

Chapter 1 Overview:

This chapter outlines the various grievance and appeal processes available in the areas of service delivery, CA/N outcomes, foster/adoptive licensing revocations or denials, case management decisions made regarding a child in care and subsidy issues.

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Memoranda History:

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1.1 Service Delivery Grievance Process

The Children's Division shall provide access to a fair and impartial grievance process to address licensure, case management decisions, and delivery of service issues per RSMo 210.566.

The Children's Division is committed to providing the children and families of Missouri with the best possible services in the most professional manner. In order to maintain a continuous quality improvement culture within the organization, it is important to ensure that all youth and families served are informed of their rights and have a formal process to voice their concerns.

The Service Delivery Grievance Process is a mechanism that allows families the opportunity to express their concerns regarding any perceived inequities, unfair treatment, or dissatisfaction with agency actions or behaviors.

1.1.1 Who may File a Grievance:

1. Any adult family member who is currently receiving services or has had services terminated within the past 30 days.
2. Youth 12 years of age or older.
3. Any child younger than 12 years of age with the assistance of a parent, guardian, resource provider, or Guardian ad Litem.
4. Any resource provider, with the exception of resource providers who work with contracted agencies to provide care. These resource providers must utilize the process outlined by the contracted foster care case management agency.

1.1.2 What Constitutes a Grievance:

1. A grievance is a complaint based upon an actual or perceived situation in which the person feels there is just cause for protest or disagreement.
2. A grievance may be any disagreement or complaint a youth, family member, or resource provider has with an employee or a contractor of the Children's Division. A grievance may be related to a variety of service provision issues. A few examples are, but not limited to:
 - Youth does not agree with placement recommendation made by worker and the Family Support Team.
 - Parent does not feel they are receiving services as provided for in the case plan.

- Incarcerated parent is not satisfied with arrangements for visitation with child.
- Family dissatisfied that visits and/or meetings are cancelled without appropriate notice.
- Parents believe non-court ordered visitation with children should be extended.
- Person disagrees with a Family Assessment determination.

1.1.3 What is Not Grievable Through this Process:

1. Any complaint of discrimination based upon race, color, national origin, age, sex, disability, religious or political beliefs. All complaints of this nature must follow Policy 2-104 found in the Department of Social Services Administrative Manual.
2. Any complaint involving or alleging criminal activities of employees. The Regional Director, or his/her designee, shall refer these complaints immediately to the Division Director's Office for review and any necessary action.
3. Any dispute with the outcome of a Child Abuse/Neglect investigation. These complaints shall proceed through the established CA/N Review process.

Related Subject: Section 2 Chapter 4 [Investigation Response](#)

4. Any court ruling or current statute.
5. Guardian ad Litem (GAL), Court Appointed Special Advocate (CASA), or judge appointments. Complaints about these appointments must be addressed through the court of jurisdiction.
6. Any foster/adoptive licensing revocations or denials. These complaints shall be dealt with according to the Fair Hearing Process.

Related Subject: Section 6 Chapter 7.1 [Children's Services Fair Hearing Process](#)

7. Any complaint by a resource provider about a case management decision regarding a child in their care. These complaints shall proceed according to Alternative Care Review Board (ACRB).

Related Subject: Section 6 Chapter 7.2 [Alternative Care Review Board \(ACRB\)](#).

8. Those persons receiving adoption subsidy, or guardianship subsidy are not eligible to use this grievance procedure. Subsidy grievances shall proceed according to the Children's Services Fair Hearing Process.

Related Subject: Section 4 Chapter 30.10 [Miscellaneous](#), Section 6 Chapter 7.1 [Children's Services Fair Hearing Process](#)

1.1.4 Agency Do's:

- **Do** inform youth, families, and resource providers of their rights and grievance procedures.
- **Do** assist the grievant through the process, if requested.
- **Do** remain solution focused and work to resolve the complaint.
- **Do** document, in the case record, any and all actions taken on complaints.
- **Do** inform grievant of outcome and actions.

1.1.5 Agency Don'ts:

- **Don't** prevent the grievant from pursuing his/her right to file a grievance or complaint.
- **Don't** retaliate against any person who participates in or initiates the grievance process.
- **Don't** allow the process to become adversarial or accusatory.

1.1.6 Steps in the Formal Grievance Process:

The Formal grievance protocol is to be utilized after all other efforts to resolve the issue or complaint have been exhausted. Other efforts include solution-focused discussions with the worker, the supervisor, and other Family Support Team members.

Level One - Actions taken at this level include the grievant, worker, supervisor, Family Support Team (if needed) and the Circuit Manager or Regional Designee. The goal is to resolve the complaint/grievance at the local county level:

1. The grievant shall initiate the grievance process by submitting a completed Service Delivery Grievance Form, CS-131, to the county office. The Children's Service Worker shall help the grievant complete the form if requested. The grievant shall complete Section A of the grievance form stating the formal grievance and all efforts made by the grievant to resolve the issue with the worker, the worker's immediate supervisor, and the Family Support Team.
2. Within 15 working days of receiving the completed Service Delivery Grievance Form in the county office, the Circuit Manager or Regional Designee shall:
 - By phone or in person, review and discuss in detail the complaint with the grievant, the worker, and the supervisor;
 - Work together with all parties to resolve the disagreement or complaint;
 - Prepare and provide the grievant, the worker, and the supervisor with a written response to the grievance by completing Section B of the Service Delivery Grievance Form, indicating actions taken at Level One to resolve the issue; and
 - Provide the updated copy of the form to the grievant, worker, and supervisor.
3. A copy of the updated grievance form with Level One response shall be placed in the Administrative section of the family record.
4. The Circuit Manager or Regional Designee shall enter information from the Service Delivery Grievance Form into the Service Delivery Grievance Database.

Level Two - Actions taken during this step include the grievant and the Regional Director or his/her designee:

1. If the grievant does not agree with the response from Level One, they may continue the grievance process by submitting the Service Delivery Grievance Form received from Level One to the Regional Director's office. This must be done within 15 working days from the date the written response is received from Level One.
2. Within 15 working days of receiving the completed Service Delivery Grievance Form in the Regional Director's office, the Regional Director or his/her designee shall:

- Review all pertinent information obtained at Level One such as worker involvement and contacts with all necessary individuals;
 - Contact grievant, by telephone or in person, to listen to and discuss grievance in detail;
 - Work together with grievant to resolve the disagreement or complaint;
 - Prepare and provide the grievant and the Circuit Manager or Regional Designee with a written response by completing Section C of the grievance form, indicating actions taken at Level Two to resolve the issue; and
 - Provide the updated copy of the form to the grievant and to the Circuit Manager or Regional Designee.
3. A copy of the updated Service Delivery Grievance Form with the Level Two response shall be placed in the Administrative section of the family record.
 4. The Regional Director or his/her designee shall enter information regarding determination from Level Two of the Service Delivery Grievance Form into the Service Delivery Grievance Database.

Level Three - This is the final step in the grievance process and involves the grievant and the Children's Division Director or his/her designee:

1. If the grievant does not agree with the response from Level Two, they may continue the grievance process by submitting the grievance form received from Level Two to the Division Director's office. This must be done within 15 working days, by mail or in person, from the date the written response is received from Level Two.
2. Within 15 working days of receiving the Service Delivery Grievance Form in the Division Director's office, the Division Director or his/her designee shall:
 - Review all information pertaining to the grievance at the first two levels such as worker involvement and contacts with other necessary individuals including grievant;
 - Contact grievant, by telephone or in person, to listen and discuss the grievance in detail;
 - Complete Section D of the grievance form;

- Prepare and mail the grievant a copy of the Service Delivery Grievance Form with the final written response in Section D; And
 - Forward a copy of the final grievance form to the Regional Director or his/her designee.
3. The Regional Director or his/her designee shall ensure that the final Service Delivery Grievance Form is placed into the Administrative section of the family record.
 4. A copy of the final grievance form from Level Three shall be maintained in the office of the Division Director.
 5. The Division Director or his/her designee shall enter information regarding Level Three determination from the Service Delivery Grievance Form into the Service Delivery Grievance Database.

Confidentiality and Access to Records

The documentation that is generated from this process shall be maintained in the family case record, filed in the Administrative Section. Agency personnel will follow the same confidentiality guidelines for information gathered during the grievance process as any other information gathered during Service Delivery.

Data for the Continuous Quality Improvement Process

The need to track outcomes and the means by which they were achieved is an important part of the quality improvement process. There will not be a requirement for staff to track the outcomes of the grievance process, however, staff are required to document the grievance in the narrative section of the record and file the Service Delivery Grievance Form in the Administrative Section of the case file.

The information that is received from Level One through Level Three of the grievance process needs to be collected and aggregated for use in the CQI process. Circuit Managers or Regional Designees, Regional Directors or his/her designee, and the Division Director or his/her designee are responsible for making sure that all Service Delivery Grievance Form information is entered into the Service Delivery Grievance Database at each of their perspective levels in a timely manner. Central office will aggregate this data and send quarterly reports to each county and region for use during all levels of CQI meetings.

The ultimate goal is to use the information gained from the process to continually build upon our quality service delivery system. Each team that reviews the reports should look for trends related to the quality of services being delivered, program issues, communication, etc. that led to the grievances. If trends are identified it is expected that an action plan be developed to remedy any identified area of concern.

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Steps that are taken to rectify any of the identified issues should be reported to the next level CQI team and followed-up at the next quarter local team meeting to monitor progress.

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1.2 The Service Delivery Grievance Database

All Children's Service staff will be able to access and view information in the Service Delivery Grievance database. **Only Circuit Managers, Regional Designees, and above will have access to enter and edit information into the database.**

1.2.1 Accessing and Viewing the Service Delivery Grievance Database:

(All Children's Service staff)

1. After opening Lotus Notes, go to "File", then to "Database", then click on "Open". (You must have access to Lotus Notes. As necessary, staff shall contact their area technical coordinator for such access.)
2. Under "Server: "scroll to and select the server on which you receive your lotus notes mail. Under "Database: "scroll down to and select" CQI Activity Log and Discussion" and click on "Open".
3. Click on "Grievances". This will open the grievance database and from here grievance information and trends by county, circuit, area, grievance issue, service received, grievance profile, quarter, and grievance level can be viewed.

1.2.2 Entering Initial and Level One Grievance Information into the Service Delivery Grievance Database:

(Circuit Manager or Regional Designee)

1. Follow steps one through three in the previous instructions for accessing and viewing the grievance database.
2. If entering data for Level One, click on "Create New Service Delivery Grievance".
3. Enter the following data into the required fields from the paper copy of the Service Delivery Grievance Form:

Use the tab key to advance to each field.

- **Date Grievance Initially Filed:** Enter the date (01/01/2001) that the County Office received the initial grievance form, usually indicated by a date stamp.
- **County:** Enter the county in which the grievance was filed by either typing in the name of the county or clicking on the arrow to the right of the field, selecting the county, and clicking on "okay".

- **Name:** Enter the first and last name of the person filing the grievance.
 - **DCN:** Enter the DCN of the person filing the grievance.
 - **SSN:** Enter the SSN of the person filing the grievance.
 - **Grievant Profile:** Click on the arrow to the right of the field and then click on the profile type that best describes the person who is filing the grievance. Then click “okay”. If “other” is selected, a hidden field will pop up requesting an explanation for that choice. Enter what is meant by “other” in this field.
 - **Category of Grievance Issue:** Click on the arrow next the field and select the category/categories of grievance that best describes the issue/issues being grieved. More than one category may be selected if there is more than one grievance issue. If “other” is selected, a hidden field will pop up requesting an explanation for that choice. Enter what is meant by “other” in this field.
 - **Type of Services Received:** Click on the box next to the service/services that are being received by the person filing the grievance. More than one box may be selected if more than one service is being received.
 - **Level:** Click on the arrow next to the field and then click on “1”. This should put a check mark beside the “1”. Click on “okay”.
 - **Date of Level One Determination:** Enter the date that the Level One determination was completed and signed by the Circuit Manager or Supervisor III by typing in the date (01/01/0001) or clicking on the calendar option in the right of the field box and then clicking on the appropriate date.
4. Click on “Save and Close” which is located at the top of the form. Initial grievance and Level One information has now been entered and saved in the database.

1.2.3 Entering Level Two Grievance Information into the Service Delivery Grievance Database:

(Regional Director or his/her designee)

1. Follow steps one through three in the previous instructions for accessing and viewing the database.

2. In order to enter Level Two determination information, the original Service Delivery Grievance information for Level One must be located in the database. To do this, click on the "Search" icon and select "Show Search Bar".
3. In the box next to "Search For", type in the last name of the person who filed the grievance and click on the "Search" button. This will search the database for all persons with that name. A search may also be done by DCN or SSN if needed. Once a match is found that database entry will appear below with a bold box around it.
4. Double click inside the bold box. This will open up the original data entry form for that particular person.
5. Click on the "Edit" icon.
6. Tab to the "Level" field. Click on the arrow next to the "Level" field and then click on "2". There should now be a check mark beside the "1" and "2". Click on "okay". Be sure to leave a check mark by the "1".
7. Click anywhere next to the "Level 1" tab and this will refresh the page and a "Level 2" tab should appear.
8. Enter the date (01/01/0001) that the Level Two determination was signed by the Regional Director or his/her designee by typing in the date (01/01/0001) or clicking on the calendar option in the right of the field box and then clicking on the appropriate date.
9. Click on the "Save and Close" icon. Level Two information has now been entered and saved in the database.

The only information to be edited is the Level and Date of Level 2 Determination fields. All other information should remain the same.

1.2.4 Entering Level Three Grievance Information into the Service Delivery Grievance Database:

(Children's Division Director or his/her designee)

1. Follow steps one through five in the previous instructions for Entering Level Two Grievance Information.
2. Tab to the "Level" field. Click on the arrow next to the "Level" field and then click on "3". There should now be a check mark beside the "1", "2" and "3". Click on "okay". Be sure to leave a check mark by the "1" and "2".

3. Click anywhere next to the “Level 2” tab and this will refresh the page and a “Level 3” tab should appear.
4. Enter the date (01/01/0001) that the Level Three determination was signed by the Division Director or his/her designee by typing in the date (01/01/2001) or clicking on the calendar option in the right of the field box and then clicking on the appropriate date.
5. Click on the “Save and Close” icon. Level Three information has now been entered and saved in the database.

The only information to be edited is the Level and Date of Level 3 Determination fields. All other information should remain the same.

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