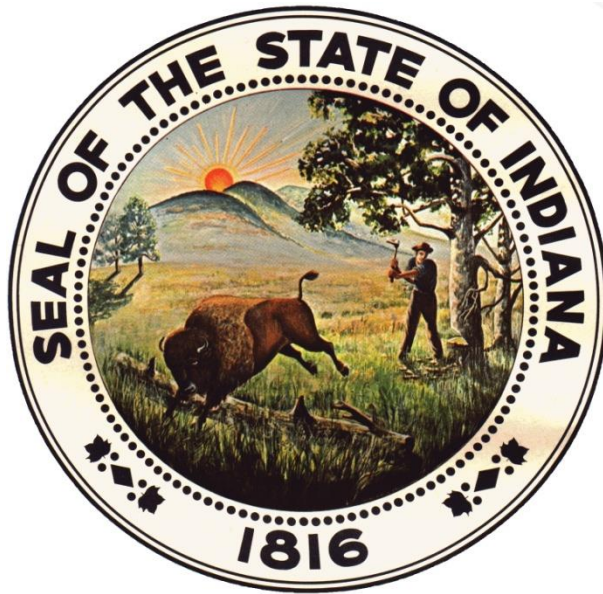


*State of Indiana*

**Department of Child Services  
Ombudsman Bureau**



**2017 Annual Report**

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## **Mission**

The DCS Ombudsman Bureau effectively responds to complaints concerning DCS actions or omissions by providing problem resolution services and independent case reviews. The Bureau also provides recommendations to improve DCS service delivery and promote public confidence.

## **Guiding Principles**

- A healthy family and supportive community serve the best interest of every child.
- Independence and impartiality characterize all Bureau practices and procedures.
- All Bureau operations reflect respect for parents' interest in being good parents and DCS professional's interest in implementing best practice.

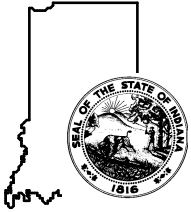


*Report Prepared by: Alfreda Singleton-Smith, Director, DCS Ombudsman Bureau*

*Contributors:*

*Jessica Stier, Assistant Ombudsman - Data Analysis, Graphics*

*Jamie Anderson, Assistant Ombudsman - Editing*



# STATE OF INDIANA

Eric J. Holcomb, Governor

**DEPARTMENT OF ADMINISTRATION**  
Department of Child Services Ombudsman Bureau

402 West Washington St. Rm 479  
Indianapolis, IN 46204  
317-234-7361

The Honorable Eric J. Holcomb, Governor  
The Honorable Speaker and President Pro Tempore  
Terry Stigdon, Director, Indiana Department of Child Services  
Lesley A. Crane, Commissioner, Indiana Department of Administration

In accordance with my statutory responsibility as the Department of Child Services Ombudsman, I am pleased to submit the 2017 Annual Report for the Indiana Department of Child Services Ombudsman Bureau.

This report provides an overview of the activities of the office from January 1, 2017 to December 31, 2017 and includes information regarding program administration, case activity and outcomes. Included as well is an analysis of the complaints received, recommendations provided to the Department of Child Services and the agencies responses to the Department of Child Services Ombudsman Bureau.

I would like to express my appreciation for the leadership and support of Governor Holcomb, Director Stigdon, Commissioner Crane and the Indiana State Legislature. Appreciation is also extended to the staff of the Department of Child Services and their diligent efforts to support the mission of the Department of Child Services Ombudsman Bureau in 2017. Their commitment to Indiana's families and children and their willingness to work to strengthen the delivery of child welfare services in the State of Indiana is acknowledged and appreciated! It is such support that has enabled the DCS Ombudsman Bureau to grow and improve since its inception. I am truly honored to serve the citizens of Indiana as the Department of Child Services Ombudsman.

Respectfully,

A handwritten signature in cursive script that reads "Alfreda D. Singleton-Smith".

Alfreda D. Singleton-Smith, MSW LSW

Director, DCS Ombudsman Bureau

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# Executive Summary

## **Introduction**

The DCS Ombudsman Bureau continued to experience substantial program growth in 2017. The agency's efforts focused on ensuring the continued stability of the agency's goals of:

- effectively responding to constituent complaints in a timely manner;
- enhancing and developing program practices and guidelines;
- increasing the number of constituent responses;
- and, expanding outreach initiatives.

## **Authority**

The Department of Child Services (DCS) Ombudsman Bureau was established in 2009 by the Indiana Legislature to provide DCS oversight. IC 4-13-19 gives the Department of Child Services Ombudsman the authority "to receive, investigate, and attempt to resolve a complaint alleging that the Department of Child Services, by an action or omission occurring on or after January 11, 2005, failed to protect the physical or mental health or safety of any child or failed to follow specific laws, rules, or written policies." The law also provides the DCS Ombudsman Bureau the authority to evaluate the effectiveness of policies and procedures in general and provide recommendations.

## **Activity Overview**

During 2017, the primary activity of the office was to respond to complaints, determine findings, provide case specific and systemic recommendations, and monitor DCS responses. When case findings were determined to have systemic implications, policies and procedures were reviewed and general recommendations were provided. This year the DCS Ombudsman Bureau responded to 885 Information and Referral (I & R) inquiries, conducted 205 Assists, opened 238 Cases and closed 248 Cases. A total of 384 active total cases were reviewed during 2017 (258 closed and 87 closed) which included cases from the last quarter of 2016. Three investigations were completed in 2017.

## **Administration**

**Location:** The DCS Ombudsman Bureau is an independent state agency housed in the Indiana Department of Administration (IDOA). IDOA provides office space, furnishings, equipment and utilities.

**Staff/Resources:** The DCS Ombudsman Bureau consists of the Director and two full-time Assistant Ombudsmen. (Attachment A – Staff Biographies) Legal consultation is provided as needed by IDOA General Counsel and/or Deputy Attorney General. Technical assistance is provided by the IDOA MIS Director. The DCS Ombudsman Bureau experienced no staff turnover in 2017.

**Budget:** The DCS Ombudsman Bureau was appropriated \$313,807 in the 2017 fiscal year, which is allocated from the general fund. The majority of the expenditures are for personnel, with the remainder devoted to supportive services and supplies. This increase allowed the DCS Ombudsman Bureau to address staffing and outreach challenges. Continued program growth in 2016 and 2017 presented opportunities for the growth of service delivery to those constituents impacted by DCS involvement. In late 2016, the DCS Ombudsman Bureau took steps to increase the Assistant Ombudsman's job title and salary in an effort to attract and retain skilled talent to the DCS Ombudsman Bureau, while enhancing current program service delivery. As a result of this endeavor, the Assistant Ombudsman's class title of Administrative Assistant was adjusted in the first quarter of 2017 to Program Director 2. This change also included a four percent increase annual salary increase. Steps to increase staffing by one Full Time Equivalent FTE will be taken in 2018 to support the DCS Ombudsman Bureau's goal of timely response to ever increasing constituent needs.

## **Program Development**

**Policies and Procedures:** The *Procedures and Practices Guidelines Manual* for the DCS Ombudsman Bureau is posted on the agency's website. The manual continues to be a viable resource for sharing information regarding the policies and practices of the DCS Ombudsman Bureau. The manual serves as an important mechanism for guiding the operations of the bureau pursuant to statute (Indiana Code (IC) 4-13-19) and informing constituents of the agency's policies and practices.

**Website Enhancements:** The DCS Ombudsman Bureau continues to monitor the website to ensure that it is functioning properly and that information provided remains relevant to meet the needs of Indiana constituents. The DCS Ombudsman Bureau's information is also linked to the Indiana DCS website ([www.dcs.in.gov](http://www.dcs.in.gov)). An Ombudsman website launched in 2016 by the State of Indiana provided an additional opportunity for constituents to access ombudsman services and support across the state ([www.Ombudsman.in.gov](http://www.Ombudsman.in.gov)). Information regarding the DCS Ombudsman Bureau can be found on this page.

**Tracking and Reporting:** This office continues to compile quarterly reports to document complaint/case activity each quarter and to track responses to recommendations. The information from the quarterly reports is used to compile basic information for the Annual Report.

**Outreach:** In an effort to increase public awareness of the office in 2017 pursuant to IC 4-13-19-5 (a) (5), the DCS Ombudsman Bureau developed several strategies. Educational presentations continue to be available to the public and can be requested via the website, DCS Ombudsman Bureau email, or staff. In an effort to develop public awareness among individuals and agencies working directly with children and families impacted by DCS, the DCS Ombudsman Bureau staff presented workshops, and provided information regarding the 2017 Annual Report and DCS practices to the Indiana University School of Social Work, and informational interviews and shadowing opportunities with students and employees from various colleges and agencies.

Additionally, the DCS Ombudsman Bureau participated in a national survey of ombudsman best practices conducted by the Michigan Office of the Auditor General (OAG).

DCS Ombudsman Bureau brochures and posters are available to all local DCS offices as well as the public. The DCS Ombudsman Bureau Director serves as a statutory member of Indiana’s Statewide Child Fatality Review Team, a multidisciplinary team charged with reviewing child fatalities. The DCS Ombudsman Bureau will continue to develop strategies designed to reach constituents, specifically those individuals that are least likely to access DCS Ombudsman Bureau services. These include but are not limited to parents, grandparents and other relatives and service providers.

**Training:** The DCS Ombudsman Bureau continues to participate in educational programs specific to the ombudsman role and child welfare practice. The agency is a member of the United States Ombudsman Association (USOA). The USOA provides opportunity for consultation, support and education to all members. The DCS Ombudsman Bureau staff also participates in trainings at conferences hosted by DCS, Indiana Youth Institute, Indiana Association of Resources and Child Advocacy (IARCA), Indiana Statewide Child Fatality Review Committee, Kids Count Indiana, and a variety of webinars, books, and articles with information of interest to the agency.

**Metrics:** The DCS Ombudsman Bureau continues to track the turnaround time for responses to complaints, completions of reviews, and investigations. The metrics indicate that the DCS Ombudsman Bureau continues to exceed the goals established for best practice related to response to constituents specific to Inquiry Response and the number of days a case remains open. Due to the diversity of variables, investigations in 2017 exceeded the metric goal.

Identified Task	Goal	2015 Metric (Average)	2016 Metric (Average)	2017 Metric (Average)
Days From Inquiry to Response	1 day	.23 day	.44 day	.26 day
Days Case Remains Open	30-60 days	29.1 days	34 days	45.86 days
Days Investigation Open	60-90 days	95 days	43 days	131.65 days

### Collaboration with DCS

**Communication:** The Director of the DCS Ombudsman Bureau meets with DCS leadership to discuss individual complaints, investigations, agency policies, programs, practice and recommendations, as needed. All specific case reviews and/or investigations are initiated by contacting the Local Office Director, and Regional Manager who assists the agency by ensuring that the DCS Ombudsman Bureau is provided all requested information and/or facilitates staff interviews.

**Information Access:** DCS has provided the DCS Ombudsman Bureau with access to all records on the MaGIK Casebook system and MaGIK Intake, in addition to the DCS reports available on the DCS intranet. The DCS Ombudsman Bureau also has the opportunity to review case files and interview DCS staff as necessary.

**Fatalities/Near Fatalities:** To ensure this office is aware of child fatalities/near fatalities with DCS history the DCS Hotline forwards all such reports to the DCS Ombudsman Bureau to track and/or assess for further review. In addition, the DCS Ombudsman Bureau participates in the Peer Review process on the cases that meet the criteria. The DCS Ombudsman Bureau participated in a number of Peer Reviews during 2017 and was able to provide feedback regarding system strengths and challenges.

## Other

The DCS Ombudsman Bureau is unable to draw any conclusions about the general status of children in Indiana pursuant to IC 4-13-19-10(b) (2), as the focus of the bureau has been on the complaint process. It is noted, however, that the Indiana Youth Institute annually publishes Kids Count in Indiana, a profile in child well-being data book, which provides data on the general status of children in Indiana. The *Kids Count in Indiana Data Book Executive Summary* is available in the office of the DCS Ombudsman Bureau and the full Indiana Data Book is available at no cost at [www.iyi.org/databook](http://www.iyi.org/databook).

## Complaints

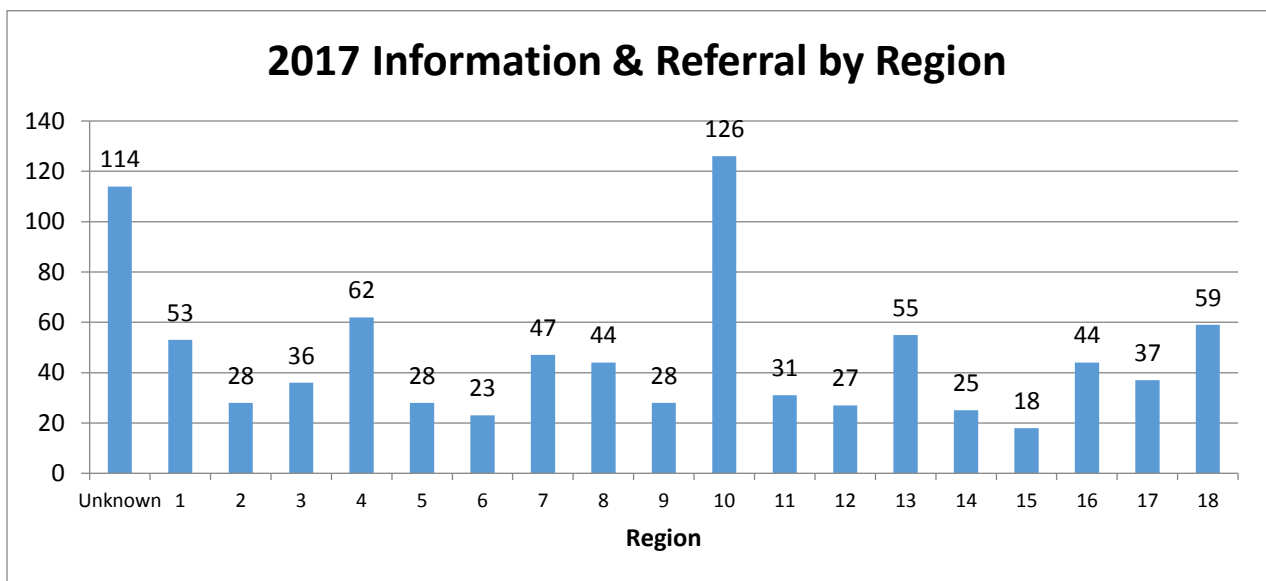
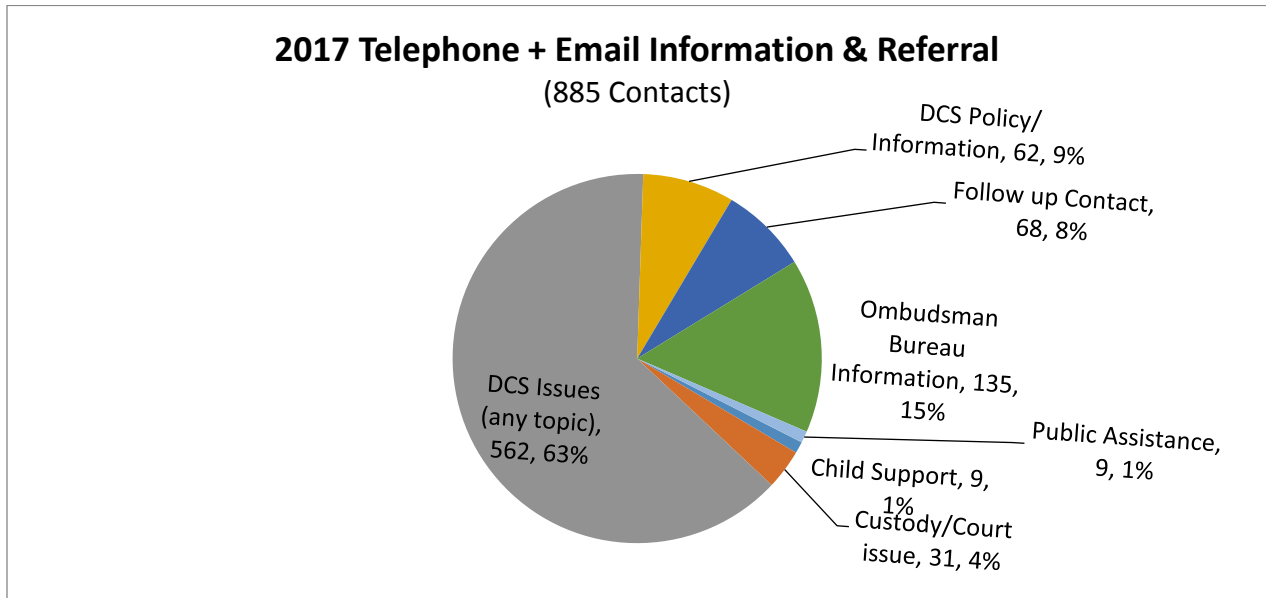
### The Process Overview

The DCS Ombudsman Bureau receives many telephone and email inquiries that do not result in an open case, but require an information and/or referral response. To track this service, pertinent information about the contact is recorded in the Information and Referral (I & R) contact log database. Some inquiries require assistance with a resolution, but do not necessitate opening a case file. This level of response is referred to as an Assist; the pertinent information about the Assist is tracked and recorded in the Assist database. A case is opened when a complaint form is received. The complainant is notified of the receipt of the complaint and an intake process is initiated to determine the appropriate response. DCS is notified of the complaint following the intake assessment, after which a variety of responses are possible. The DCS Ombudsman Bureau may initiate an investigation, resolve and/or refer after a thorough review, refer the case back to DCS, refer to Child Protection Team (CPT), file a Child Abuse/Neglect Report, decline to take further action, or close the case if the complainant requests to withdraw the complaint. Following a review the complainant and DCS are informed in writing as to the outcome. If a case is investigated, a detailed report is completed and forwarded to DCS and the complainant if they are a parent, guardian, custodian, Court or Court Appointed Special Advocate (CASA)/Guardian ad Litem (GAL). Other complainants receive a general summary of the findings. If a complaint is determined to have merit, recommendations are provided to address the issue, and DCS provides a response to the recommendations within 60 days. The flowchart in Attachment C illustrates this process.



## Information and Referral Inquiries

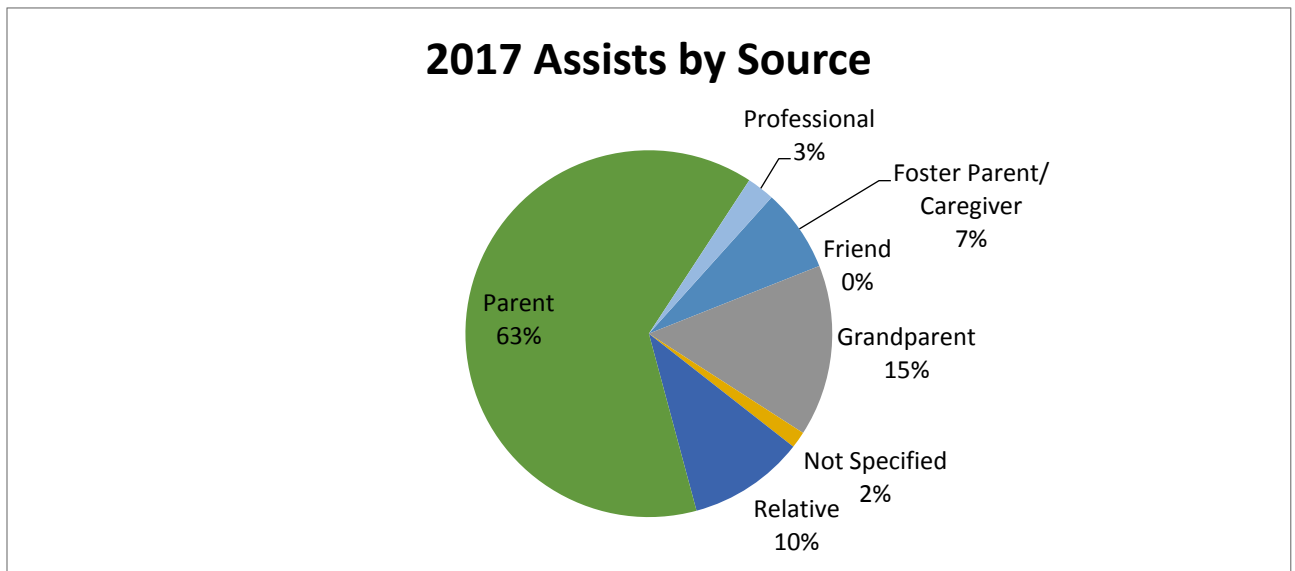
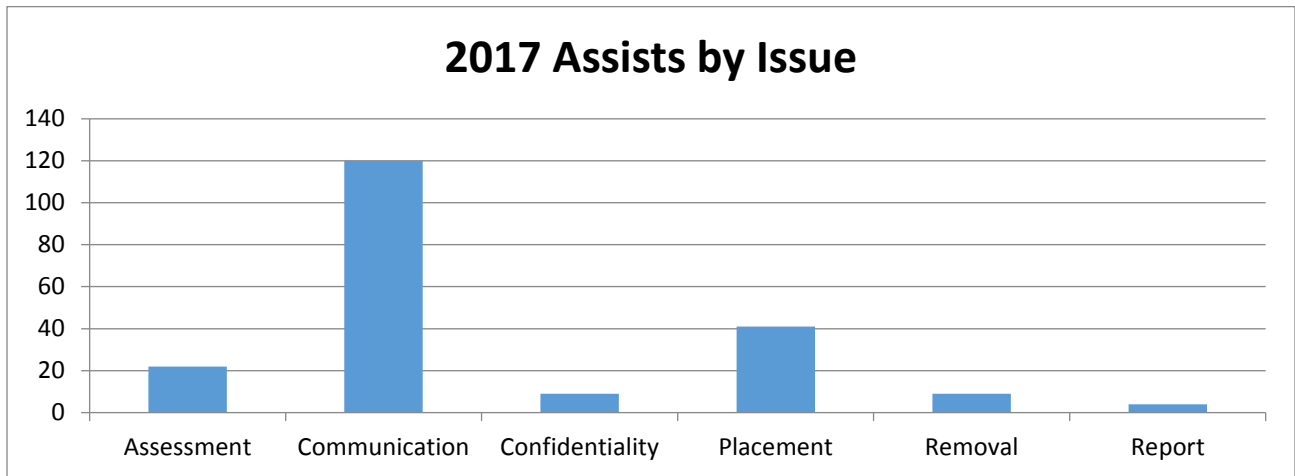
The office received 885 I & R Inquiries during 2017 which is a 66% increase over the 584 I & R Inquiries received by the DCS Ombudsman Bureau in 2016. The graphs below illustrate the topics of inquiry and the origin by DCS Region of origin.



The I & R function has proven to be a valued service for constituents. Providing potential complainants with education regarding the DCS process and/or contact information for DCS staff is often the first step to a successful resolution. (See Attachment C for a Regional map.)

## Assists

Assists occur when a formal complaint is not necessary, but a higher level of involvement is required than an I & R response. Assists are appropriate when communication and/or clarity of specific aspects of a case are the main concerns. The DCS Ombudsman Bureau completed 205 Assists in 2017. The use of the Assist category continues to demonstrate that communication between complainants and DCS is key to resolving differences between stakeholders. The following graphs illustrate additional details about the Assists:



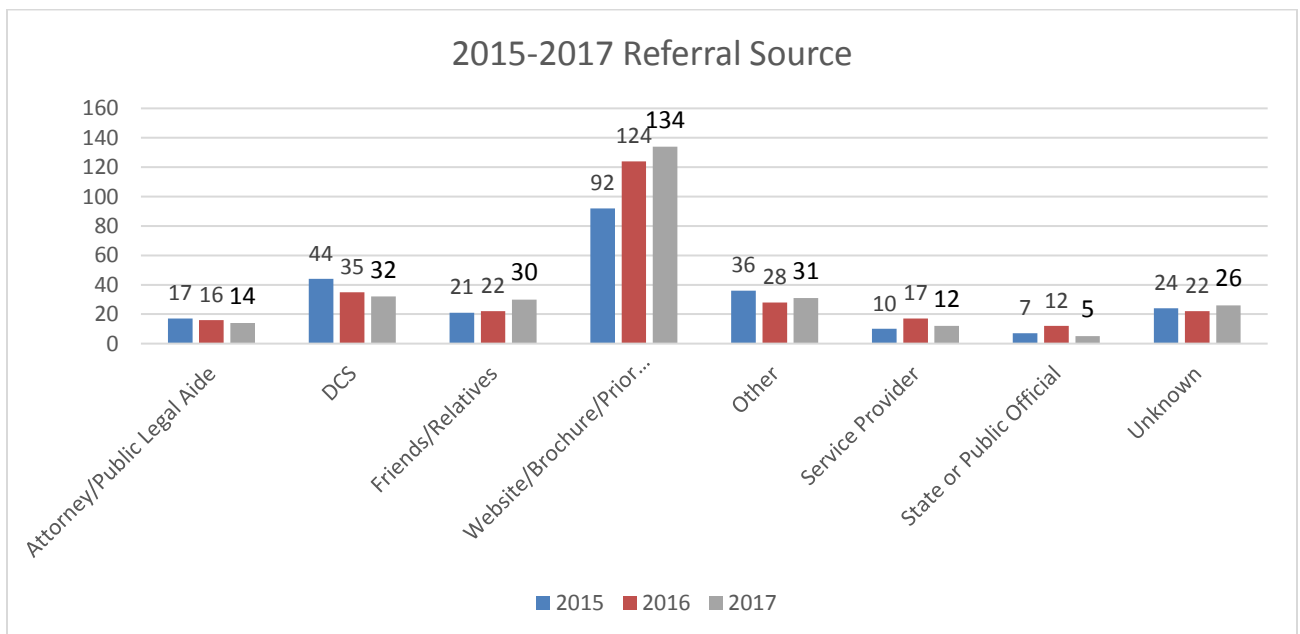
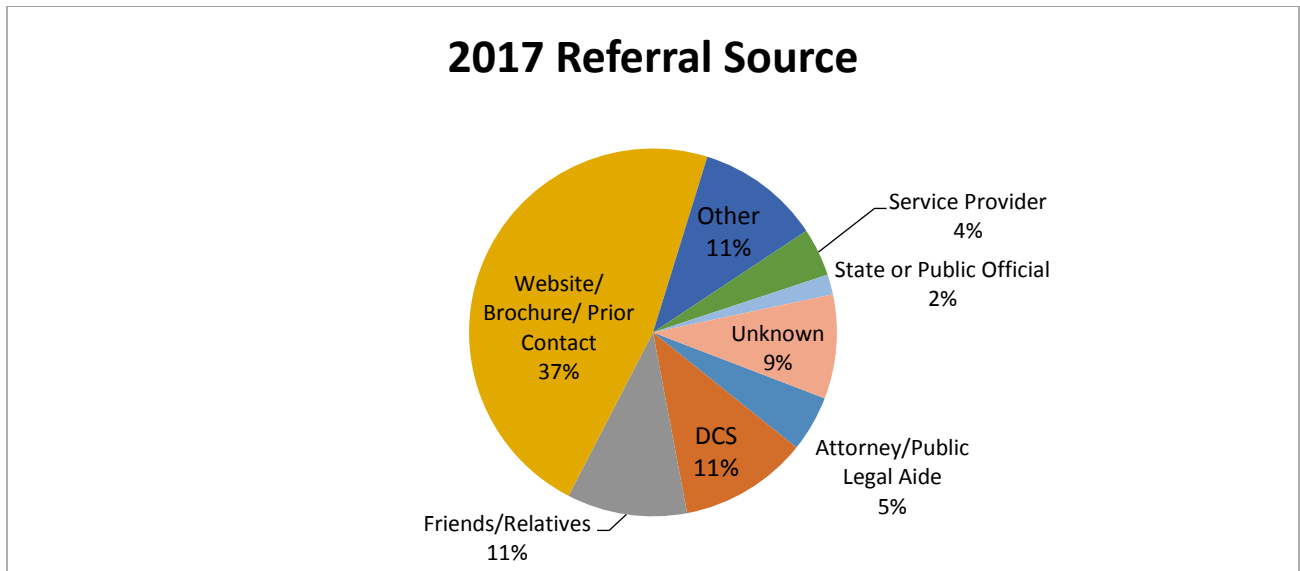
## Cases

During 2017, 258 cases were opened and 267 cases were closed during the course of the year. The cases were generated following the receipt of a formal complaint. A total of 373 active total cases were reviewed during 2017 which included cases carried over from the last quarter of 2016. Three investigations were completed in 2017. The significant number of Assists (205)

suggests that the DCS Ombudsman Bureau was able to foster greater problem resolution at the onset of the inquiry by actively encouraging communication between DCS and DCS Ombudsman Bureau complainants. As a result, DCS Ombudsman Bureau staff was able to actively focus on case reviews and investigations that were more complex in nature.

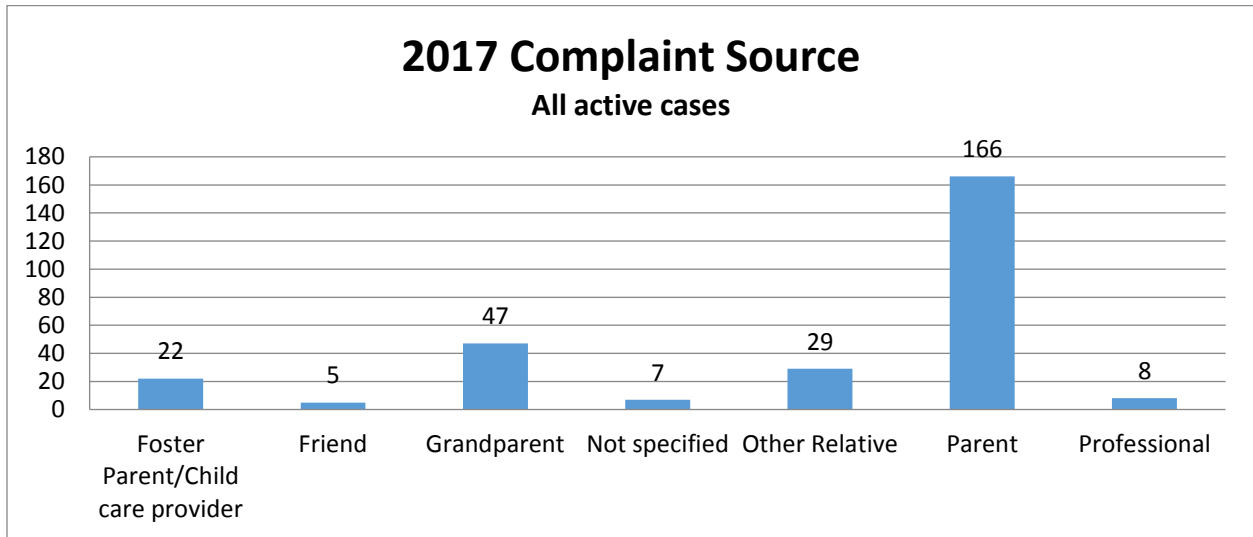
## Referral Source

Comparison of 2015 - 2017 data suggests that Website/Brochure/Prior Contact continues to be the largest source of referrals and has remained constant at 37% of all referral sources. Other referral sources have remained constant within one to four points. Unknown reflects those individuals that chose not to identify a referral source during intake discussions with the Bureau or on complaint forms.



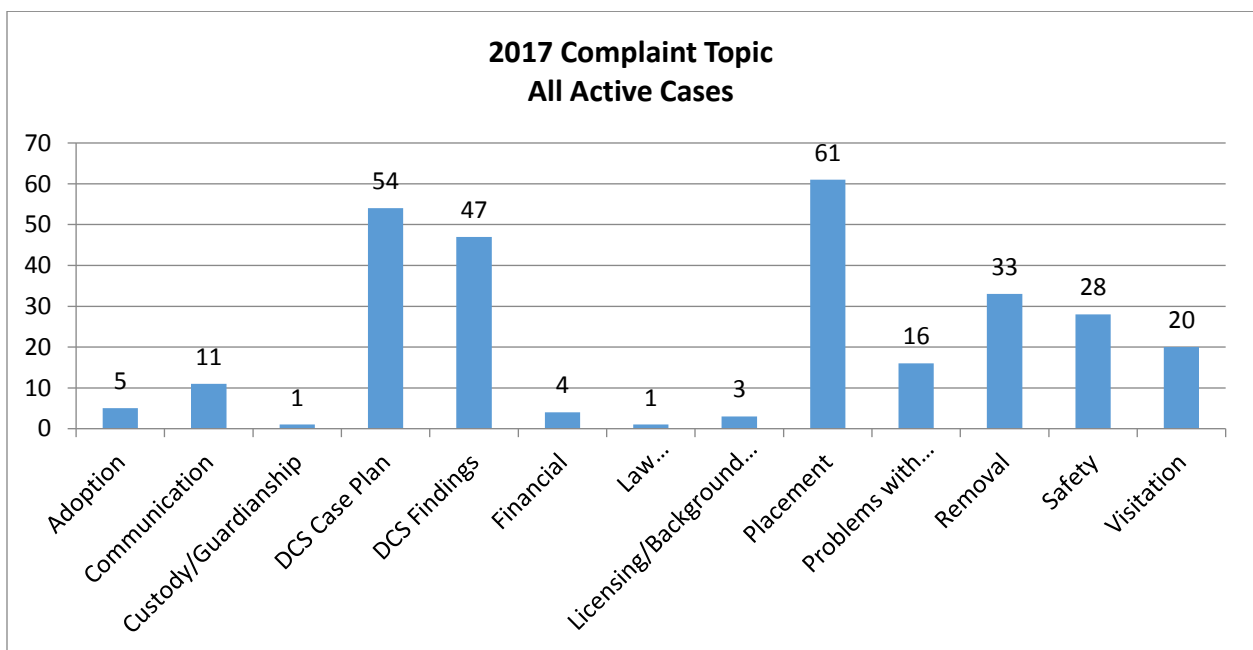
## Complaint Source

Except as necessary to investigate and resolve a complaint, the complainant’s identity is confidential without the complainant’s written consent. The complainant is given the opportunity to provide written consent on the complaint form. During 2017, parents continued to make up the greatest share of complainants followed by grandparents, other relatives, foster/adoptive parents and professionals.



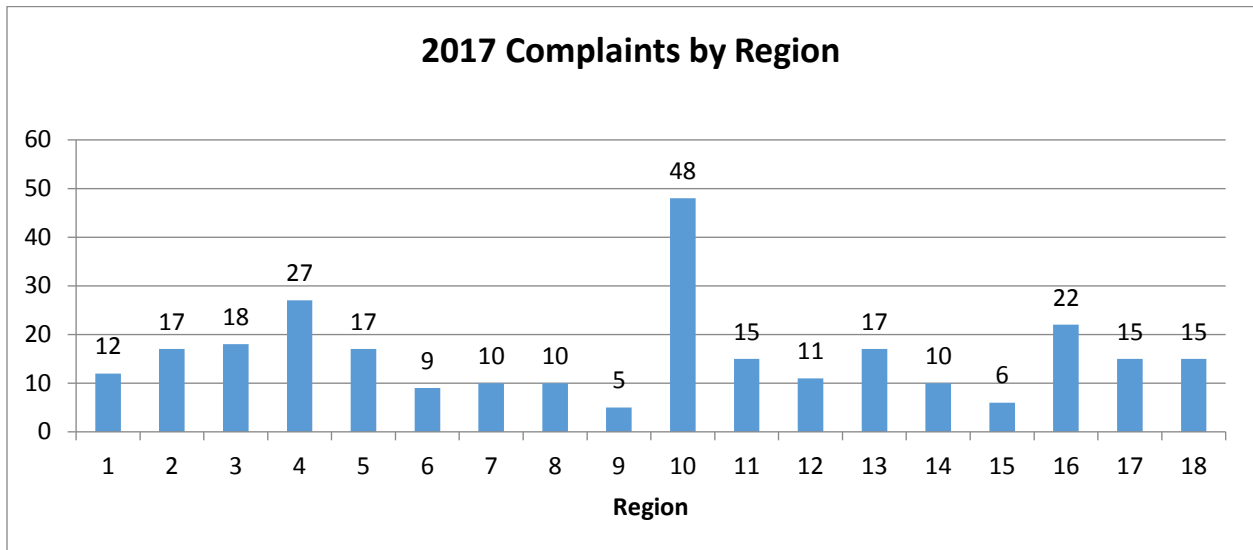
## Complaint Topics

During 2017, the three major complaint topics included *DCS Findings*, *DCS Case Plan*, and *Placement*. This is a continued trend of complaint topics from previous years.



## Complaints by Region

As DCS is organized in Regions, the DCS Ombudsman Bureau tracks contacts and cases accordingly. The graph below illustrates the complaint activity in each of the eighteen regions for 2017.



### Response Categories

When a complaint is filed with the office, a case is opened and a preliminary review is completed to determine the appropriate response. A variety of responses are possible depending on case specifics. Following is a description of each type of response:

**Review/Refer or Resolve:** This type of response involves a comprehensive review of the case file and documentation provided by the complainant. The local office provides additional documentation requested and responds to questions from the DCS Ombudsman Bureau. Other professionals are contacted for information as needed. While the review is thorough, the focus is on providing a resolution or a strategy that can assist with a resolution. Depending on the circumstances in each case, some cases that are reviewed receive a validity determination and others do not. In either case, the complainant and DCS are notified of the findings in writing. A major portion of the complaints received fall into this category.

**Investigate:** An investigation also involves a review of the case files and documentation provided by the complainant. As needed, DCS staff involved with the case, in addition to the (CASA/GAL) and service providers, are interviewed. Case specific laws, rules and written policies are researched. Experts are consulted if needed. Complaints that result in an investigation tend to have multiple allegations with little indication that a resolution is likely. Upon the completion of an investigation, an investigation report is submitted describing in detail the findings of fact regarding each allegation and a determination of the merit of each allegation in the complaint. The report is provided to DCS and the complainant if they are a parent, guardian, custodian, GAL/CASA, or Court. If the complainant is not one of the above, they are provided a summary of the findings in general terms.

**Refer Back to the Local DCS:** Pursuant to statute, the DCS Ombudsman Bureau requires that complainants attempt to resolve their issues with the local DCS office through the DCS internal complaint process prior to filing a complaint with the DCS Ombudsman Bureau. On occasion, it is discovered during the intake assessment that the complainant overlooked this step and failed to address his/her concerns with the local office before filing the complaint. These cases are referred back to the local office. Appropriate contact information is provided. The complainant may reactivate the complaint if a resolution is not reached.

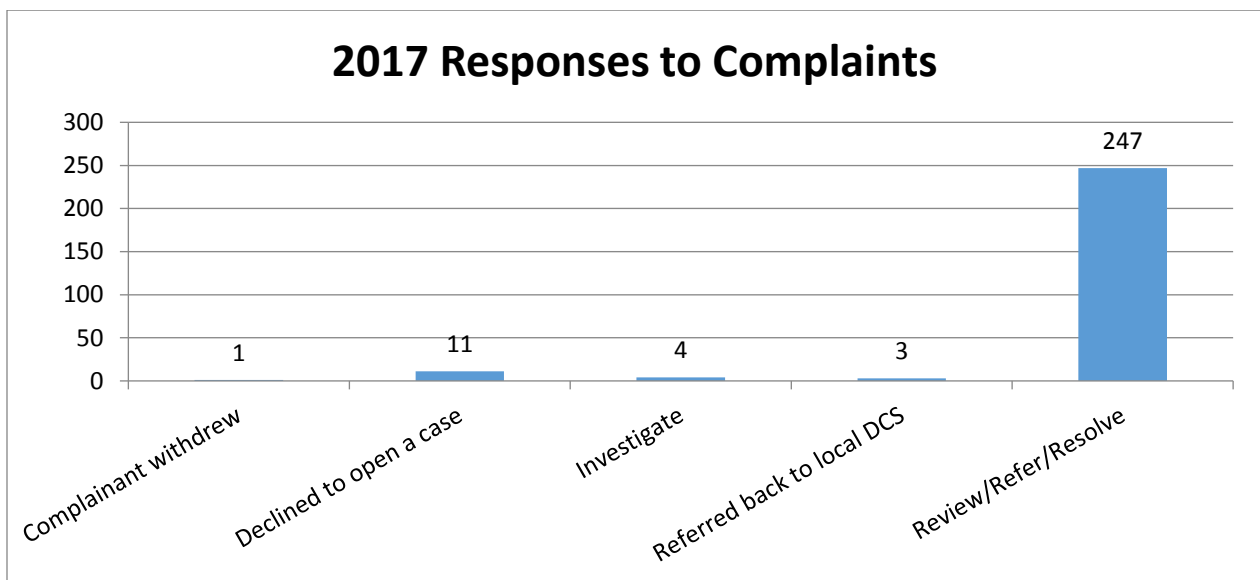
**Close due to Complainant Withdrawal:** Some cases have been closed prior to completion because the complainant decides to withdraw the complaint during the process.

**Decline:** Cases that are not within the Ombudsman’s jurisdiction or otherwise meet the criteria established in the procedural manual for screening out will be declined.

**Refer to Child Protection Team:** The Ombudsman has the option of seeking assistance from the local Child Protection Team (CPT), and may refer cases to the team for review.

**File a Child Abuse Neglect (CA/N) Report:** In the event the information disclosed in the complaint to the Ombudsman contains unreported CA/N, a report is made to the child abuse hotline. This is not a frequent occurrence.

The following graph illustrates the frequency of each type of response since 2017. As noted, the DCS Ombudsman Bureau reviews a significant number of complaints.



## Complaint Validity

The standard for determining the validity of the complaint is outlined in the statute. If it is determined DCS failed “to protect the physical or mental health or safety of any child or failed to follow specific, laws, rules, or written policies”, a complaint is considered valid. All investigations generate a validity finding, but all reviewed cases do not, depending on the specific case circumstances. When determining the merit of a complaint, the following designations are applied.

**Merit:** When the primary allegation in the complaint is determined to be valid following a review or an investigation, the complaint is said to have merit.

**Non-Merit:** When the primary allegation in the complaint is determined not to be valid following a review or investigation, the complaint is said not to have merit.

**Both Merit and Non-Merit:** When there are multiple allegations, each allegation is given a separate finding. This designation is applied when some allegations have merit and others do not.

**Not Applicable (NA):** Some cases that are opened for a review reach closure without receiving a validity determination. In these instances the findings fall into one of the categories below:

- NA/Complainant Withdrew
- NA/Case Declined
- NA/Reviewed & Referred
- NA/Reviewed & Resolved

**Unable to Determine:** Occasionally the information uncovered is so conflicting and/or the unavailability of significant documentation renders it impossible to determine a finding.

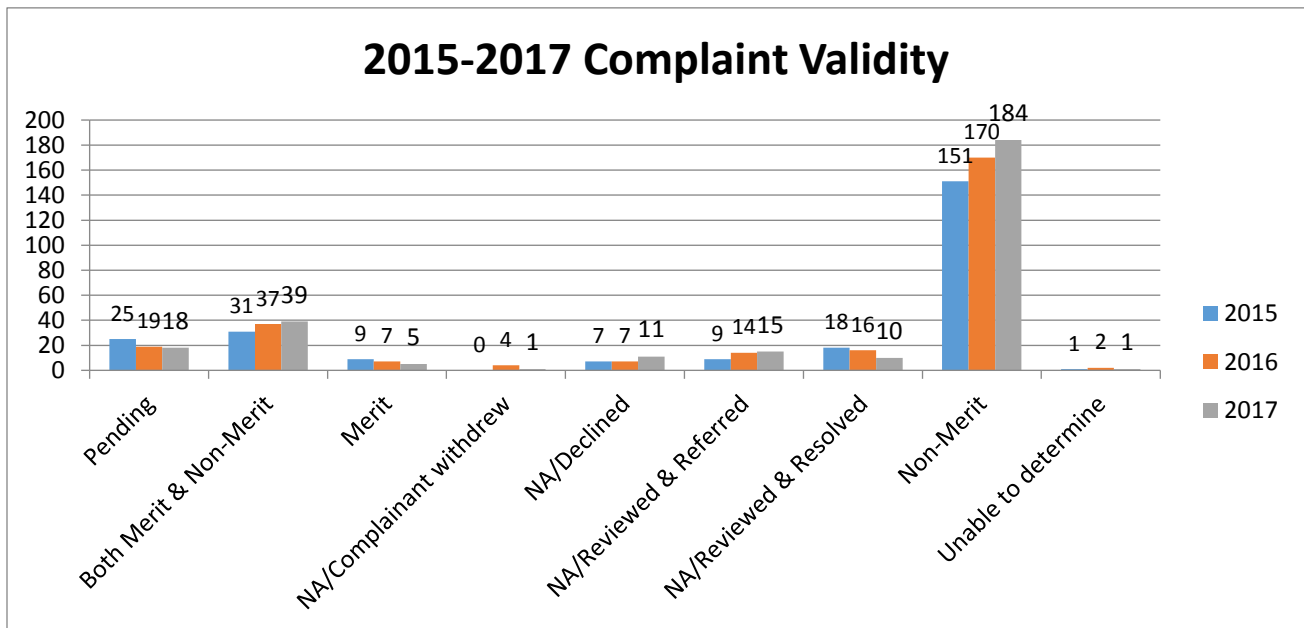
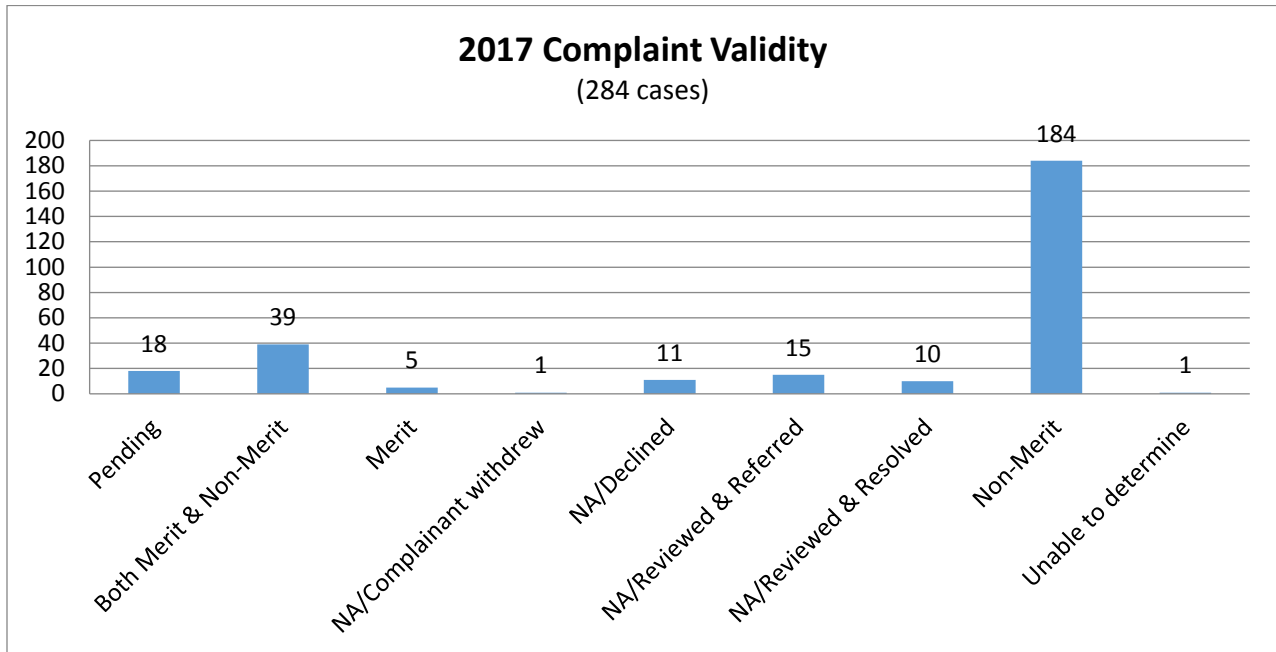
**Peer Review:** When the Ombudsman participates in a collaborative review with DCS a case is opened to reflect that a review is occurring. However, the peer reviews do not receive a validity determination, and the results of the review are internal and deliberative.

## **Outcomes**

During 2017, validity designations were determined in 284 cases. Of these 284 cases, 5 were determined to have merit, 39 had allegations that were both merit and non-merit, and 184 were determined not to have merit. Thus 15 % of the cases with validity designations by the end of 2017 involved an allegation that was determined to have merit, and 65 % did not have merit. The remaining 20 % fell into other categories.

Based on this information, it can be generalized that most of the cases that come to the attention of the DCS Ombudsman Bureau are most appropriately managed by completing a thorough review for the purpose of facilitating a resolution or providing a resolution strategy. For this reason it would be counterproductive to issue a finding. On the other hand, some reviews, and all investigations, involve the depth of analysis that result in detailed findings that generate recommendations. This latter group comprises a smaller portion of the Ombudsman caseload, but is no less significant. There are valuable lessons to be learned from all

Ombudsman intervention. The following graph provides an illustration of the validity outcomes for 2017 as well as a comparison with prior years:





# DCS Ombudsman Bureau Recommendations and DCS Responses

During 2017 the Ombudsman offered case specific recommendations on 23 cases following a review or an investigation and five (5) general recommendations with systemic implications.

## **CASE SPECIFIC RECOMMENDATIONS**

Pursuant to IC 4-13-19-5 (f), "If after reviewing a complaint or conducting an investigation and considering the response of an agency, facility, or program and any other pertinent material, the office of the Department of Child Services Ombudsman determines that the complaint has merit or the investigation reveals a problem, the Ombudsman may recommend that the agency, facility, or program:

- (1) consider the matter further;
- (2) modify or cancel its actions;
- (3) alter a rule, order, or internal policy; or
- (4) explain more fully the action in question."

DCS is required to respond to the recommendations within a reasonable time, and the DCS Ombudsman Bureau has established 60 days for the response time frame. The following case examples include a sample of case reviews and investigations completed in 2017 in which the allegations were determined to have merit or both merit and non-merit, DCS Ombudsman recommendations , and DCS responses.

These examples are provided to depict the wide range of issues that are brought to the attention of the DCS Ombudsman Bureau and the types of recommendations offered. ***The DCS Ombudsman Bureau affirms the actions of DCS in the majority of cases reviewed and it is important to maintain this perspective when reviewing cases in which concerns are identified.***

### **Case Review Example #1 – Case Management / Non-Custodial Parents**

The complainant alleged that DCS's failure to follow policy regarding case management decisions specific to placement, visitation, and drug screens placed the children at risk. The complainant also alleged that DCS failed to notify the birth father of DCS involvement pursuant to policy.

#### Findings:

The DCS Ombudsman Bureau found no merit to allegations regarding case management decisions specific to placement, visitation, and drug screens. The case review indicated that DCS actions were in alignment with policies and court orders. Merit was found regarding allegations that DCS failed to follow policy specific to efforts made to locate the birth father. DCS failed to utilize available resources to locate the birth father during the course of the assessment and the detention of the children pursuant to *Child Welfare Policies 4.0: Diligent Search, 4.4: Required Interviews, 4.7: Locating Subjects, 4.20: Good Faith Efforts, and 5.4: Non-Custodial*

*Parents.* The case review also indicated that DCS failed to document case management actions in the case record pursuant to *Child Welfare Policy 5.2: Gathering Information.*

*Recommendations:*

The Local Office advised that concerns regarding locating non-custodial/absent parents were discussed with DCS staff during the course of the DCS Ombudsman Bureau's case review. The Local Office was advised to share the specific policies with involved DCS staff, and to bring documentation including court orders up to date.

*DCS Response:*

The DCS case record was updated, and DCS policies were discussed with regional Local Office staff.

**Case Review Example #2 – Case Management**

This case included several complaints regarding concerns that DCS failed to follow policy specific to reunification with the birth parents, communication, unsafe relative placement, Child and Family Team Meetings, Case Plans, Requests for Administrative Review and Appeals, and participation in religious activities.

*Findings:*

Following an exhaustive review of all complaints, the DCS Ombudsman Bureau found no merit to the aforementioned complaints, with the exception of case plans. The case record indicated that DCS made appropriate referrals for services to support the permanency plan of reunification between the birth parents and their children. Neither birth parent participated in services. They also declined visitation with their children. DCS maintained communication with the birth parents through their attorney as requested. DCS completed the appropriate checks of all placements pursuant to policy, and ensured the ongoing safety of the children by providing education, medical, and counseling services to meet the children's needs. DCS held Child and Family Team Meetings at critical junctures in the case.

The DCS Ombudsman Bureau found merit to concerns regarding the case plan specific to the signing of the case plan and disbursement to parties pursuant to *Child Welfare Policy 5.8: Developing the Case Plan.*

*Recommendations:*

The Local Office acknowledged that the case plan was not signed pursuant to policy. The DCS Ombudsman Bureau recommended DCS take the necessary steps to have the case plan signed by the appropriate parties and disbursed accordingly.

*DCS Response:*

The Local Office advised that the case plan was signed by all parties with the exception of the birth parents. The plan was mailed to the birth parents' attorney for their review and signature. The birth parents failed to respond to DCS.

**Case Review Example #3 – Perjury / Placement / Visitation**

This case review centered on complaints that DCS failed to consider the child's relatives for placement, failed to allow relatives to visit the children, and committed perjury to the court regarding the birth parent's progress.

Findings:

The DCS Ombudsman Bureau's case review found no merit to the allegations that DCS failed to allow relatives to see the children, or to be considered for placement. One of the children maintained contact with some of the relatives throughout the case. While DCS considered some of the relatives for placement, DCS failed to notify relatives of removal and/or document notification pursuant to *Child Welfare Policy 4.10: Diligent Search*. The complainant was advised that the DCS Ombudsman Bureau did not have the authority to determine if DCS committed an act of perjury. The complainant was referred to their attorney for legal advice regarding the matter.

Recommendation:

The DCS Ombudsman Bureau recommended that the Local DCS Office provide training regarding the aforementioned policy to ensure staff's understanding of the importance of notifying relatives of removal within 30 days of said removal.

DCS Response:

The Local Office advised that policy training was provided to management, legal, and field staff.

**Case Review Example #4– Relative Placement**

The complainant in this case review alleged that DCS failed to complete an interview with the child's guardians (grandparents) at the time of the assessment, refused to place the child with the guardians, and failed to notify them of the child's removal.

Findings:

The DCS Ombudsman Bureau found no merit to the complainant's allegations that DCS failed to interview the guardians. DCS was not required to interview the guardians as there was no evidence that they were the child's legal guardians at the time of the assessment. Additionally, no merit was found to allegations that DCS failed to place the child with the guardians. The DCS case records indicate that DCS satisfied the requirement to consider the guardians for placement but was unable to place the child with the relatives due to disqualifying background checks.

The DCS Ombudsman Bureau found merit to the allegation that DCS failed to properly notify the guardians of the child's removal. While it was clear that the guardians/grandparents were aware of the child's removal in a timely manner, there was no evidence that suggests a *Notice to Relatives* was provided to the relative pursuant to *Child Welfare Manual 4.0: Diligent Search*.

Recommendations:

The DCS Ombudsman Bureau recommended that Local Office staff review the aforementioned policy to ensure case management alignment.

DCS Response:

The Local Office Director advised of the completion of staff training.

**Case Review Example #5 – Assessment**

The complaint alleged that DCS failed to ensure the safety of the children in their home by failing to complete thorough assessments of neglect.

Findings:

Four neglect reports were made regarding the care of the children. All assessments were completed with unsubstantiated findings. The DCS Ombudsman Bureau found concerns with one of the assessments. The case review revealed DCS's failure to initiate the assessment within the five day timeline for neglect pursuant to *Child Welfare Policy 4.38: Assessment Initiation*. The policy indicates that the assessment is initiated when DCS makes face-to-face contact with the child. The case record indicates the child was seen by DCS seven days after the assessment was assigned. Additionally, DCS failed to interview the Report Source as set forth in *Child Welfare Policy 4.4: Required Interviews*. The case record indicates that DCS Family Case Manager (FCM) called the Report Source and left a message when contact could not be made. The case record indicates that the FCM closed the case the same day. There was no record in the case record indicating any further attempts to contact the Report Source. The complainant indicated that the Report Source attempted to contact the FCM several times over a period of days in response to the FCM's message. The Report Source's calls were never returned by the FCM. There is concern that by closing the case the same day, DCS did not give the Report Source enough time to respond and provide additional information to DCS. It is doubtful that DCS's failure to follow policy in these two instances would have had any impact on the unsubstantiated findings. However, DCS is required to adhere to policy, laws, and rules in all case management decisions. Therefore, the DCS Ombudsman Bureau found merit to the complainant's concern that the assessment in question was not completed in alignment with policy.

Recommendations:

The DCS Ombudsman Bureau advised the Local Office discuss the policy concerns with staff.

DCS Response:

The Local Office advised that the policy was discussed with staff per the DCS Ombudsman Bureau's recommendation.

**Case Review Example #6 – Child and Family Team Meetings / Case Plan**

The complainant in this case alleged DCS failed to create a case plan for the child, and failed to offer Child and Family Team Meetings to the parent from the onset of the DCS case. The complainant also alleged that DCS delayed the permanency plan of reunification.

Findings:

No merit was found to allegations that DCS had failed to move the case towards permanency. The case record documented DCS services in place to support the family's goal of reunification. However, the DCS Ombudsman Bureau's case review indicated that DCS failed to approve a case plan within the 45 days of removal as outlined in *Child Welfare Policy 5.8: Developing the Case Plan*. Per the case record, DCS approved the case plan some six months after the child was removed. While it is understandable that the birth parents may not have been cooperative with the process, DCS is able to complete the case plan as long as efforts made to involve the parents are clearly documented. Additionally, the DCS Ombudsman Bureau found merit to the allegation that there had only been one Child and Family Team Meeting (CFTM) at the time the complaint was filed with the DCS Ombudsman Bureau. Documentation suggests that DCS did not attempt to schedule a CFTM with the family within 30 days of removal as required by *Child Welfare Policy 8.11: Parental Interaction and Involvement*. *Child Welfare Policy 5.7: Child and*

*Family Team Meetings* also states that DCS will facilitate the CFTM process beginning in the assessment phase and continuing throughout the life of the case.

**Recommendation:**

The DCS Ombudsman Bureau recommended DCS staff review the aforementioned policies to support future compliance. Additionally, the Local Office was advised to hold regular Child and Family Team Meetings in this particular case to support the family's progress toward reunification.

**DCS Response:**

The Local Office Director advised that training was provided to DCS staff and CFTMs were being held pursuant to policy.

**Case Review Example #7 – Placement**

The complainant in this case raised concerns that a child was moved unnecessarily from a placement home due to DCS's failure to ensure the appropriateness of all of the individuals residing in the home prior to the child's placement.

**Findings:**

In response to the DCS Ombudsman Bureau's queries, the Local Office acknowledged case actions that were not in alignment with policy. DCS was unaware that certain individuals resided in the placement home. Subsequently, background checks for these individuals were not completed. DCS removed the child once the appropriate background checks were completed and found to be disqualified. The DCS Ombudsman Bureau found merit to allegations that DCS failed to ensure all household residents were approved prior to the child's placement.

**Recommendations:**

No recommendations were made due to the Local Office Director's submission of a detailed action plan during the course of the DCS Ombudsman Bureau's case review. The action plan included training specific to *Child Welfare Policies 8.1: Selecting a Placement Option*, *13.5: Conducting Background Checks for Unlicensed Placements*, and *13.6: Evaluation of Background Checks for Unlicensed Placements* for field and management staff. Additionally, the Local Office Director put processes in place to monitor the outcome of fingerprint results and subsequent follow-up to disqualified fingerprints.

**DCS Response:**

None required.

**Case Review Example #8 – Notification, Placement, Child and Family Team Meetings, and Case Plans**

The DCS Ombudsman Bureau reviewed complaints indicating that DCS case management actions were not in alignment with DCS child welfare policies. Specifically, the complainant alleged that the birth father missed a court hearing because DCS failed to notify him of his child's removal from the birth mother's home. The complainant also alleged that DCS failed to place the child in the birth father's home or consider relative/kinship placements, and DCS failed to allow an out of state visit between the child and the birth father.

Findings:

Following an extensive case review, the DCS Ombudsman Bureau found no merit to the allegations that DCS failed to notify the birth father of the child's open DCS case. The case records indicate that DCS sent timely notification to the birth father regarding the open case and removal to an incorrect address. However, the case review revealed the birth father's correct contact information was made available to the Family Case Manager (FCM) in a previous assessment. The DCS Ombudsman Bureau suggested the Local Office discuss options for incorporating past history into DCS case records to ensure accuracy.

The birth father, who resided out of state, requested placement of the child. No merit was found to the allegation that DCS failed to place the child with the birth father as DCS is required to pursue an Interstate Compact for the Placement of Children (ICPC) and receive approval from the other state and the court before placement can be made pursuant to *Child Welfare Policy 9.1: Request to Place a Child in Another State*. The case record indicates that DCS followed policy in this regard.

The DCS Ombudsman Bureau found no merit to allegations that DCS failed to allow the child to visit the birth father in another state. The case record indicates that the out of state visit between the child and the birth father was recommended by DCS, but denied by the court. Additional concerns that the foster care placement was not allowing phone contact between the child and the birth party were resolved by DCS during the course of the DCS Ombudsman Bureau's case review.

The DCS Ombudsman Bureau's case review revealed that DCS case management actions were not in alignment with the following Child Welfare Policies:

*5.7: Child and Family Team Meetings* – Child and Family Team Meetings (CFTM) were not timely, DCS missed opportunities to explain DCS procedures to the birth father, and to develop a service plan that would facilitate bonding between the child and the birth father.

*5.8: Developing a Case Plan* – The case plan was developed by DCS without input from birth parents, placement, or the guardian ad litem. DCS also failed to hold a case conference to develop the case plan as set forth in policy.

*5.3: Engaging the Family, 5.4: Noncustodial Parents, 8.12: Developing the Visitation Plan, 8.13: Implementing the Visitation Plan* – DCS missed opportunities to engage the birth father, and develop and implement a visitation plan among all parties.

Recommendations:

The DCS Ombudsman Bureau recognized that the DCS Local Office acknowledged and addressed the identified concerns during the case review process. The Local Office completed and submitted the ICPC to the appropriate parties, issues regarding telephone contact were addressed, and a CFTM was scheduled with arrangements for the birth father's participation via telephone. The DCS Ombudsman Bureau made the following additional recommendations at the end of the case review:

1. Address the case plan concerns pursuant to policy by sharing the plan with all parties, gathering input, and securing appropriate sign-off;
2. Provide training to staff specific to the aforementioned policies;

3. Develop a written plan to ensure that CFTMs and Case Plans are completed pursuant to policy.

DCS Response:

DCS advised that issues regarding the case plan were addressed at the CFTM meeting, staff received policy training, and a written plan was shared with the DCS Ombudsman Bureau and implemented by the Local Office to track CFTMs and case plans in alignment with policy.

**Case Review Example #9 – Assessments**

The DCS Ombudsman Bureau's case review was in response to allegations that DCS removed the children from the home without cause, DCS failed to send the birth father a Notice of Assessment Outcome and information necessary to file a Request for Administrative Review documents, and DCS misrepresented the birth mother's DCS history as the birth father's DCS history on a court document. There was also an additional allegation that DCS failed to make a referral for a psychological evaluation.

Findings:

The DCS Ombudsman Bureau found no merit to the concerns regarding DCS failing to meet the burden of proof for removal. DCS removed the children due in part to concerns of the birth father's unwillingness to provide for the children's basic needs. The removals were upheld by the court.

Merit was found to the concern that DCS failed to ensure that the birth father received notices regarding outcomes and his right to administrative reviews. DCS acknowledged that the documents were not sent to the birth father timely on both open assessments. DCS did not work with the birth father to secure a mailing address or to hand deliver the notices as allowed by *Child Welfare Policy 2.1: Notice of Assessment Outcome*.

The DCS Ombudsman Bureau determined that the matter regarding the incorrect information in the Preliminary Inquiry was an honest mistake or oversight, however this posed a major issue for the client. Merit was found regarding this concern.

Merit was also found regarding the allegation that DCS failed to make a referral for a psychological evaluation within 10 days of identifying the need as required in *Child Welfare Policy 5.10: Family Services*. While it is understandable that the referral was initially delayed due to a change in Family Case Managers (FCM), DCS delayed making the referral for four months after the case was assigned to a new FCM.

Recommendations:

The DCS Ombudsman Bureau recommended DCS take steps to amend the Preliminary Inquiry to reflect correct assessment information and present the changes to the court. No recommendations were made regarding the notification and service referrals due to actions taken by DCS to rectify the concerns during the course of the DCS Ombudsman Bureau's case review.

DCS Ombudsman Bureau Response:

The Local Office Director advised that the updated Preliminary Inquiry was filed with the court to reflect the correct DCS history.

### **Case Review Example #10 – Confidentiality and Visitation**

In this complaint, the DCS Ombudsman Bureau reviewed allegations that DCS breached the confidentiality of the child's relative by advising the child that placement would not be made due to the relative's prior child welfare history. Additionally, the complainant stated that DCS had failed to supply the relative with case records specific to the previous child welfare history when requested, and DCS suspended visits between the child and the relative.

#### Findings:

After careful review, the DCS Ombudsman Bureau found no merit to allegations indicating DCS suspended visits between the child and the relative. The case review documented DCS's supervision of the visits until the supervising agency could respond to the referral for visitation services between all parties. The relative refused to comply with the supervising agency's requirement to sign necessary documents to begin supervised visitation. DCS advised the relative that the agency would not be able to provide visits due to the relative's refusal to comply with the required visitation procedure. Attempts by the DCS Ombudsman Bureau to explain the procedure and to encourage the relative's compliance were unsuccessful.

Further, no merit was found to the complaint that DCS refused to provide the relative with information regarding past DCS history. The case record indicated the relative had received verbal and written instructions regarding the process, and the local DCS office had begun to secure the records per the complainant's request.

The DCS Ombudsman Bureau advised the relative that the concerns regarding the breach of confidentiality would not be addressed by the DCS Ombudsman Bureau. The DCS case record indicated that the relative had complained in writing to the Local Office Director and the Regional Manager regarding confidentiality concerns. Documentation in the case record indicated that the Local Office sent a letter to the relative requesting specifics regarding the complaint. However, the relative failed to respond to the Local Office's written request for additional information. Pursuant to the statute governing the DCS Ombudsman Bureau, concerns must be addressed with the Local Office before DCS Ombudsman Bureau is able to become involved. As a result, the case review was closed with a finding of not applicable and the relative and the Local Office were encouraged to communicate with each other to resolve the matter. A review of the case record indicates that the Local Office made several attempts to engage the relative in addressing the concerns with no success.

#### Recommendations:

While no merit was found to the allegations, the Local Office was asked to contact the DCS Ombudsman Bureau when the requested records were sent to the relative.

#### DCS Response:

The Local Office Director advised that the records were mailed to the relative as requested.

### **Case Review Example #11 – Case Management**

The complainant alleged that case management decisions specific to the children were not in alignment with DCS policy. The DCS Ombudsman Bureau completed a case review regarding



visitation planning and transporting, threats of removal of the child from placement, case plans, and personnel matters.

Findings:

After careful review, the DCS Ombudsman Bureau found no merit to allegations that DCS failed to provide information specific to the visitation plan to all parties. The case record indicated that visitation was routinely discussed at Child and Family Team Meetings with significant additional communication between DCS and placement in the form of texts and emails. Additionally, the case record indicated that DCS addressed placement's concerns with the visit supervisor during the placement's involvement in the case.

No merit was found to allegations that DCS required placement to transport the child to visits with an individual suspected of damaging placement's property and being on a drug watch list. The DCS Ombudsman Bureau's case review revealed no record of the alleged property damage, and the complainant was advised to direct those concerns to the appropriate Law Enforcement Agency. Allegations regarding the drug watch list were determined to be false.

The DCS Ombudsman Bureau found no merit to allegations that DCS threatened placement with the removal of the child from placement during the time period that the child resided in the home. Pursuant to Indiana law, reunification of children with their birth parent is the ultimate plan for permanency for all children removed from their birth parent's/guardian's care unless determined otherwise by the courts/law/policies. All indications are that DCS continued to move forward with the permanency plan of reunification pursuant to policy. However, the DCS Ombudsman Bureau did find that DCS actions regarding the transition of the child from the placement to reunification was not in alignment with DCS *Child Welfare Policies 8.39: Trial Home Visits*, and *8.41: Transitioning from Out of Home Care*. DCS acknowledged that a transition plan should have been developed and presented to the court to be implemented as a step-down process prior to a Trial Home Visit. Additionally, DCS acknowledged that supporting documents (*Risk Reassessment Tool*, *Indiana Family Assessment of Strengths and Needs*, and *Family Functional Assessment Field Guide*) were not completed pursuant to policy.

There was merit to the allegation that DCS failed to provide a copy of the case plan to the child's caregivers. Pursuant to DCS *Child Welfare Policy 5.8: Developing the Case Plan*, DCS is required to make the case plan available to the placement within 10 days of completion. DCS acknowledges that the case plan was not provided to the placement timely.

The complainant was advised that personnel matters regarding DCS staff were not under the purview of the DCS Ombudsman Bureau. To that end, the complainant was referred to the Local Office Director and Regional Manager for further review.

Recommendations:

The Local Office acknowledged that some case management decisions were not wholly in alignment with DCS policy. The DCS Ombudsman Bureau closed the case with recommendations that the Local Office provide training and support to DCS staff specific to the aforementioned policies.

DCS Response:

The Local Office provided documentation of training and support to DCS staff per the DCS Ombudsman Bureau's recommendation.

**Case Review Example #12 – Assessment**

The DCS Ombudsman Bureau received a complaint alleging DCS failed to complete a thorough assessment regarding physical abuse of a child. The complainant stated that the evidence presented in the assessment were not included in the Assessment Report.

Findings:

The DCS Ombudsman Bureau found merit to the concern that the wording in the Assessment Report or the case notes did not match the Family Case Manager's observations. There was no mention of the Family Case Manager observing discoloration from the bruising on the child's hip and shoulder. Following the DCS Ombudsman Bureau's queries, the Local Office acknowledged that the marks/bruising were very faint and DCS was unable to determine if they were the result of the allegations that the birth father physical abused the child. While the allegations could not be substantiated due to the lack of the preponderance of the evidence, the marks/bruises should have been documented in the case record and in the Assessment Report.

Recommendations:

The DCS Ombudsman Bureau recommended additional training for Local Office staff on *Child Welfare Policy 4.25: Completing the Assessment Report*, and proper documentation to ensure Assessment Reports and case records are complete, accurate, and include information pertinent to making a finding.

DCS Response:

The Local Office reported that assessment and permanency staff received additional training and reviewed the policy on proper documentation and completion of Assessment Reports.

**Case Review Example #13 – Assessment**

The complainant in this case review alleged DCS failed to complete a thorough assessment on allegations of sexual abuse of three children. Additionally, there were concerns that the DCS Assessment Report was inconsistent, DCS failed to redact the Assessment Report properly as redacted portions of the Assessment Report could be read.

Findings:

After careful consideration, the DCS Ombudsman Bureau found both merit and non-merit in the case review. Concerns regarding DCS's failure to complete a thorough assessment were without merit as all evidence was taken into account in the DCS's finding. The DCS Ombudsman Bureau did find merit specific to *Child Welfare Policy 4.4: Required Interviews* as DCS failed to interview all of the parties. Despite DCS's failure to complete the interviews, there was no indication that the interviews would have altered the outcome of the assessment. Merit was also found regarding the confidentiality concerns specific to the redacted documents. The DCS Ombudsman Bureau was provided a copy of the documents in question during the course of the case review. While not immediately apparent, some confidential information could be distinguished while holding the document up to the light.

Recommendations:

The Local Office ensured that staff received training specific to *Child Welfare Policy 4.4: Required Interviews* during the course of the DCS Ombudsman Bureau's case review. Thus no recommendation was made regarding this concern. It was recommended that the Local Office put a check system in place to ensure redacted documents do not reveal confidential information.

DCS Recommendations:

The Local Office developed a redaction procedure and provided same to the DCS Ombudsman Bureau for review.

**Case Review Example #14 – Notification and Placement of Children in Relative Care**

The DCS Ombudsman Bureau was contacted by a complainant who alleged relatives were not contacted for placement of three siblings. The complainant also voiced concerns that the children were placed in separate homes and DCS only provided one two-hour visit per week between the children and their birth mother.

Findings:

The DCS Ombudsman Bureau found no merit to complaints regarding the placement of the siblings in the same foster home and the number and length of visits between the children and their birth mother. The DCS case record indicates DCS efforts to secure one placement for all three children were unsuccessful due to the excessive needs of the children. DCS followed the parenting time guidelines ordered by the court.

Regarding the contact of relatives, the DCS case record indicated the children's birth mother identified no living relatives other than the children's maternal grandmother. The birth mother advised DCS that she had no contact with the relative at the onset of the case and she continued with the same response each time she was asked thereafter. DCS was able to secure the name of the maternal grandmother by utilizing investigative tools at their disposal. However, once DCS received the maternal grandmother's contact information, DCS failed to attempt contact with the maternal grandmother for four additional months. DCS asserts that the maternal grandmother resided in another state and because of the contentious relationship between the birth mother and the maternal grandmother, DCS was waiting to contact her in hopes that the birth mother would begin services which would make placement with the grandmother a less desirable alternative. While DCS concerns may be valid, *Child Welfare Policy 4.28: Involuntary Removals* requires DCS to notify adult relatives (grandparents) within 30 days of a child being removed from his or her parent, guardian, or custodian. While DCS did not have the contact information at the onset of the case, DCS was required by policy to notify the relative within 30 days of the information becoming available. The case record indicates DCS contacted the relative some four months after receiving contact information. Thus, there is merit to the complainant's allegations regarding DCS' failure to notify the relative of the children's removal within the 30 days outlined in policy.

DCS Recommendations:

With regards to timely contact of relatives, it was recommended that the DCS Local Office staff review the aforementioned policy to ensure understanding that relatives should be notified of removal timely.

DCS Response:

The Local Office Director advised that training had been provided to all staff specific to the policy and other policies regarding working with relatives.

**Case Review Example #15 – Family Engagement**

The DCS Ombudsman Bureau received a complaint alleging DCS failed to place the children in a relative placement, DCS's failure to: maintain the child's school placement; ensure the child's safety by allowing the child to reside in the home with someone having sexual molest history; share information with service providers; and, provide family visitation.

Findings:

Following an extensive case review, the DCS Ombudsman Bureau found no merit to allegations regarding relative placement, school enrollment, placement with an individual having sexual abuse history, and DCS failure to share information with service providers. The DCS case record indicated that the relative in question had significant CPS history that prevented the placement of the children in the relative's home. DCS was unable to maintain the children in their school of record during the child's foster care placement, however, the children were able to return to the school of record subsequent to placement in the home of an approved relative. Regarding the placement in the home of an individual with sexual abuse history, the court records indicate that the court authorized placement in a relative's home with the understanding that the individual with sexual abuse history would have no unsupervised contact with the child. Neither DCS nor the DCS Ombudsman Bureau has jurisdiction over the court's order. Emails, letters and texts in the case file reflect frequent communication between DCS and all service providers working with the family. One service provider was asked to leave a team meeting on one occasion due to the service provider's disruptive behavior.

The DCS Ombudsman Bureau found both merit and non-merit to allegations that DCS failed to provide family visitation. The case record indicates that visitation did take place between the children and their parents and visitation was eventually offered to the maternal grandmother. However, there is merit to the allegations that DCS failed to follow policy in planning and implementing visitation pursuant to policy for any of the children's placements. The DCS Ombudsman Bureau was provided with examples of parenting time and visitation guidelines written informally on family safety plans. This action is not in alignment with *Child Welfare Policies 8.12: Developing the Visitation Plan, 8.13: Implementing the Visitation Plan, and 8.11 Parental Interaction and Involvement*. These policies serve to outline the parameters of visitation, and to assist all parties in developing parenting time goals specific to the needs of the family.

Recommendations:

The DCS Ombudsman Bureau recommended the Local Office develop a written plan/procedure to ensure case management alignment with the aforementioned policies surrounding visitation plans.

DCS Response:

The Local Office Director advised that staff met to review the policies and to develop plans to support same. The plans were shared with the DCS Ombudsman Bureau and included details specific to the plan.

### **Case Review Example #16 – Case Closure and Family Engagement**

The DCS Ombudsman Bureau received a complaint alleging DCS failed to protect the child regarding the closure of the DCS case, and DCS's failure to advise the relative placement of the closure of the case and the reunification of the child with the birth father. *Note: The case review is connected to a complaint involving the same case (See Investigation #2).*

#### Findings:

The open DCS Child in Need of Services (CHINS) case was reduced to an Informal Adjustment (IA) in a previous county and then transferred to the second county by the juvenile court judge. The court also ordered the return of all of the children from their foster care and relative placements to the home of the birth father. The complainant alleged that DCS returned the youngest child to the birth father without considering the trauma the return would cause the child. The complainant indicated that DCS advised the relative that the child's first unsupervised visit would in fact be the child's reunification with the birth father. This notification was given to the relative after the child had been sent to the visit. As a result, the placement was not able to process the change in plans with the child, and did not have ample time to gather the child's belongings. The DCS Ombudsman Bureau found no merit to allegations that DCS failed to protect the child regarding the closure of the case. The decision to reduce the CHINS case to an IA was the court's decision against the recommendation of the previous DCS County. The court also ordered the return of all the children and provided an aggressive timeline for the transition to take place.

The DCS Ombudsman Bureau did find merit to the complaint that DCS failed to communicate the DCS actions with the relative placement of the youngest child in a manner that ensured a smooth transition from relative placement to the birth father's home. There is an appearance that DCS's decision not to advise the relative of the transition plans stemmed from biases about the relative based on comments made by the birth father who had a demonstrated history of extreme aggression toward individuals in authority in general and DCS in particular. *Child Welfare Policy 5.3 Engaging the Family* states "The Indiana Department of Child Services (DCS) will build trust-based relationships with families by demonstrating sensitivity, empathy, and cultural competence." Based on responses from the Local Offices, it is the DCS Ombudsman Bureau's opinion that DCS failed to take the time to engage the relative placement for the purposes of supporting the child's best interest and ensuring a smooth transition from the relative's home to the father's home.

#### Recommendations:

The DCS Ombudsman Bureau strongly recommended DCS Local Office staff review the policy and utilize DCS in-service training tools in the area of family engagement. Additionally, it was also recommended that the county upload the contacts made with the family into the case record, to reflect an accurate history of actions taken in the case subsequent to the transition between counties.

#### DCS Response:

The Local Office advised that staff received a one-day staff training in the Region, and contacts and a closing summary was entered into the electronic case file.

## **Investigation Example #1 – Case Management Decisions**

The complainant in this case filed eight complaints with the DCS Ombudsman Bureau during a two month time period. The complainant alleged that DCS case management decisions did not follow DCS policies and placed the children at risk. Considering the jurisdiction of the DCS Ombudsman Bureau and the information in the complaint, the agency opened an investigation of concerns pertaining to relative care placement, visitation, incomplete assessments, removal of the children without cause, and medical treatment and evaluations. It should be noted that investigations occur when a complaint has multiple allegations and variables with little indication that a resolution is likely. *Additionally, this investigation was linked to a previously noted case review (See Case Example #16).*

### Findings:

After extensive review of all of the complainant allegations, the DCS Ombudsman Bureau found no merit to the following complaints:

Relative Care Placement – DCS actions were in alignment with policy specific to the placement of the children following their removal from the birth parent’s home. DCS placed one of the children with the birth mother, and the remaining four children were placed in relative care at the onset of the case. However, due to strained family relationships three of the children were removed at the caregiver’s request to a foster home until another appropriate relative placement able to meet the needs of the children could be secured.

Visitation – DCS actions specific to visitations were found to be in alignment with DCS policy and the court’s order. The birth parent declined to schedule visits with the supervising agency following an initial visit held at the onset of the case. Due to aggressive threatening behavior towards DCS and the supervising agency staff, DCS recommended and the court agreed all future visits would be held with security present.

The DCS Ombudsman Bureau found both merit and no merit to the following complaints:

Medical Care and Evaluations – While the investigation found that DCS did ensure medical care and evaluations for four of the children, DCS failed to monitor and ensure medical care and evaluations for the child placed with a birth mother. The child in question was not seen by a doctor for two months which is counter to *Child Welfare Policy 8.29: Routine Health Care* which requires DCS to schedule medical, dental and vision exams for children within 10 days of removal. There was also concern that DCS failed to follow up with a PEDS referral to assess marks and bruises suspected from previous physical abuse pursuant to *Child Welfare Policy 4.16: Medical Examinations, Psychological Testing, Drug Screens and Substance Abuse Evaluations*.

Assessment and Removal – The DCS Ombudsman Bureau’s investigation revealed that DCS failed to follow policy specific to physical abuse allegations regarding one of the children by failing to take pictures of the numerous scars on the child’s body and enter those pictures into the case file as a part of the assessment as required by *Child Welfare Policy 4.14: Examining and Photographing a Child and/or Trauma*. Concerns regarding the removal of the children were found to be in alignment with *Child Welfare Policy Chapter 4: Assessments* in general and specifically *4.6: Exigent Circumstances*, and *4.28: Involuntary Removals*.

### Recommendations:

The DCS Ombudsman Bureau recommended the Local Office complete training specific to the aforementioned policies as well as training from the PEDS Referral staff regarding the types of

cases/incidents appropriate to refer to the PEDS Referral Office. Additionally, it was recommended that the Local Office develop and submit a written process to the DCS Ombudsman Bureau for ensuring that the submission, and outcome of PEDS Referrals are appropriately documented in MaGIK.

DCS Response:

The Local Office Director advised that training had been provided to staff and a PEDS Referral Tracking process was submitted per the recommendations.

**Investigation Example #2 – Relative Placement**

The DCS Ombudsman Bureau received a complaint alleging DCS's failure to protect a child by refusing to follow laws, rules, and written policies regarding relative placement. The complainant alleged that DCS denied access and placement of the child to a maternal aunt. Due to the significant variables and concerns in the case, the DCS Ombudsman Bureau determined that the case review would be addressed as an investigation.

Findings:

The DCS Ombudsman Bureau found merit to allegations that DCS failed to protect the children by failing to follow laws, rules and written policies specific to the placement of the child with relatives. DCS became involved with this child following substantiated allegations of neglect of the child by her birth mother. DCS contacted the child's maternal grandmother after being court ordered to explore relative placement. The maternal grandparent advised that she could not accept placement because she was caring for several of her daughter's other children, but she advised that she would seek out other relatives. Shortly after the conversation DCS was approached by a maternal aunt to be considered as a possible foster care/adoptive placement. It should be noted that the child's birth mother had extensive prior DCS history and severe untreated mental health needs. There was great indication at the onset of the case that reunification might not be successful. The relative's request to be considered as placement for the child was stymied by DCS's failure to appropriately transition the case from one Family Case Manager (FCM) to another as DCS failed to respond to the relative's repeated requests for visits and placement via email. The relative was only able to gain traction with the placement request after seeking out DCS leadership. Still, the record indicates a break in communication between the relative and the newly assigned FCM due to the relative's request for financial assistance. The case record indicates DCS felt the relative would not be a viable placement option due to the request, and that the foster home placement would be willing to adopt without DCS financial assistance. However, case notes indicate a willingness of DCS to identify financial strategies through the application of Social Security Disability for the child in the foster parent's home, but the option for financial support through these same benefits were not explored or discussed with the relative. Further, face to face discussions between the DCS Ombudsman Bureau and the Local Office staff during the investigation, demonstrated that there had been limited opportunity for positive engagement between the FCM and the relative as the FCMs account of the case incidents were extremely negative and heated. While the court subsequently allowed the relative to become a party to the case, the relative was unable to meet the court's requirement to be present at the court hearing. Subsequently, the court terminated the birth parent's rights and the foster parents were approved by DCS and the court to adopt the child. It is also noted that the Local Office actions were extremely similar to

another case assigned to the same unit and serviced by the same Guardian Ad Litem (see Investigation #3 below).

*In closing, as discussed during the investigation of this and the comparison case (Investigation #3 below), the ultimate placement decision is a case management role. The DCS Ombudsman Bureau's charge is to ensure that DCS case management actions/decisions are in alignment with policy. DCS missed an important opportunity to assess the appropriateness of the maternal relative by failing to provide them best practice access to the process. Due to these actions, there is the grave possibility that a child lost an essential family connection.*

The DCS Ombudsman Bureau found that DCS case actions were not in alignment with the following Child Welfare Policies:

*5.2: Gathering Case information* – Documentation is limited in the case file. DCS responses were based on recollections of the staff and emails were not entered into MaGIK.

*5.3: Engaging the Family* – DCS failed to engage the family in the case planning process despite acknowledged contact between the family and the DCS FCM from the first point of intervention throughout the life of the case.

*5.7: Child and Family Team Meetings* – No indication that the relative was included in CFTMs.

*5.8: Developing the Case Plan* – as above

*5.10: Family Services* – While the relative did reside in another state, DCS could have provided visits and other services to the birth family to establish relationships, and support placement of the children with the relative in the same manner that was afforded to the foster parent who had no prior family history or relationship with the child.

*8.1: Selecting a Placement Option* – The relative was not considered as a placement option from the onset of the case due to DCS losing contact with the relative through their inability to access emails of the previous FCM. Once contact was re-initiated, DCS determined that placement with the foster parent was in the best interest of the child due to the relative's statement that financial support would be necessary. However, a case note indicates that one of the tasks for the FCM would be to initiate Social Security benefits to assist the foster parent in the event of adoption. This same option was not offered or discussed with the aunt as a possible solution to the barrier of financial need.

*8.12: Developing the Visitation Plan* – DCS stated that visitation was offered to the relative, however, the case notes do not reflect DCS efforts in that area. Teaming around a formal visitation plan early in the case would have provided DCS with a better idea of the relative's ability to serve as a placement option for the child should the permanency plan change from Reunification to Termination of Parental Rights (TPR).

*8.13: Implementing the Visitation Plan* – as above

*9.1: Request to Place an Indiana Child in Another State* – It is unclear from DCS documentation what efforts, if any, DCS made to explain the Interstate Compact for the Placement of Children (ICPC) process to the relative. Emails provided to the DCS Ombudsman Bureau from the relative indicate the FCM providing limited information to the relative or the other state's ICPC team specific to the case requirements.

*Recommendations:*

The DCS Ombudsman Bureau recommended the Local Office provide training in the aforementioned policies to ensure the appropriate alignment between case actions and policies; DCS develop and present a Local Office procedure specific to Relative Placements in



general and out of state ICPC placements in particular; and, DCS Local Office leadership address concerns with involved staff.

DCS Responses:

The Local Office Director complied with the recommendations by setting a three month training schedule to address the policy concerns. The Local Office Director developed processes to ensure best practice implementation in the areas of assessment and permanency supervision, documentation and relevant procedures. Discussions were held with involved staff members to ensure their understanding of the case issues/concerns.

**Investigation Example #3 – Relative Placement**

This complaint involved concerns that DCS had failed to follow policy by failing to consider an out of state relative as a placement option for two children from the time of their removal and throughout the life of the case. Due to the significant variables and concerns in the case, the DCS Ombudsman Bureau determined that the case review would be addressed as an investigation.

Findings:

Following careful and extensive review over a number of months, the DCS Ombudsman Bureau voiced grave concerns regarding the consistent failure of DCS to consider the children's paternal grandparents as a viable placement during the life of the case. Certainly, the decision not to consider out of state placement for the children during the brief time period of the birth mother's compliance was in alignment with DCS policy to support the permanency plan of reunification. An out of state placement at this early case juncture would have created barriers to the reunification permanency plan. However, based on an email presented by DCS to the DCS Ombudsman Bureau, it became clear within 3-4 months of the onset of the case that the plan for reunification with the birth mother was stymied by her lack of compliance, and transient nature. Yet, DCS failed to pursue the paternal grandparents as a viable alternative by not offering visits to introduce them to the children to begin to form a bond. Indeed, the case file and emails at the time of the DCS Ombudsman Bureau involvement indicate that a promised Interstate Compact for the Placement of Children (ICPC) application was not pursued for five months following the birth mother's noted lack of compliance. The complainant states that the Family Case Manager (FCM) maintained contact with the paternal grandparents throughout the life of the case, however the complainant asserts that the FCM failed to advise regarding visits or placement. Despite the approval of the ICPC and the ability of the paternal grandparents to ensure the safety and well-being of their grandchildren in a manner that did not require DCS intervention or financial assistance, DCS maintained that the best placement of the children would be with the foster parents because the children did not "know" their grandparents and were not bonded to them. The DCS Ombudsman Bureau submits that a lack of bonding would be expected since DCS failed to allow visitation to support or build the children's bonding with their grandparents. Comparatively, the children did not know or have a prior relationship with the foster parents until they were placed in the foster home. However, DCS nurtured the bond for over two years while denying the paternal relatives' access to the children in case actions that were not in alignment with policy and best practice. The court eventually allowed the grandparents to participate in court proceedings near the end of the case. The grandparents were allowed one visit with the children but were not permitted to

identify themselves as grandparents to the children to determine if the children would recognize the grandparents. This would be highly unlikely due to the tender age of the children at their one and only previous interaction with their paternal grandparents. A subsequent bonding assessment was completed with the children and as expected, the report identified the children as bonded to the foster parent and advised that placement with the grandparents would not be in their best interest. Subsequently, DCS recommended and the court approved adoption of the children by the foster parent.

The DCS Ombudsman Bureau also voiced grave concerns regarding the Local Office response to the DCS Ombudsman Bureau's queries in that they are vastly different from the information entered into the MaGIK electronic case records. This lack of documentation and follow-through brings into question the level of supervision available to the FCM, and the level of knowledge regarding the ICPC process, relative placement, and documentation. It is also noted that the Local Office actions are extremely similar to another case assigned to the same unit and serviced by the same Guardian Ad Litem (see Investigation #2 above). Concerns regarding the similarity of the two cases were addressed with the Local Office. In closing, as discussed during the investigation of this and the comparison case (Investigation #2 above), the ultimate placement decision is a case management role. The DCS Ombudsman Bureau's charge is to ensure that DCS case management actions/decisions are in alignment with policy. DCS missed an important opportunity to assess the appropriateness of the paternal grandparents by failing to provide them best practice access to the process. Due to these actions, there is the grave potential that two children lost an essential family connection.

The DCS Ombudsman Bureau found merit to allegations that DCS failed to protect the children by failing to follow laws, rules and written policies specific to the placement of the children with their paternal grandparents as follows:

*5.2: Gathering Case Information* – Documentation is limited in the case file. DCS responses based on recollections of the FCM/FCMS and emails not entered into MaGIK.

*5.3: Engaging the Family* – DCS failed to engage the family in the case planning process despite acknowledged contact between the family and the DCS FCM from the first point of intervention throughout the life of the case.

*5.7: Child and Family Team Meetings* – The paternal grandparents were not included in CFTM's.

*5.8: Developing the Case Plan* – as above

*5.10: Family Services* – While the grandparents resided in Texas, DCS could have provided visits and other services to the family to re-establish relationships, and support placement of the children with the grandparents in the same manner that was afforded the foster parent who had no prior relationship with the children.

*8.1: Selecting a Placement Option* – Relatives were not considered due to distance at the onset of the case. However, once birth mother became non-compliant, DCS failed to engage the grandparents to determine if they were a viable placement option for the children through an ICPC. Once the ICPC was completed and approval for placement was given, DCS failed to take any action regarding placement.

*8.12: Developing the Visitation Plan* – DCS states that visitation was offered to the grandparents, however, the case notes do not reflect DCS efforts in that area. Teaming around a formal visitation plan early in the case would have provided DCS with a better idea of

grandparents' ability to serve as a placement option for the children should the plan change from reunification to TPR.

*8.13: Implementing the Visitation Plan – as above*

*9.1: Request to Place an Indiana Child in Another State – The ICPC was not timely.*

**Recommendations:**

The DCS Ombudsman Bureau recommended the Local Office provide training in the aforementioned policies to ensure the appropriate alignment between case actions and policies; DCS develop and present a Local Office procedure specific to Relative Placements in general and out of state ICPC placements in particular; and, DCS Local Office leadership address concerns with involved staff.

**DCS Responses:**

The Local Office Director complied with the recommendations by setting a three month training schedule to address the policy concerns. The Local Office Director developed processes to ensure best practice implementation in the areas of assessment and permanency supervision, documentation and relevant procedures. Discussions were held with involved staff members to ensure their understanding of the case issues/concerns.

## **GENERAL RECOMMENDATIONS TO SYSTEMIC ISSUES**

Pursuant to IC 4-13-19-5(b) (2), (4), and (6), the DCS Ombudsman Bureau may also review relevant policies and procedures with a view toward the safety and welfare of children, recommend changes in procedures for investigating reports of abuse and neglect, make recommendations concerning the welfare of children under the jurisdiction of a juvenile court, examine policies and procedures, and evaluate the effectiveness of the child protection system. DCS responds to systemic recommendations made by the DCS Ombudsman Bureau. During 2017, five recommendations were offered. The recommendations are based on information derived from the volumes of information reviewed in the course of case reviews and investigations with systemic implications, in addition to information gleaned from various reports and discussions with stakeholders.

### **Recommendation #1 – Staffing and Caseload Size Barriers to Child Welfare Best Practice**

In 2016 and 2017, the DCS Ombudsman Bureau continued to identify DCS staffing needs and caseload size as impediments to policies specific to the provision of child welfare services including but not limited to the completion of assessments, holding Child and Family Team Meetings and case plan conferences, family engagement (specifically fathers), case record documentation, development and implementation of visitation plans, support to relative/kinship caregivers, and services to resource parents. DCS Local Offices responded to recommendations to address these concerns while DCS leadership worked to identify solutions to remedy systemic challenges in these areas. In an effort to identify, develop and implement approaches to enhance existing child welfare practice, DCS also presented plans to address systemic concerns to the State Budget Committee in November 2014. One such effort included commissioning Deloitte Consulting, LLP *“to identify process and practice improvements that DCS could implement to ultimately enhance child safety”* (Bonaventura, March 18, 2015). The

resulting ***Casework and Workload Analysis – Final Recommendations*** report completed by Deloitte Consulting, LLP during the first quarter of 2015 acknowledged DCS’s continued efforts to better protect children and identified steps to improve agency operations. DCS prioritized the study recommendations into four priorities:

1. Hiring additional field staff
2. Improving organizational efficiencies
3. Enhancing staff training of use of technologies
4. Improving data driven decision making

**The DCS Ombudsman Bureau is supportive of DCS efforts to address systemic challenges to the provision of quality services and support to families and requests an update on current DCS activities in the four identified priority areas.**

*DCS Response: Pending*

### **Recommendation #2 – Documentation**

Thorough and consistent documentation is the cornerstone of DCS best practice efforts. The charge to document events and activities are included throughout DCS policy and specifically in *Child Welfare Policy 5.2: Gathering Case Information* which advises that documentation begins at assessment and continues throughout the life of the case. The DCS Ombudsman Bureau case reviews completed in 2017 continued to reveal a significant number of instances where the DCS Ombudsman Bureau experienced significant difficulty in reviewing complainant concerns due to the lack of sufficient documentation in the case file. This became particularly challenging in situations where DCS staff was no longer employed by the agency, or significant time had elapsed between the case action and the time of the complainant’s concerns. While the DCS Ombudsman Bureau acknowledges that case load size and staffing needs greatly impact DCS’s ability to consistently address practice issues, it is imperative that DCS actions align with DCS policy, laws and written rules. **The DCS Ombudsman Bureau recommends DCS respond regarding agency efforts to address documentation concerns.**

*DCS Response: Pending*

### **Recommendation #3 – Family Engagement / Working with Birth Fathers and Relatives**

Several complaints brought to the DCS Ombudsman Bureau during 2017 raised concerns around DCS case actions specific to family engagement of birth fathers and relatives. *DCS Child Welfare Policy 5.3: Engaging the Family* states “*The Indiana Department of Child Services will build trust-based relationships with families by demonstrating sensitivity, empathy, and cultural competence. DCS will encourage parental involvement in all cases, including cases involving domestic violence. DCS will to the extent possible, engage both paternal and maternal members equally in the case planning process from the first point of intervention.*” The DCS Ombudsman Bureau’s case reviews in these matters supported complainant concerns that DCS failed in numerous instances to make diligent efforts to locate and engage noncustodial parents (typically birth fathers), and relatives of DCS involvement using available resources to conduct diligent searches pursuant to policy. While birth fathers were able to become connected to the case overtime, the DCS Ombudsman Bureau’s case reviews revealed instances where relatives were unable to become involved in the DCS case due to the child’s relationship with the foster

parent. In several instances, the DCS actions were not in alignment with policies and resulted in adoption by the foster parent despite the consistent request for visitation and placement by the child(ren)'s relative. While the ultimate placement decision is a case management role. The DCS Ombudsman Bureau's charge is to ensure that DCS case management actions/decisions are in alignment with policy. DCS missed important opportunities in these cases to engage birth fathers at the onset of the case and to assess the appropriateness of relatives by failing to provide them best practice access to the process. As a result there is a concern that DCS systemic practice specific to family engagement is often not in alignment with policy as follows:

*4.0: Diligent Search*

*4.7: Locating the Subjects*

*4.10: Interviewing the Parent, Guardian, or Custodian*

*4.28: Involuntary Removals*

*5.2: Gathering Case Information*

*5.3: Engaging the Family*

*5.4: Noncustodial Parents*

*5.5: Genetic Testing for Alleged Fathers*

*5.6: Locating Absent Parents*

*5.7: Child and Family Team Meetings*

*5.8: Developing the Case Plan*

*5.10: Family Services*

*8.1: Selecting a Placement Option*

**The DCS Ombudsman Bureau recommends DCS respond regarding agency efforts to address vision alignment concerns in the area of family engagement.**

*DCS Response: Pending*

#### **Recommendation #4 – Relative Placements**

During 2017, the DCS Ombudsman Bureau completed 76 case reviews, three investigations, and 52 problem resolution assists to relatives. The results of these interventions indicated a systemic concern specific to DCS's support of relative placements which are typically grandparents. While notification to relatives of DCS involvement and placement was an overarching concern as stated in **Recommendation #3 – Family Engagement**, the DCS Ombudsman Bureau's involvement also identified missed opportunities by DCS to assist relative resource parents in the area of identifying and accessing community resources, and referrals to family services to support kinship care placements. The DCS Ombudsman Bureau also identified a need for training for DCS staff and licensed foster homes in the area of family engagement with relative resource parents, as well on-going family engagement between relative resource parents and DCS Relative Specialists to support kinship placements. Communication between relative resource parents and DCS was also identified as a concern. Additionally, many relative complainants voiced dismay at being used as baby sitters rather than active members of the child's team. The DCS Ombudsman Bureau identified case incidents where a failure of DCS to provide support to the child and relative family contributed to a disruption in the relative placement due in part to a lack of communication, and DCS's failure to explain and clarify roles and the status of the case overtime. Many resource relative homes are unlicensed and as a result do not often receive the same level of support as their licensed foster home

counterparts. Due to these and other concerns, relatives providing placement and a connection to family history for the children placed in their care by DCS often found themselves ill-equipped to manage and meet the diverse needs of the children placed in their homes.

**The DCS Ombudsman Bureau recommends DCS respond regarding agency efforts to address and support the needs of relative caregivers through staffing, policy, and best practice changes or vision alignment.**

*DCS Response: Pending*

#### **Recommendation #5 – Interstate Compact for the Placement of Children (ICPC)**

Pursuant to *DCS Child Welfare Policy 9.1: Request to Place an Indiana Child in Another State*, the Indiana Department of Child Services (DCS) requires the DCS local office wishing to place an Indiana Child in another state to submit a referral packet to the DCS Interstate Compact of the Placement of Children (ICPC) Office. The DCS Ombudsman Bureau responded to numerous complaints from individuals wishing to have their relative children placed with them in another state. While best practice dictates that sending a child to another state when the birth parent(s) continue to reside in Indiana would create barriers to supporting a permanency plan of reunification. The ICPC can be an appropriate response in instances where birth parents were unavailable or non-compliant with services or where the parent(s) have moved to another state. The DCS Ombudsman Bureau found an extreme departure from the policy in many of these complaints across the agency. Specifically, DCS failed in many instances to initiate the ICPC process timely despite indicating to involved parties that they would be considered for placement through an ICPC. While the ICPC is, by design, a lengthy process, the DCS Ombudsman Bureau identified concerns where the process took longer than necessary due to DCS's failure to complete the necessary applications and forward them through the proper channels. There were several instances where once approved, DCS failed to act timely in notifying appropriate parties of the results and requesting court authorization for interstate placement. These delays caused children to remain in out of home placements longer than necessary. In some instances the delay further traumatized children who were waiting to be placed with relatives or parents residing out of state. In one specifically concerning case, DCS failed to initiate a timely ICPC, and upon receiving approval from the receiving state, DCS failed to act on the ICPC decision in a timely manner while the children in question grew more bonded to the Indiana foster family. As a result, the relative placement was unable to visit or form a bond with the relative over a period of approximately two years which resulted in the court authorizing the adoption of the children by the Indiana foster family. This case drew particular concern from the DCS Ombudsman Bureau because the case actions were in complete contradiction of DCS policy to consider suitable, willing relative placements to support the permanency plan of placement and adoption, while maintaining family connections and history for children.

**The DCS Ombudsman Bureau recommends DCS respond regarding agency efforts to ensure DCS staff case management decisions in the area of interstate placements are in alignment with laws, rules, written practice and best practice approaches.**

*DCS Response: Pending*

## **DCS Ombudsman Bureau Reflections and Future Initiatives**

### **Agency Response**

In 2017, the DCS Ombudsman Bureau continued with its mission of responding to complaints concerning DCS actions or omissions by providing problem resolution services, independent case reviews and recommendations to improve DCS service delivery thereby promoting public confidence. Services and supports have been delivered to DCS Ombudsman Bureau constituents in a timely, efficient and effective manner. Open communication between the DCS Ombudsman Bureau and DCS at the state and local level has supported the resolution of challenges and strengthening of best practice policies, procedures and programs. The use of Assists as a viable tool to foster communication and resolve concerns between complainants and the Local Offices continue to allow DCS Ombudsman Bureau staff to focus on more complex case reviews and investigations. Significant staffing changes at all levels of the DCS system in the latter part of 2017, have created new opportunities for systemic collaboration and support.

### **DCS Ombudsman Bureau Initiatives**

The responsibilities of the DCS Ombudsman Bureau require experienced staff proficient in the areas of child welfare and criminal justice issues; problem resolution; research; the ability to understand public policy and law; and, apply the same to constituent concerns. Additionally, the individuals must have above average oral and written communication skills, provide excellent customer services while engaging stakeholders with diverse needs and expectations.

The DCS Ombudsman Bureau currently employs two Assistants with the responsibility of responding to constituent concerns. In 2015, the DCS Ombudsman Bureau began discussions with the State Personnel Department to identify strategies to better align the Assistant Ombudsman job description with the actual tasks performed. The Director of the DCS Ombudsman Bureau initiated two strategies to support the staffing needs of the agency. First, a request to increase the DCS Ombudsman Bureau's budget for additional staff and/or an increase in staff salaries was made during the 2014 budgeting process. An additional Assistant Ombudsman would not only support the response to the steadily increasing numbers of calls but it would allow for the opportunity to restructure the agency to support better work flow. A request for funding to increase outreach efforts and staff development was also made.

The budget requests were approved during the 2015 Legislative Session. The DCS Ombudsman Bureau was appropriated \$313,807 in 2015, which was an increase of \$98,132 from the previous fiscal year. Efforts to address staff retention and outreach efforts continued in 2016. Effective April 2017, The Assistant Ombudsman status classification was changed from an Administrative Assistant 2 to a Program Director 2 with a 4.5% increase in salary. While funding efforts for outreach and training efforts increased, the DCS Ombudsman Bureau was able to hold the costs consistent with previous years by participating in opportunities at low to no cost.

The request for additional staff was not approved in 2016 or 2017. The DCS Ombudsman Bureau continues to pursue approval in 2018 for an additional Assistant Ombudsman position to support the agency's ever increasing role.

## **Acknowledgements**

The DCS Ombudsman Bureau acknowledges the many individuals who submitted their concerns for resolution. The willingness of these stakeholders to align their efforts with the resources of the DCS Ombudsman Bureau to resolve concerns is greatly appreciated. Additionally, the efforts of the Department of Child Services at the state and local level do not go unnoticed. The agency's commitment to address identified concerns and participate in intentional dialogue around program strengths and challenges with the DCS Ombudsman Bureau does much to further the goals of best practice services and support to vulnerable families and children in Indiana.

As the 2017 calendar year drew to a close, DCS found itself facing new challenges with the departure of DCS Director Mary Beth Bonaventure. The DCS Ombudsman Bureau looks forward to new opportunities for growth in the relationship between DCS and the bureau with the appointment of Terry Stigdon to the position of DCS Director. The DCS Ombudsman Bureau is encouraged by steps taken by the Director thus far in 2018 to continue with efforts to develop a team of professionals at all levels of the agency dedicated to the well-being and safety of Indiana's most vulnerable children. Likewise, the DCS Ombudsman Bureau is pleased to have been included in trainings and discussions in the first quarter of 2018 specific to DCS policies and practices.

Particular appreciation is extended to Assistant Ombudsman Jessica Stier and Assistant Ombudsman Jamie Anderson. They are invaluable assets to the success of the DCS Ombudsman Bureau and the diligent efforts they bring to the agency are greatly appreciated.



# **ATTACHMENTS**

# Attachment A

## DCS Ombudsman Bureau Staff

### Director

Director **Alfreda Singleton-Smith** was appointed to the position of the DCS Ombudsman in June, 2013 by Governor Michael R. Pence. She brings over 30 years of child welfare experience in the public and private sector to her role. Director Singleton-Smith worked for DCS from 1986 – 1997 at the local level in Marion County, Indiana as a children services case worker, supervisor, trainer, assistant division manager and division manager. She was previously employed by The Villages of Indiana, Inc. where she served as Senior Director of Client Services, responsible for providing statewide support to agency stakeholders in the areas of program planning, foster care, adoption and kinship care. She holds a BS from Western Kentucky University and an MSW from Indiana University. Ms. Singleton-Smith has served on numerous local, state and national initiatives in support of children and families. She is a licensed social worker; a certified RAPT Trainer and Adoption Competency Trainer and a member of the United States Ombudsman Association.

### Assistant Ombudsman

**Jessica Stier** is native to the Indianapolis area. She graduated from Bishop Chatard High School and went on to earn a Bachelor's degree in Criminal Justice from IUPUI in 2011. She was hired as an Assistant Ombudsman in August 2011 and divided her time between the DCS Ombudsman and the DOC Ombudsman offices. She began working for the DCS Ombudsman full time in March 2012. In addition to conducting reviews and investigations, Jessica has taken on the role of managing the agency's data system and coaching new staff members.

**Jamie Anderson** grew up in Indianapolis, IN. She graduated from Indianapolis Public Schools and holds a Bachelor's degree in Psychology from Purdue University. Jamie worked as a Family Case Manager for the Department of Child Services from 2006 – 2009 where she enjoyed assisting children and families in reaching their goals. She has since completed ombudsman work for Indiana public assistance programs as well as served as a Care Coordinator in the mental health field. Jamie joined the DCS Ombudsman Bureau in January 2015.

# Attachment B

## Rules of Engagement

### DCS Ombudsman Guidelines

*Agency and Complainant Rights and Responsibilities  
in the DCS Ombudsman Bureau Complaint Process*

#### **Complainant Rights**

Complainants are entitled to:

- A timely response acknowledging receipt of the complaint.
- Professional and respectful communication from agency staff.
- An impartial review.
- A credible review process.
- Contact by the Bureau if additional information is required.
- Communication regarding the outcome of the review.



#### **Complainant Responsibilities**

Complainants shall:

- Attempt to resolve problems with the local office prior to filing a complaint.
- Complete the complaint form as directed.
- Ensure that the allegations in the complaint are pertinent to the role of the ombudsman.
- Ensure the accuracy and timeliness of requested information.
- Communicate respectfully with agency staff.

#### **DCS Ombudsman Bureau Rights**

The Bureau may:

- Decline to accept a complaint that does not fall within the jurisdiction of the Bureau.
- Determine the level of review, the documentation and interviews necessary for gathering the information required to determine findings.
- Expect the complainant to provide any additional information requested.
- Determine when a case requires no further action.

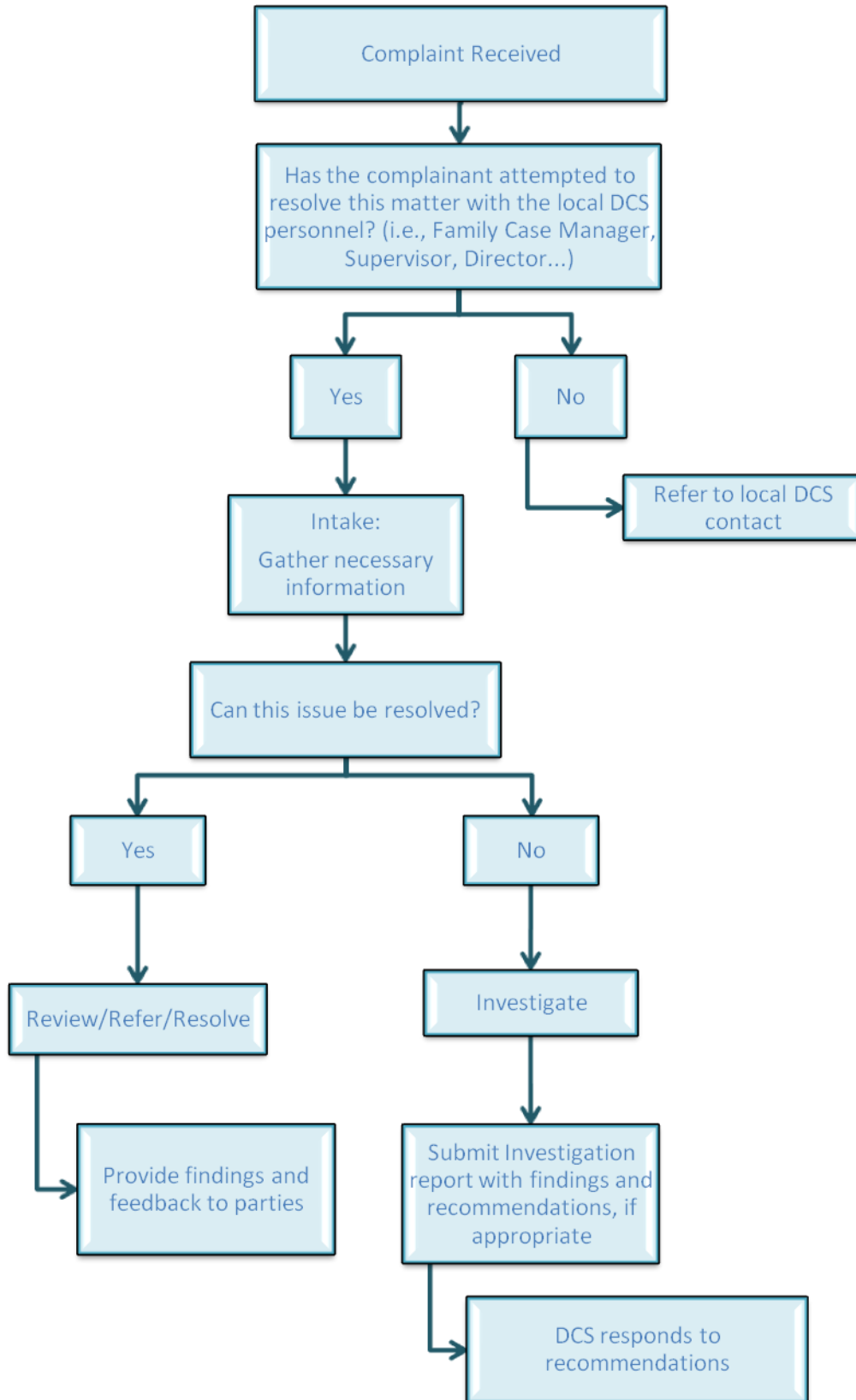
#### **DCS Ombudsman Bureau Responsibilities**

The Bureau shall:

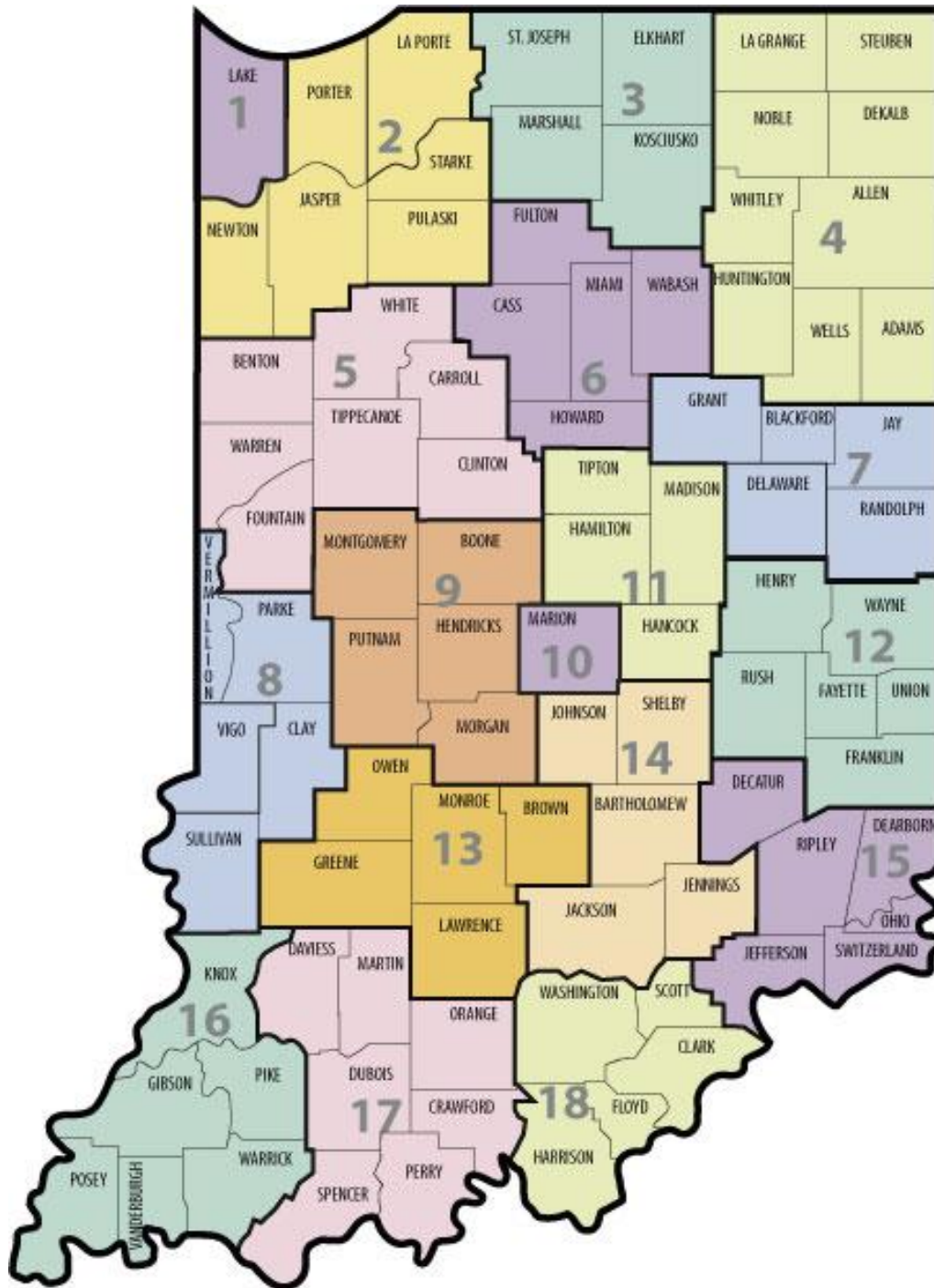
- Complete reviews in a timely manner.
- Complete a thorough and impartial review.
- Ensure professional and respectful communication.
- Provide the results of the review to the complainant in accordance with IC 4-13-19-5.

# Attachment C

## How We Work



# Attachment D Regional Map



## **DCS Ombudsman Bureau**

### **Office Hours**

8:00 am to 4:30 pm

### **Telephone Numbers**

Local: 317-234-7361

Toll Free: 877-682-0101

Fax: 317-232-3154

### **Ombudsman E-mail**

[DCSOmbudsman@idoa.in.gov](mailto:DCSOmbudsman@idoa.in.gov)

### **Ombudsman Website**

[www.in.gov/idoa/2610.htm](http://www.in.gov/idoa/2610.htm)

### **Mailing Address**

DCS Ombudsman Bureau  
Indiana Department of Administration  
402 W Washington Room 479  
Indianapolis, Indiana 46204

