

Office of Children's Services Agrees to Rebuild Grievance System

The Office of Children's Services (OCS), formerly the Division of Family and Youth Services, cannot help but make people unhappy at some point. The caseworkers deal with children in state custody – or at risk of being in state custody – and are required to exercise discretion every day regarding which foster parents a child should stay with, treatment planning for parents, evaluation of a child's relative as a possible placement, visitation for parents, siblings, and grandparents. The caseworkers make decisions that upset people, and some of those decisions may be wrong. Ideally, an agency in this situation can self-correct through an internal grievance or appeal system. OCS has a grievance process, as required by statute, and the process is laid out in OCS regulations.

The ombudsman, not surprisingly, receives numerous complaints regarding OCS. While reviewing individual complaints, the ombudsman became concerned that the OCS grievance system did not appear to be functioning effectively. The ombudsman opened an investigation to review the overall effectiveness of the grievance process.

Ombudsman investigators surveyed a sample of OCS employees, from front line staff to regional children's services managers. The survey included questions about knowledge of the grievance system; for the children's services managers, the ombudsman investigator asked each manager how many grievances he or she had handled, and asked for impressions of how well the process was working. Ombudsman investigators also surveyed individuals who had complained to the ombudsman about OCS, to determine whether they knew about the OCS grievance system, whether they had used it, and whether OCS responded to their grievances.

Despite the fact that OCS deals with many individuals who feel wronged by OCS at some point, grievances were surprisingly uncommon in most offices, indicating that the grievance process has not been serving as an effective dispute resolution method. There was no centralized tracking of grievances, so the children's services managers did not automatically know when a grievance was filed, or whether the grievance had been processed.

Some of the less-experienced OCS employees were unaware that OCS had a grievance process. Among experienced employees aware of the process, the consensus was that the grievance regulation was confusing and difficult to use. OCS did not provide any formal training regarding the grievance regulations, and requests for training were widespread in the survey responses from OCS employees.

The ombudsman concluded that the underlying problem is that the existing grievance regulations as a whole are poorly written. The requests for training in part reflected the excessive complexity of the regulations, and widespread confusion over how to apply the regulations arose from the regulatory language itself. The ombudsman recommended that OCS rewrite the grievance regulations, and OCS agreed to begin the revisions in July 2012. Once the regulation is rewritten, OCS agreed to provide training for employees in when to refer people to the grievance system, and how to respond to incoming grievances.

The ombudsman also recommended that OCS create a system to track filed grievances so that managers can easily monitor the number and subject matter of grievances being filed in their offices, as well as ensure that the grievances are handled in a timely manner. OCS has already appointed one employee to receive all grievance filings, and OCS agreed to work on a tracking system.

[Link to the Public Report](#)