as necessary. 6. The Ombudsman may recommend internal procedures to accomplish program goals. 7. The Office of the Ombudsman does not have the authority to: <ol style="list-style-type: none"> a. Make recommendations to the court or to overturn court orders. b. Review cases in which appeals or lawsuits are pending. c. Change or make exceptions to state or federal laws and regulations. d. Review or make recommendations in labor, personnel, or disciplinary matters.
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	<ul style="list-style-type: none"> e. Review Human Resources (HR) matters or Equal Employment Opportunity Commission (EEOC) concerns. f. Give legal advice. g. Participate in any criminal, civil, or administrative procedure related to concerns brought to its attention. h. Attempt to resolve or mediate any matters that are pending in the Fair Hearing Administrative process, as set forth in DCMR 29-5900, D.C. Code 16-2313 and D.C. Code 16-2320, including placement change decisions; challenges to the Child Protection Register; challenges to decisions of CFSA to deny, reduce, or terminate subsidy agreements; and challenges to decisions of CFSA to deny, modify, suspend, convert, revoke or take other action concerning an existing or application for licensure.
	<p>Section B: Ombudsman Review Process</p> <ul style="list-style-type: none"> 1. The Office of the Ombudsman strives for impartiality, fairness, and objectivity when resolving concerns and maintains an impartial review process. 2. The Ombudsman does not advocate on behalf of any individual or entity during the review process. 3. If a constituent submits a complaint or concern to the Ombudsman, then the Ombudsman shall respond to the constituent within one business day via telephone or email and provide the constituent with: <ul style="list-style-type: none"> a. Acknowledgement of receipt of their concern(s) b. Explanation of constituent rights and responsibilities and Agency rights and responsibilities c. Next steps 4. The Ombudsman shall complete the review within 15 business days from receipt of the concern. The Ombudsman shall notify the constituent if additional time is needed. If at any time during the review the Ombudsman determines that the constituent's concern does not fall within the purview of the Ombudsman, then the Ombudsman shall notify the constituent of the decision to deny the review, provide an explanation of the decision, and provide contact information of the party that is equipped to address the complaint. 5. The review process may include the following steps: <ul style="list-style-type: none"> a. Review child and family electronic and hardcopy case records and relevant documents including records regarding proceedings held by CFSA or contracted agencies, when applicable. b. Interview relevant parties who may have direct knowledge of the concern, including, but not limited to: clients, staff, contractors, and the concerned party. c. Observe team meetings, such as cross administration meetings, client and clinical team meetings, Family Team Meetings (FTM), or R.E.D. Teams.

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	<ul style="list-style-type: none"> d. Collaborate with Agency management and staff to obtain information and develop recommendations. e. Elevate matters to the appropriate managers and staff in the Agency chain of command, as needed. <p>6. Upon completion of the review, the Ombudsman will provide written (or verbal, at the constituent's request) notification of the status and final resolution (or reason for closure) of the review to the constituent.</p> <p>7. The Ombudsman may monitor the progress of the implementation of any agreed-upon recommendations.</p>
	<p>Section C: Data Collection and Reports</p> <ul style="list-style-type: none"> 1. The Ombudsman shall collect the following data: <ul style="list-style-type: none"> a. The number of contacts made to the Agency by telephone, website address, or otherwise b. The number and types of concerns made known to the Agency c. The general sources of the concerns d. The number of investigations conducted by the Ombudsman e. The number of pending concerns f. The trends and issues that arose during the course of investigating concerns g. The outcomes of the Ombudsman's investigations h. The recommendations for resolution of the issue 2. The Office of the Ombudsman shall prepare a monthly (or more frequent, as directed) data report to the Director. 3. The Office of the Ombudsman will assist in the preparation of <i>The Foster Youth and Foster Parent Statements of Rights and Responsibilities Annual Status Report</i> <p><i>Note: At the conclusion of the reporting year, the Director will make the annual report identified by Section C.3 available to the DC Council by February 28th or by a date prescribed by the DC Council. The Agency will make the reports available to the public by posting the reports on the Agency's website.</i></p>

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