

Grievance Review by SCP or Parent

(Revised 08/31/18)

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Forms

The following forms are referenced in this file:

- 04-319 Grievance Review Report (SCP or Parent)
- 10-62 Request for Grievance Review
- 10-62sp Request for Grievance Review (Spanish)

General grievance policy

Relatives, Non-Relative Extended Family Members (NREFM), Foster Parents, Resource Family Parents, parents/guardians, and children may request a grievance review hearing when they are dissatisfied with actions relating to:

- placement services provided, or
- care of foster child, or
- notice of pending actions, or
- procedures for removal of a child from foster care.

The placing worker is responsible for discussing the grievance review process with the SCP and parent, and for providing a copy of the Request for Grievance Review (10-62).

Before a formal grievance review hearing is filed, every attempt should be made to resolve the issue through discussion with the SW, PSS and PSPM.

Exception criteria

The following are exceptions for which a grievance review hearing **will not** be granted:

- Removal of a child from a placement when:
 - the child is in imminent danger.
 - the caregiver has signed a waiver of notice. (See Notification procedure.)
 - the court, on its own initiative, has ordered the child's removal.
 - adverse licensing/certification actions have occurred which prohibit a foster parent from continuing to provide services.
 - the parent removes or requests removal of a child placed voluntarily.
 - the removal of the child, or modification of services, is the result of an administrative review panel decision.
 - the removal is for direct placement into an adoptive home.
- The complaint pertains only to the validity of a law, or of a statewide regulation.
- The complaint is about the payment or issuance of aid or medical assistance for which a fair hearing is available.
- The complaint pertains only to the placement decision.

Request for Review Hearing

These are the steps to follow when a grievance review hearing has been requested:

Step	Who	Action
1	SW	<p>Provide the complainant with a 10-62, Request for Grievance Review, when a request for a grievance review hearing is requested based on actions relating to:</p> <ul style="list-style-type: none">• placement services provided, or• care of foster child, or• notice of pending actions, or• procedures for removal of a child from foster care
2	Complainant	<p>Complete the 10-62 and return the form to:</p> <p>Director Child Welfare Services 8965 Balboa Ave San Diego, CA 92123</p> <p>The deadline for receiving the complainant's request for a grievance review depends on the intended action:</p> <ul style="list-style-type: none">• The request for a grievance review hearing must be filed with the Director within 10 calendar days of the complainant being notified of the intended action.• If the intended action is the placement or removal of a foster child, the request for review must be received at least two calendar days before the intended date of removal unless the removal meets one of the criteria under exception criteria, in which case the complainant is not entitled to a grievance review hearing. <p>The child may not be moved to another placement until the hearing officer finalizes a decision, unless the child is in imminent danger.</p> <p>NOTE: The postmark date on the 10-62 or a phone call from the complainant, if applicable, will be used to determine if the complainant has met the 10-day deadline.</p>
3	CWS Director	<p>Appoint a grievance review-hearing officer. The officer:</p> <ul style="list-style-type: none">• cannot be in the chain of command of any person involved in the complaint, and• must be knowledgeable of the field, and• must be capable of objectively reviewing the complaint.

Grievance Review Hearing procedures

Follow the procedures below for a grievance review hearing.

Step	Who	Action
1	Grievance Review Hearing Officer	<ul style="list-style-type: none"> Schedule the grievance review hearing within 10 working days of the date the complaint was received. All individuals must receive notice at least five days in advance of the scheduled hearing. Conduct the hearing in the following manner: <ul style="list-style-type: none"> It will be held in a non-adversarial atmosphere. All parties to the grievance shall be permitted to examine any documents and physical evidence they have introduced to the hearing. If parties or witnesses must testify at the hearing; only authorized persons will be present during the review unless all parties and the hearing officer consent to the presence of other persons. Grievance Hearings are audio recorded. All testimony shall be given under oath or affirmation. The hearing officer shall have the authority to continue to review the grievance for a period not to exceed ten calendar days if additional evidence or witnesses are necessary for determination of the issue.
2	Grievance Review Hearing Officer	<ul style="list-style-type: none"> Conduct the hearing and prepare a written report (04-319) which includes a summary statement of the facts, the issues involved, findings, and the basis for the decision. Submit to CWS Director for finalization no later than 5 business days from the grievance hearing. <p>NOTE: The grievance officer may review for up to 10 days if additional evidence or witnesses are necessary to render a decision.</p>
3	CWS Director	Finalize the written decision, which will be issued within five calendar days after the grievance review hearing completion.
4	CWS Director's Secretary	<ul style="list-style-type: none"> Forward a copy of the report to CDSS Keep the original Distribute copies as follows: <ul style="list-style-type: none"> each party involved in the review the representative of each party the child's service record the Placement Coordinator's Office. <p>The review record will be kept for one year from the decision date, and will include all documents, copies of documents and physical evidence accepted as review evidence.</p>

**Alignment with SET
Values**

[Value 2](#): Collaborative Partnerships with Kinship and Resource Families by:

- Seeking and creating opportunities for biological families, kinship, and resource families to communicate and work together for the child/youth's best interests
 - Exhibiting clearly defined, respectful working relationships with kinship and resource families
 - Providing ongoing assessment of needs and services for kinship and resource families
 - Exhibiting clearly defined, respectful working relationships with kinship and resource families
 - Keeping safety, permanency, and well-being of child/youth at the forefront
 - Helping kinship and resource families understand social workers' roles and child welfare laws.
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