

RESOURCE PARENT/ AGENCY PROBLEM RESOLUTION PROCESS

The Division of Family and Community Services (FACS) recognizes that as people work together, conflicts will arise which may adversely impact both the quality of relationships and the quality of care provided to children. Hence, there is a need for an impartial, good faith systematic process and procedure for dealing with conflicts involving resource parents and agency staff. Each resource parent has the right to “due process” when there are disagreements between the two entities.

This process provides a unique forum for resource parents. It is an opportunity to explain their perspective and to be heard without judgment. From an interest-based or problem solving model, it offers the opportunity for a face-to-face exchange of information, assumptions and interests and for mutual brainstorming of creative options. The process offers a unique potential for the participants to develop clarity and voice about their choices and for an exchange in which their experience may be transformed through acknowledgement and recognition of each other. Both parties can increase the potential for realizing these values by focusing on them while preparing for and participating in the process.

Problem Resolution Process Principles

- The primary focus of the process is on the act of resolving a problem in a transparent manner and without prejudice. Parties coming together in this problem solving process will need to be willing to engage in open, non-judgmental discussion while seeking to maintain a positive, non-adversarial working relationship. FACS desires to create a discussion climate such that resource parents feel informed about the process and respected during and after the discussion without fear of retaliation. The process will respect cultural differences at all times.
- Early resolution of problems at the local level whenever possible is encouraged. Early resolution tends to preserve relationships and prevents getting into locked positions.
- Every effort shall be undertaken to resolve the problem in a mutually satisfactory manner.
- Mandated timeframes have been built into the procedure. Every effort should be made to shorten the timeframes whenever possible.
- This process is intended for the use of resource parents who are caring for children in DHW custody whether the placement is in a regular, pre-adoptive

or treatment foster home setting, relative foster or unrelated care. This is not intended for providers of residential care.

- The parties' who are a part of the problem resolution process will be the people that are directly engaged in the conflict. This maintains the integrity of the process.
- Children will remain in their current placement during the problem resolution process unless a safety issue exists or the child's wellbeing will be severely impacted by remaining in the home pending resolution.

Procedures

Regional Children and Family Services (CFS) Level

Examples of possible referrals to the Regional CFS Level process include, but are not limited to:

- Problems with communication between the social worker and the resource parent; lack of courtesy, partnership, respect, professionalism in communication demonstrated by failing to return telephone calls, failing to listen to concerns, etc..
- Lack of responsiveness to requests by the resource parent in addressing needs of children.
- Resource parent disagrees with the decision made by the social worker to remove a child from their home. See below for those permanency placement decisions made by the Selection Committee.
- Failure to follow policies.
- Failure to arrange needed services for the child and/or resource family.
- Failure to abide by the responsibilities in the Cooperative Agreement and the child specific service plan.

Issues which make Regional CFS Level referrals inappropriate include:

- When a child abuse and neglect safety assessment is pending and the subject referral is part of the safety assessment.
- When the conflict is with another licensing or placement agency, other than CFS.
- When the conflict is related to a revocation or denial of a foster care license. Please refer to Administrative Hearing policy.
- When a resource parent does not agree with the permanency placement decision made by the Selection Committee. See Level Two Statewide Problem Resolution Team (PRT) Process in these situations.

Step One: Social Worker

When a resource parent has a conflict with Child and Family Services, they should first attempt to resolve the conflict through discussion with the social worker involved in the situation in an attempt to resolve the matter. This should occur as early as possible so that it can be resolved quickly. The resource parent and the social worker should document the concerns and the results and details of the discussion(s) held. The social worker should log this information in FOCUS narratives.

Step Two: Supervisory

If the resource parent believes the problem has not been resolved through discussion, they may notify the social worker's supervisor. The supervisor will arrange a meeting with all parties in an effort to come to a mutually satisfactory resolution. This meeting takes place within five (5) business days of the supervisor's contact with the resource parent. With the resource parent's agreement, the timeline can be extended in the event of an extended absence of the social worker or resource parent.

During this meeting the supervisor will facilitate a discussion with the two parties to explore ways to solve the problem. The supervisor will listen to everything the two parties have to say, and help explore ways to agree on a plan to mediate the problem. The plan should be agreed to by both parties and include a mechanism for monitoring progress and resolution by the parties. The supervisor shall document the problem and details of the plan discussed and provide a copy of the plan to the resource parent.

Step Three: Chief of Social Work

If efforts fail at developing and implementing a plan with the supervisor's involvement, the resource parent and/or supervisor have the option of requesting further assistance in problem resolution with the Chief of Social Work. This request must be responded to, by the Chief of Social Work, within five (5) business days of the contact. With the resource parent's agreement, the timeline can be extended in the event of an extended absence of the social worker or resource parent. The Chief of Social Work shall document the problem and details of a plan or solutions that may be developed. The Chief of Social Work will provide a copy of the plan to the resource parent.

Step Four: Program Manager

In the event a workable plan is not achieved and/or the problem is not resolved following implementation of the plan, the resource parent should present the problem in writing to the Regional CFS Program Manager explaining: (a) the issue/problem; (b) a summary of the efforts that have been taken to resolve the problem; and (c) why those efforts have not been sufficient to satisfactorily resolve the situation. The Regional Program Manager will arrange a meeting with the resource parents and may include the social worker, supervisor, and the family's licensing social worker. The meeting will be held within fifteen (15) business days after receiving the written request.

Resource parents may benefit by and choose the option to have personal support present during the problem resolution process. It is important to note that support individuals who are not licensed resource parents do not have a right to confidential information related to the child in the resource parent's home

and therefore are limited to portions of the problem resolution process which do not violate confidentiality laws. The specific information which would be considered confidential during the process needs to be determined by the agency and shared with all parties prior to the meeting.

Following the meeting, the Regional Program Manager should meet with his/her social worker and supervisor, arrive at a decision, and advise the resource parents in writing of the decision within five (5) business days. Under no circumstances shall the Regional Program Manager level process take more than twenty (20) business days after receipt of the resource parent's request to resolve the problem unless good cause can be shown. In this instance, the Regional Program Manager must send the resource parent a letter, which specifies a date by which the region expects to resolve the issue.

Statewide Level Problem Resolution Team (PRT)

Examples of possible referrals to the Statewide Level PRT include:

- Regional level efforts to reach resolution have failed and the problem is directly related to the well being or permanency of the foster child in care, and/or
- When a current caregiver or relative/fictive kin who was one of the families considered for permanency placement of a child by the Placement Selection Committee does not agree with the permanency placement decision and requests a review of the PRT to be held before the child is moved from his or her current placement.

Issues which make Statewide Level PRT referrals inappropriate include, but are not limited to:

- If the child was or is to be moved for the purpose of returning the child to the child's birth parents or to achieve placement with siblings;
- Placing an Indian child in accordance with Indian Child Welfare Act (ICWA) placement preferences;
- When a child abuse and neglect safety assessment is pending and the subject of the PRT referral is part of the safety assessment;
- When the conflict is related to a revocation or denial of a foster care license. Please refer to Administrative Hearing policy.
- Situations which have **not** previously been considered at the regional problem resolution level (with the exception of permanent placement decisions).
- Referrals to the PRT, which are made, by the resource parent, more than four (4) business days following notification of a regional permanency placement decision or regional program manager regional problem resolution level.

The purpose of the Statewide Level Problem Resolution Team (PRT) is to provide resource families and the regional office an opportunity to be heard when problems arise and unresolved issues remain following regional attempts at problem resolution. The intent is not to remove authority from local CFS offices to handle problems within their region or to be punitive in nature. PRT referrals may only be made after regional attempts to reach resolution have failed. The

only exception to this is disagreement regarding a permanency placement decision.

The PRT will be comprised of individuals selected by the Division Administrator for Family and Community Services. These individuals shall include: FACS Division Administrator, Child Welfare Program Manager, state level Program Specialists, and Regional CFS representatives. A minimum of three members, must participate in each problem resolution team meeting. PRT members will not participate in meetings related to concerns from their own region.

Every attempt shall be made to conclude the PRT process as quickly as possible due to the child's need for a timely decision.

PRT referrals must be made within four (4) business days of the resource family (including prospective foster or adoptive care placements) being informed verbally, or in writing, of the regional permanency placement decision; or, in writing, of a Regional Program Manager regional level problem resolution decision. Referrals received after this time will not be considered.

Referral to the PRT may be made using either the PRT Referral Form or a written statement which outlines issue(s) the referent wishes to have addressed. PRT referrals are to be provided to:

Idaho Department of Health & Welfare, FACS
Attn: Tina Griffin, Problem Resolution Team
Phone: (208) 334-5690
Fax: (208) 334-5691

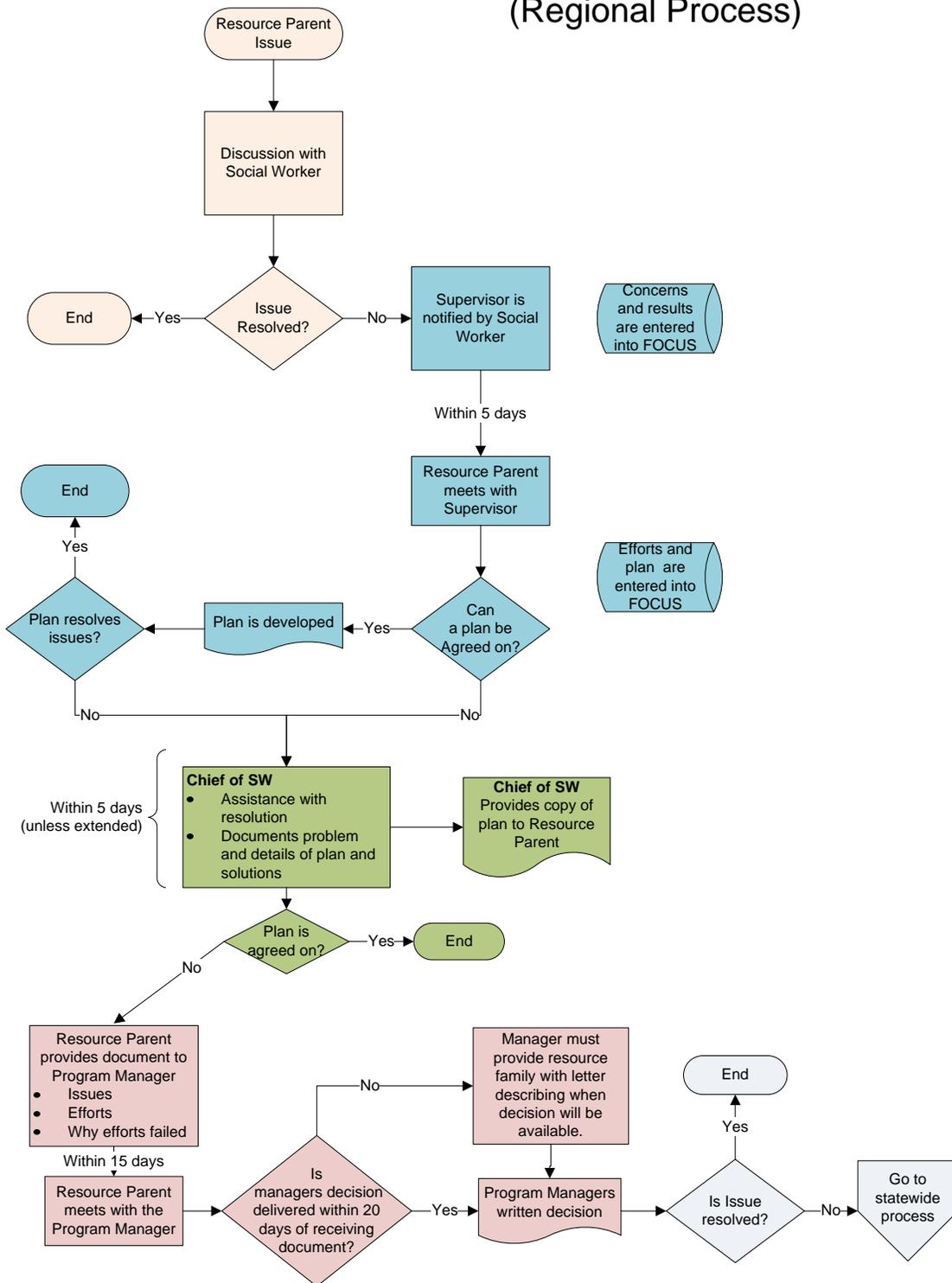
A Problem Resolution Team liaison will notify, within one (1) business day, the referent, the regional CFS office and the PRT via letter, telephone or e-mail that the PRT referral has been received. A PRT liaison will then schedule a PRT meeting time and request copies of records and any other documentation to be considered by the PRT. All materials to be considered by the PRT must be received two (2) business days before the scheduled meeting time of the PRT.

PRT meetings will be held in-person, telephonically and/or via video conferencing as soon as scheduling allows. PRT members are expected to have reviewed all provided written documentation prior to the meeting. Except in extreme circumstances, the PRT shall conduct interviews with appropriate CFS staff and supervisors as well as the referent and any others determined by the PRT to be impacted by the problem resolution process. Interviews may be held either in-person or telephonically. Due to the time-sensitive nature of these requests, it is incumbent on the referent to make themselves available for interviews at the scheduled time.

The PRT will develop recommendations based on all information received. A meeting summary including a description of information and documentation considered will be compiled into a report and submitted to the Division Administrator. In situations regarding permanent placement decisions, the Division Administrator will forward the recommendation to the Director, or the Director's designee, for consideration. The Director, or the Director's designee, will make a final decision. Notification of the decision will be made via telephone to the referent and via telephone or e-mail to the Regional Program Manager. Original copies of the written decision will be sent to the Regional Program Manager. Courtesy copies of the written decision will be provided to the person making the PRT referral, PRT members, the Foster Care Program Specialist, and the Permanency Program Specialist. All copies will be sent within ten (10) business days.

The Director or Director's designee has the final decision making authority regarding PRT referrals. If action by the region is outlined in the final recommendations, the Regional Program Manager shall prepare a written response to the recommendations including their plan for implementation. The plan shall be sent to the PRT liaison within two (2) weeks of receiving the final written decision.

Resource Parent Problem Solving Process (Regional Process)



Resource Parent Problem Solving Process (Statewide Process)

