

## **GRIEVANCE REVIEW HEARING POLICY AND PROCEDURE**

Warren County Children Services 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. It is this Agency's goal to provide quality service to the public utilizing the expertise of the employed staff and volunteers, the funding at its disposal, and all of the community resources that are available or can be cultivated.

This agency is subject to questions and concerns from people with whom it has direct contact, including potential complaints about actions of possible omission or commission by this agency or a representative thereof. It is the intent of this grievance review hearing policy to insure that a procedure is in place to receive, review, and resolve both of the following:

1. Complaints concerning the provision of services; and
2. Appeals by alleged perpetrators who disagree with this agency's disposition/resolution of a report of child abuse or neglect pursuant to Rule 5101:2-33-20 of the Administrative Code.

This agency 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.

### **ELIGIBILITY**

Per Administrative Code Rule 5101:2-33-20:

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

- Parents
- Custodians
- Legal Guardians
- Foster Caregivers
- Kinship Caretakers
- Applicants or Providers of Approved Adult-Supervised Living Arrangements
- Children

- B. Alleged perpetrators who disagree with the report disposition of child abuse or neglect are eligible for this review hearing process.

The agency shall also provide written notice to the alleged perpetrator of his/her right to appeal the report disposition. The written notification shall include information regarding

the method by which the alleged perpetrator may appeal and shall be provided at the time of the official notification of the case disposition pursuant to Rule 5101:2-36-03 of the Administrative Code.

- C. No review hearing will be granted under certain circumstances including but not limited to the following:
1. Removal of a child resulting from a court order or officer acceptance.
  2. Complaint involving only a question regarding the validity of State statute or the Ohio Administrative Code.
  3. Removal of a child based on revocation of the foster home license or certification.
  4. Removal of a child placed voluntarily by a parent or guardian.
  5. Removal of a child from foster care for direct placement into an adoptive home. (Applies only to birth parents when Agency has permanent custody.)
  6. Any issue for which a court review is available pursuant to statute and Administrative Code Rules, e.g. - SAR.
  7. Requests of a hearing that is beyond 30 days of the disposition.
  8. Requests of a hearing on provision of services that is beyond 30 days of case closure.
- D. Upon request, the Agency shall provide written copies of this Agency's Grievance Review Hearing Policy and Procedures to an individual within three working days from the date of the request.

### **REQUESTING A REVIEW HEARING**

1. Confidentiality will not be compromised in any part of the grievance review hearing policy or procedures.
2. Eligible persons who have a concern/complaint regarding services should initially express his/her concern to the caseworker and supervisor.
3. 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.
4. Upon request, Warren County Children Services shall provide/make available written copies of this agency's Grievance Review Hearing Policy to an individual within three working days from the date of the request.
5. Regarding providing and/or communicating the policy to those with hearing or visually impaired, or limited English proficiency, the Agency will make special arrangements at the request of the party member. The special arrangements required need to be coordinated through the Director's office.

To request a formal review hearing, the complainant must do the following:

1. A written statement (Grievance Review Form), signed by the complainant, must be submitted to the Agency Director's Office, Warren County Children Services, 416 S.

- East St., Lebanon, Ohio 45036. It must state the facts which the interested person believes provides a basis for his/her objection to the Agency action.
2. The Grievance Review Form must be received by this agency within thirty (30) days following the notice of the Grievance Review Hearing Policy.

The Grievance Review Form will be reviewed by the Review Agent and/or the Director. The determination of eligibility will be made within 30 days of the receipt of the Form.

Should the request be deemed ineligible, the Review Agent or Director will provide written notification to the appellant of the denial and reasoning for such denial.

Should the request be deemed eligible, the Review Agent or Director will contact all necessary parties to schedule the Review Hearing.

The Review Agent conducting the complaint reviews and hearings regarding report dispositions appeals cannot be involved in the case, including the assessment/investigation of the incident or the approval of the report disposition.

## **CONDUCTING THE REVIEW HEARING**

The review hearing must be held within thirty (30) days of the eligibility determination.

The designated review agent 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.

The parties and their representatives, and witnesses while testifying, must be the only authorized persons present during the review hearing. The review agent 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. 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.

If necessary, the review agent may continue the review hearing, if additional time, evidence, or documentation are needed. This is at the sole discretion of the Review Agent.

## **REVIEW PROCEDURES**

The review agent 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. The written recommendation will contain:

1. A summary statement of the facts
2. The issues involved
3. Finding and recommendations
4. The basis for the recommendations

The record of the review hearing must be retained by the Agency. The Director may accept or reject, in whole or in part, the recommendations of the hearing officer.

The Director will issue a decision which is binding.

When a grievance/appeal of a report disposition of child abuse and/or neglect is heard and the Agency changes the original disposition, the agency shall update the case record and provide written notification to the principals of the report per rule 5101:2-33-20.

All grievance / review policies and their respective forms are available upon request by contacting:

Director's Office  
Warren County Children Services  
416 South East Street  
Lebanon, Ohio 45036  
(513) 695-1500

**FORMS:** 1. Grievance Review Form

**REFERENCES:** 5101: 2-33-20 OAC

**MOST RECENT EFFECTIVE DATE:** March, 2015

**REVISED:** March, 2017