

# Office of the Ombudsman

(Revised 05/22/20)

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## Forms

The following forms are referenced in this file:

- 18-91 Citizen Complaint Form
- 18-91sp Citizen Complaint Form (Spanish)
- 18-91A Citizen Complaint Acknowledgement Letter
- 18-91Asp Citizen Complaint Acknowledgement Letter (Spanish)
- 18-91B Citizen Complaint Outcome Letter
- 18-91Bsp Citizen Complaint Outcome Letter (Spanish)

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## Background

In order for CWS to carry out the goals of child protection and preserving families, it is essential that the community have confidence in the policies and procedures of CWS. The investigation of referrals, the initiation of case actions and the continuing provision of family services dramatically affect the lives of children and families. To maintain community confidence in the integrity, effectiveness, and efficiency of CWS, the position of Ombudsman was created in February 1992.

CWS SWs are charged with the enormous responsibility of protecting children and preserving families. CWS Administration recognizes the intense demands placed on staff members and believes that prompt complaint resolution benefits all staff. Therefore, a sound internal procedure for thorough and impartial investigation of allegations regarding CWS case actions is important. Of equal importance is the right of the public to have access to a fair, thorough and expeditious grievance/complaint process within the CWS organizational structure.

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**Function**

The Office of the Ombudsman (OOO) for CWS is an internal mechanism for conducting an independent review of complaints concerning CWS policies or practices that have been lodged by customers, members of the public, community organizations or CWS-related agencies.

CWS values customer and worker input in resolving conflict. All complaints will be objectively reviewed to ensure a fair, thorough and timely investigation and resolution. All complaints, whether verbal or written, will receive a response.

Following the review and consultation concerning a complaint, the Ombudsman may make a recommendation on the disposition of the complaint to the Director of CWS. The final decision on the resolution of these complaints rests with the Director of CWS.

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**Additional Ombudsman assignments**

Other Ombudsman assignments include:

- Conducting Administrative Case Reviews (ACRs).
  - Co-Chairing the Child Fatality Review Committee
  - Co-Chair the Child Protection Team meetings
  - Conduct Practice Elevation Reviews
  - Process Citizen Complaints
  - Review and process Critical Incident/ Fatality/Near Fatality reports and follow-up reports
  - Consult on Fatality/Near Fatality referrals
  - Track and report Child Fatalities and Near Fatalities per State regulations
  - Respond to Public Records Requests regarding Child Fatalities and Near Fatalities
  - Participate in Domestic Violence Fatality Review Team (DVFRT) meetings
  - Participate in regional 300e Case Consultations
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**Complaints**

Generally, all complaints or expressions of concern raised by community residents or organizations will be first addressed by the Ombudsman Investigators (OI) who will attempt to resolve the issues through discussion and education. If the OIs cannot completely resolve the matter, the constituent will be directed to the appropriate SW and PSS for resolution. If the complaint remains unresolved, the complaint will be elevated up the chain of command to the CWS Manager, Chief and Deputy Director (DD). All complaints will be resolved at the lowest possible level within CWS in accordance with the CWS established complaint process.

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**Complaints (cont.)**

If the complaint has been elevated to the Regional/Program Manager, Chief and DD and remains unresolved, the complaint will be referred to the OOO for an independent investigation. All complaints referred to the OOO will be promptly investigated and all relevant parties will be informed of the complaint and the investigation finding(s) and

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resolution(s). Staff and complainants can expect fair and confidential handling of the complaint investigation.

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## **Limitations**

The OOO attempts to assist families or individuals in timely resolution of their complaints against CWS. All complaints will be handled in an objective, impartial manner. The following limitations exist:

- The OOO does not have the authority to:
  - make recommendations to Court and/or overturn Court decisions.
  - make exceptions to State or Federal Law/Policy.
  - investigate and/or make recommendations in personnel or disciplinary actions.
- The focus of the OOO will be on policies and procedures within CWS. The OOO communicates information discovered in OOO review process to the individual's immediate supervisor and higher chain of command. Complaint actions are documented is by the OOO.

If the complainant has a claim against the County, or is involved in litigation or a lawsuit against the County, the OOO will suspend its investigation until the legal action is completed.

Every attempt will be made to resolve the complaint at the lowest level. Efforts will include making appropriate referrals to the complainant when the complaint is outside the authority of the OOO.

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**Process**

When a complaint/concern regarding CWS policies, procedures and practices is received by the OOO, the following will occur:

| STEP | ACTION   |
|------|--|
| 1    | Log complaint for tracking and statistical purposes.   |
| 2    | Assign complaint to an OI for review.  |
| 3    | <p>Action taken by OOO to address the complaint may include, but is not limited to:</p> <ul style="list-style-type: none"><li>• Referring the complainant to the SW and chain of command.</li><li>• Calling SW, PSS or Manager to discuss complaint.</li><li>• Calling SW, PSS or Manager to facilitate communication between complainant and CWS.</li><li>• Facilitating meetings between complainants and CWS staff in an attempt to resolve issues and/or attending MDT meetings.</li><li>• Investigating current case status.</li><li>• Counseling complainant on current CWS procedures.</li><li>• Counseling complainant on Juvenile/Family Court process, and making referrals when appropriate.</li><li>• Writing and distributing a formal Citizen Complaint to the region/special program.</li></ul> |
| 4    | <p>If an Administrative Case Review or Practice elevation is required, action by the OOO may include but is not limited to:</p> <ul style="list-style-type: none"><li>• Sending notification to SW and chain of command indicating that a full case review will be conducted.</li><li>• Reviewing the case, including the hard file and CWS/CMS.</li><li>• Consulting with the complainant, SW and chain of command</li><li>• Writing case review reports with recommendations for the CWS Director (reports are confidential and are not submitted to staff involved in the case).</li><li>• Sending case review closing notice to SW and chain of command.</li></ul>   |

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**Citizen complaints received in region**

When a formal Citizens Complaint is received about any CWS staff, a Citizen's Complaint Form (18-91) will be completed. The Citizen's Complaint Form will be completed by the OOO. When a complaint is received in region/program, the regional staff will complete section A on the Citizen's Complaint Form and send this form to the OOO. . A Citizen Complaint Acknowledgment Letter (18-91A) is to be sent to the complainant by the employee handling the complaint (Chief, Manager, PA, PSS, or SW). Upon completion of the review, the staff handling the complaint completes an Outcome Letter (18-91B) and forwards a signed copy of the 18-91B to the Office of the Ombudsman. Ombudsman staff will send the 18-91B to complainant. The Ombudsman will log and track the complaint and forward a copy to the CWS Director.

OOO brochures are available to the public in the lobby of all CWS offices.

**Citizen complaint received by OOO**

OOO Citizen Complaint Procedures:

| STEP | WHO                        | ACTION  |
|------|----------------------------|---|
| 1    | OI                         | <ul style="list-style-type: none"> <li>• Listen to and clarify issues with the Complainant.</li> <li>• Review CWS case information.</li> <li>• Contact CWS SW/PSS (If immediate action is necessary).</li> <li>• Complete Citizen Complaint (18-91) form.</li> <li>• Contact Complainant to clarify and confirm the information in the Citizen Complaint (18-91).</li> <li>• Forward Citizen Complaint (18-91) to the Ombudsman PSS.</li> </ul> |
| 2    | Ombudsman PSS              | <ul style="list-style-type: none"> <li>• Review Citizen Complaint (18-91).</li> <li>• Forward Citizen Complaint (18-91) form, the Acknowledgement Letter (18-91A) and the Citizen Complaint Outcome Letter (18-91B) to the PSS, CWS Manager, Chief, DD and Regional Director via e-mail.</li> <li>• Track and document all forms.</li> </ul> <p><b>NOTE:</b> Staff the complaint is about are not included in the e-mail.</p>                   |
| 3    | Ombudsman Office Assistant | <ul style="list-style-type: none"> <li>• Sends the completed and signed Citizen Complaint Outcome Letter (18-91B) to the Complainant.</li> <li>• Copies and files complaint.</li> </ul>   |

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**Staffing structure**

This table displays the staff, which makes up the Office of the Ombudsman and their duties.

| STAFF                                       | DUTIES  |
|---|---|
| Ombudsman<br>Manager/Executive<br>Assistant | <ul style="list-style-type: none"><li>• Oversee and manage the OOO.</li><li>• Oversee the evaluation and assessment of each complaint.</li><li>• Establish ongoing liaison with CWS related service providers, employee organizations and community groups relating to role and purpose of the Office.</li></ul>  |
| Ombudsman PSS                               | <ul style="list-style-type: none"><li>• Identify concerns and make recommendations regarding CWS practice, policies, procedures and complaint resolution to OOO Manager.</li><li>• Prioritize and assign an OOO investigator when appropriate.</li><li>• Provide information and referral services, community outreach and consultation.</li><li>• Provide statistics and reports of investigations and dispositions to identify issues, patterns, trends and recommend systems' changes.</li><li>• Track and Fatalities and Near Fatalities.</li><li>• Liaison with the State Ombudsman office and CDSS regarding Fatalities and Near Fatalities.</li></ul>  |
| OI's  | <ul style="list-style-type: none"><li>• Conduct independent investigations of complaints about CWS policies and practices.</li><li>• Keep CWS staff informed of all relevant information.</li><li>• Refer the complainant to appropriate resources, individuals, or agencies when appropriate.</li><li>• Assist the Ombudsman in maintaining and generating accurate reports.</li><li>• Send opening and closing documents to staff when a full case review is conducted.</li><li>• Participate in Regional 300e Case Consultations.</li><li>• Participate in SB39 meetings and consultations.</li><li>• Participate in DVFRT meetings.</li><li>• Participate in CPT meetings.</li><li>• Participate in Child Fatality review meetings.</li></ul> |

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**Staffing structure  
(cont.)**

| STAFF                                    | DUTIES   |
|--|--|
| Ombudsman<br>Administrative<br>Assistant | <ul style="list-style-type: none"><li>• Assist CWS community relations efforts by ensuring communication accessibility to the Office for both the public and CWS staff.</li><li>• Provide support services to the staff of the OOO.</li><li>• Process all incoming Critical Incident Reports (CIRs)</li><li>• Complete all reporting to the Juvenile Justice Commission for all critical incidents involving dependent children/youth.</li></ul> |

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**CWS staff  
responsibilities**

Once a SW has been notified of the involvement of the OOO, it is expected that the SW will:

- Collaborate with the OOO staff to resolve complaints.
- Notify the OI of all court dates on the case being investigated.
- Notify the OOO of all case consultations so the OI may be included.
- Provide copies of court reports to the OI prior to hearings.

**NOTE:** Contact with the OOO is confidential and not to be recorded in case narratives or documented in Court reports. Do not keep OOO documents/forms in the hard file or scan into CWS/CMS.

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**Alignment With SET**

This policy supports Safety Enhanced Together (SET) [Value 4](#) and the agency practice to maintain open communication and transparency with families and community partners.

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