

# Assessment of the Office of the Ombudsperson

Humboldt County  
Child Welfare  
Services

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Prepared by:



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Humboldt.

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The California Center for Rural Policy at Cal Poly Humboldt is a research and policy center committed to informing policy, building community, and promoting the health and wellbeing of rural people and environments.

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# INTRODUCTION

The California Center for Rural Policy (CCRP) at Cal Poly Humboldt was contracted with the Humboldt County Department of Health & Human Services- Child Welfare Services (CWS) to assess the CWS Office of the Ombudsman and provide data-based recommendations to ensure that CWS has a mechanism in place to respond in a timely and effective manner to complaints or concerns raised by families and community partners.

The summary report includes the following:

- Review of existing data and reports collected by the Ombudsman Office. Categorize types of complaints received to date.
- Revisit the intent and purpose of the Ombudsman Office.
- Conduct an analysis that connects the desired intent and purpose with types of calls received to assess whether or not the current structure is serving its' intended purpose.
- Review how other CWS Ombudsman Offices operate around the state and compile summary information. Include a review of other models/mechanisms used by public agencies that provide a clear path for community members to provide input and/or complaints.
- Recommendations and options for how to ensure that, through the Ombudsman Office and/or other means, CWS has mechanisms in place to respond in a timely and effective manner to complaints or concerns raised by families and community partners.

# METHODS

CCRP reviewed the following materials (documents, data, and/or websites) to inform the report:

- International Ombuds Association: Code of Ethics and Standards of Practice
- Humboldt County Civil Grand Jury Report: HCCGJ 23-24 Report- Child Welfare Services Ombudsperson
- California Department of Social Services:
  - All-County Information Notice (ACIN) 1-29-33 ICWA Hotline
  - Division 31 Section 020: Grievance Procedures
  - California Office of the Foster Care Ombudsperson
- California Welfare & Institutions Code (WIC)
- Humboldt County Child Welfare Services:
  - Policy & Procedure No.10-75 Complaint Resolution and Grievance Review
  - CWS Complaint Form
  - CWS Ombuds brochure (English & Spanish)
  - CWS Office of the Ombudsperson Data 2023-2024
  - CWS Ombudsperson Complaint Closing Form
  - CWS Complaint Supervisor Review Prior to Ombuds Investigation

# BACKGROUND

## What is an Ombudsperson?

According to the International Ombuds Association (IOA-ombudsassociation.org), the word “ombudsman” means “representative” or “proxy.” While there are many kinds of ombuds, for purposes of this report CCRP examined the role of an organizational ombuds. According to the IOA, “An organizational ombuds is an individual who serves as a designated neutral within a specific organization and provides conflict resolution and problem-solving services to members of the organization (internal ombuds) and/or for clients or customers of the organization (external ombuds). There are organizational ombuds in all sectors (corporate, academic, governmental, non-governmental, non-profit, etc.). Some may serve both internal and external constituencies.

An organizational ombuds provides confidential, informal, independent and impartial assistance to individuals through dispute resolution and problem-solving methods. The organizational ombuds responds to concerns and disputes brought forward by visitors to the office and may convey trends, systemic problems, and organizational issues to high-level leaders and executives in a confidential manner. Ombuds do not advocate for individuals, groups or entities, but rather for the principles of fairness and equity. The organizational ombuds does not play a role in formal processes, investigate problems brought to the office’s attention, or represent any side in a dispute.”

The International Ombuds Association follows a code of ethics and standards of practices governing the following key areas:

- **Independence:** The Ombuds is independent in structure, function and appearance to the highest degree possible within the organization.
- **Neutrality and Impartiality:** The Ombuds is a designated neutral and remains unaligned and impartial.
- **Confidentiality:** The Ombuds holds all communication with those seeking assistance in strict confidence. The only exception is where there appears to be imminent risk of serious harm.
- **Informality and Other Standards:** The Ombuds, as an informal resource, does not participate in any formal adjudicative or administrative procedure related to concerns brought to their attention.

In June 2024, the Humboldt County Civil Grand Jury released a report on the Child Welfare Services Ombudsperson. In that report, the following definition was provided for an ombudsperson, according to the Merriam-Webster dictionary:

*“a person who investigates, reports on, and helps settle complaints : an individual usually affiliated with an organization or business who serves as an advocate for patients, consumers, employees”*

## Division 31

Division 31 regulations reside within the California Department of Social Services (CDSS) Manual of Policies and Procedures. These policies and procedures outline the standards that child welfare agencies must follow during the investigation and response to allegations of child

abuse and neglect. They are essentially the governing rules for child welfare practice in the State of California. The regulations are based on California law and are enforceable in court. The goal of Division 31 regulations is to ensure that child welfare agencies across California are following similar procedures when handling cases involving child abuse and neglect, with the ultimate goal of protecting and ensuring the safety and well-being of children in the state of California.

According to the online manual maintained by CDSS, all manual letters and regulations are available for public use.<sup>1</sup> As of January 2025, the most recent update was 4/1/2023, indicating that the manual is, in essence, a living document.

There is no Division 31 regulation that requires county child welfare services to operate an ombuds office. Rather, Division 31 Section 020 GRIEVANCE PROCEDURES (31-020) provides the following guidance: “Grievance procedures shall be developed to review complaints from foster parents, legal parents, guardians, and children concerning the placement or removal of a child from a foster home. All issues shall be resolved in the best interest of the child.”

## **Welfare and Institutions Code**

The California Welfare and Institutions Code (WIC) is California public law and refers to the laws related to the State’s provision of care, assistance, and protection to people in need. The goal of these laws is to improve the welfare of residents of the State of California. WIC addresses the welfare of children as well as people with disabilities, the elderly, and justice-involved youth. WIC addresses service areas including Mental Health, Medi-Cal, Cal Fresh, Rehabilitation, and Long-Term Care. The WIC has been amended many times since first codified in 1937. Additional information about WIC can be found at <https://leginfo.legislature.ca.gov/>.

The only WIC that references an ombuds program is WIC section 16160, which requires the operation of a Foster Child Ombuds Program, and mandates an ombuds office that investigates complaints related to foster care. This office is established within the California Department of Social Services. There is no requirement for individual counties’ child welfare programs to operate an ombuds office at the county level. As referenced below, the law that governs the California Office of the Foster Care Ombudsperson is WIC: Division 9. Public Social Services. Part 4. Services for the Care of Children.

WIC Section 827 is also relevant to the complaint procedure required by the 2018 Judgment. CWS records and information are protected and cannot be disclosed to individuals without a court order. Therefore, certain information cannot legally be released to complainants as they are considered confidential case information. Any complaint resolution process instituted by Humboldt County CWS must adhere to this law.

## **Local Context**

The Humboldt County CWS Office of the Ombudsperson was created in 2018 as part of a legal settlement with the State of California that required CWS to establish a complaint procedure to

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<sup>1</sup> <https://www.cdss.ca.gov/inforesources/letters-regulations/legislation-and-regulations/child-welfare-services-regulations>

give a voice to families involved in the Child Welfare Services system. While CWS chose to implement the Office of the Ombudsperson, the language of the judgment was less specific:

“Within 60 days of the judgment, Defendant CWS shall create a complaint procedure that can be easily understood by and publicized to the community. This procedure shall include the time frame for handling complaints submitted formally and informally, written and orally. CWS shall create a policy designating a supervisor who will be responsible for ensuring all complaints are investigated.”

It is important to note that the specific language pertains to a complaint procedure, and did not require the standards of practice outlined by the International Ombuds Association.

*Overview of CWS Office of the Ombudsperson (from the CWS website)*

The Humboldt County Department of Health & Human Services, Child Welfare Services (CWS) has an ombudsperson who provides the following services:

- Independent review of concerns or complaints related to Humboldt County Child Welfare Services
- Information, consultation and facilitation related to Humboldt County Child Welfare Services
- Assistance with problem resolution relation to Humboldt County Child Welfare Services

The purpose of the Child Welfare Services Office of the Ombudsperson is to do the following:

- Provide information and consultation regarding Child Welfare Services policies, procedures and practices
- Receive and monitor concerns and complaints regarding Child Welfare Services
- Facilitate communication with pertinent Child Welfare Services staff for problem resolution in an impartial and objective manner
- Conduct independent internal reviews of concerns or complaints regarding Child Welfare Services policy, procedure and practices
- Receive and investigate grievances regarding the placement in or removal from a foster home, per Division 31
- Oversee the evaluation and assessment of each concern or complaint
- Elevate findings and recommendations to management to ensure that policies and practices meet state and federal laws, and are consistent with the mission and goals of Child Welfare Services

The Child Welfare Services Office of the Ombudsperson does not have authority to do the following:

- Make recommendations to the court or overturn court orders
- Investigate matters in which appeals or lawsuits are pending
- Change or make exceptions to state or federal laws or regulations
- Investigate, make recommendations, or take action in personnel or disciplinary matters
- Give legal advice

# REVIEW OF OTHER JURISDICTIONS & STATEWIDE RESOURCES

According to the California Office of the Foster Care Ombudsperson, the majority of California counties do not have a county-level ombudsperson office. Eight of fifty-eight (13.7%) counties were listed as having an ombudsperson as of 10/26/2020. The counties that do include them are listed below:

As noted in the table, Humboldt County is the only California’s county with a population under 150,000 that has an ombudsperson office for child welfare. In addition, more than 85% of California counties, regardless of size, do not have county-level ombudsperson offices for child welfare. As an example, Contra Costa County, with a population of over 1 million people, handles complaints through the ombudsperson’s office for the following programs: CalWORKs, Medi-Cal, Cal Fresh, General Assistance, In-Home Supportive Services, Adult Protective Services and Children & Family. The scope of the ombuds function varies by county for the eight counties that have one.

County	Population of County <sup>2</sup>
Contra Costa	1,155,025
Humboldt	133,985
Kern	913,820
Los Angeles	9,663,345
Sacramento	1,584,288
San Diego	3,269,973
San Francisco	808,988
Yolo	220,544

## California Office of the Foster Care Ombudsperson (OFCO)

The California Office of the Foster Care Ombudsperson (OFCO) is a statewide resource available to children and families. The mission of the California Office of the Foster Care Ombudsperson (OFCO) is to “advocate on behalf of foster children and youth regarding their care, placement, and services. The OFCO is an autonomous entity that is empowered to investigate and informally resolve complaints impacting foster youth, increase awareness about foster youth rights, and make recommendations to help support systemic change.”

The law that governs the OFCO is [Welfare and Institutions Code section 16164](#).

## California Department of Social Services (CDSS)- Indian Child Welfare Act (ICWA) Hotline

According to CDSS, “in 2021, the CDSS collaborated to develop concrete action steps to provide oversight of county implementation of ICWA standards. As a result of this collaboration, the ICWA Hotline was conceived as a method for tribal representatives and, eventually, other interested individuals to make confidential disclosures regarding child welfare practice by county CWS agencies and probation departments as it relates to ICWA requirements.”

<sup>2</sup>United States Census Bureau, Quick Facts. <https://www.census.gov/quickfacts>

On May 23, 2023, CDSS released an All County Information Notice (ACIN) No. 1-23-23 to formally disseminate information to county and federally recognized Tribes regarding the implementation of the ICWA hotline. The hotline provides a direct report option to CDSS for allegations of non-compliance with California Indian child welfare laws. The ACIN is publicly available on CDSS's website.<sup>3</sup>

According to the ACIN, the bullet points below summarize the purpose of the ICWA hotline:

- “Provide a means for tribal representatives to report to the CDSS any issues regarding the implementation of ICWA, California Indian child welfare laws, and related federal and California State regulations and guidelines. The reports may be about specific cases, or more generally about systemic issues within a county.
- Create a team within the CDSS's CSIR unit, in collaboration with other divisions and branches within the CDSS, including the Office of Tribal Affairs (OTA), to investigate reports to the hotline, attempt to resolve the issues reported, and to report the results of the complaint and resolution efforts to the reporting party and the impacted tribe. Reports to the reporting party and the tribe will be consistent with federal and state confidentiality and privacy laws.
- Provide a dedicated hotline and electronic mailbox to receive reports through an automated process 24 hours a day, 7 days a week. The hotline and the electronic mailbox will be monitored during normal business hours.
- Establish a website that offers more information about the hotline, information on its purpose, and clarification of the roles of the hotline.
- Work collaboratively with tribes and counties to provide oversight of county Indian child welfare practices that may include, but not be limited to, increased technical assistance, policy interpretation and clarification, and corrective action.
- When available, provide accessible data reporting of complaints and investigations aggregated and de-identified in a manner that prevents the identification of the complainant and/or the individual who is a subject of the child welfare or juvenile justice proceeding.”

CDSS goes on to state that “Tribal representatives may report their concerns by:

- Calling the ICWA Hotline number at 1-844-796-6283
- Submitting a disclosure report form SOC 889 electronically via the ICWA Hotline inbox at [CDSSICWASupport@dss.ca.gov](mailto:CDSSICWASupport@dss.ca.gov)
- Mailing a written disclosure report form SOC 889 via the CDSS mailbox at 744 P St, Sacramento, CA 95814, mail station 8-12-90”

Additional information and resources are also available on the CDSS ICWA Hotline webpage.<sup>4</sup> Relevant reports must be made by tribal representatives, tribes, attorneys representing a tribe, or tribal designees. Reports must also involve an Indian child in an open child welfare case, referral, or juvenile probation case.”

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<sup>3</sup> [www.cdss.ca.gov](http://www.cdss.ca.gov)

<sup>4</sup> <https://cdss.ca.gov/inforesources/icwa-hotline>

# REVIEW OF 2023-2024 DATA FROM THE CWS OFFICE OF THE OMBUDSPERSON

CCRP reviewed data provided by the CWS Office of the Ombudsperson for the following dates: 1/4/2023-12/4/2024. Data was scrubbed all of identifiable information. One hundred and twenty-six (126) calls were recorded during this time period.

Figure 1. Affiliation of Caller

Affiliation of Caller	Number of Caller	Percentage of Total Caller
Client	36	29%
Relative of Client	35	28%
General Public or Service Provider	22	17%
Care Provider	10	8%
Other	6	5%
County Employee	5	4%
Blank or Unknown	5	4%
Multiple Categories	3	2%
Attorney	1	Less than 1% (.008)
School	1	Less than 1% (.008)
Tribe/Tribal Agency	1	Less than 1% (.008)
Law Enforcement	1	Less than 1% (.008)
<b>Total Calls Received</b>	<b>126</b>	

More than half (57%) of calls were from a client or a relative of the client. Approximately one-quarter (25%) of calls were from the general public, a service provider, or a care provider. The remaining 18% of calls came from a variety of sources (see above) or were unknown/blank (4%).

Figure 2. Type of Call

Types of Calls	Number of Calls	Percentage of Total Calls
Request for Information	59	47%
Complaint	57	45%
Request for Support/Advocacy	7	6%
Comment/Suggestion	2	2%
Unknown	1	Less than 1% (.008)
<b>Total Calls Received</b>	<b>126</b>	

Of the 126 calls received during the 24 month period examined, 57 or 45% were complaints. The remaining calls were largely requests for information (47%). Seven calls (6%) were requests for support/advocacy.

In order to assess how many complaints were received in comparison to the total number of cases held by CWS, CCRP requested the total case load numbers from CWS for 2023 and 2024. The following information was provided.

During 2023, there were a total of 632 cases receiving ongoing services open at any time during the year, and an additional 3,297 reports made to the hotline. Off the 3,297 reports received at the hotline, 1,022 were assigned for investigation and 2,275 did not meet the threshold for assigning for investigation and were evaluated out.

For comparison, during 2023, there were 73 calls to the CWS Office of the Ombudsperson and 35 of those calls were classified as complaints.

During 2024, there were a total of 622 cases receiving ongoing services open at any time during the year, and an additional 3,243 reports made to the hotline. Off the 3,243 reports received at the hotline, 1,045 were assigned for investigation and 2,198 did not meet the threshold for assigning for investigation and were evaluated out.

For comparison, during 2024, there were 53 calls to the CWS Office of the Ombudsperson and 22 of those calls were classified as complaints. Figure 3 provides a visual depiction of the above numbers.

Figure 3. Number of Active Cases & Reports & Number of Complaints Received

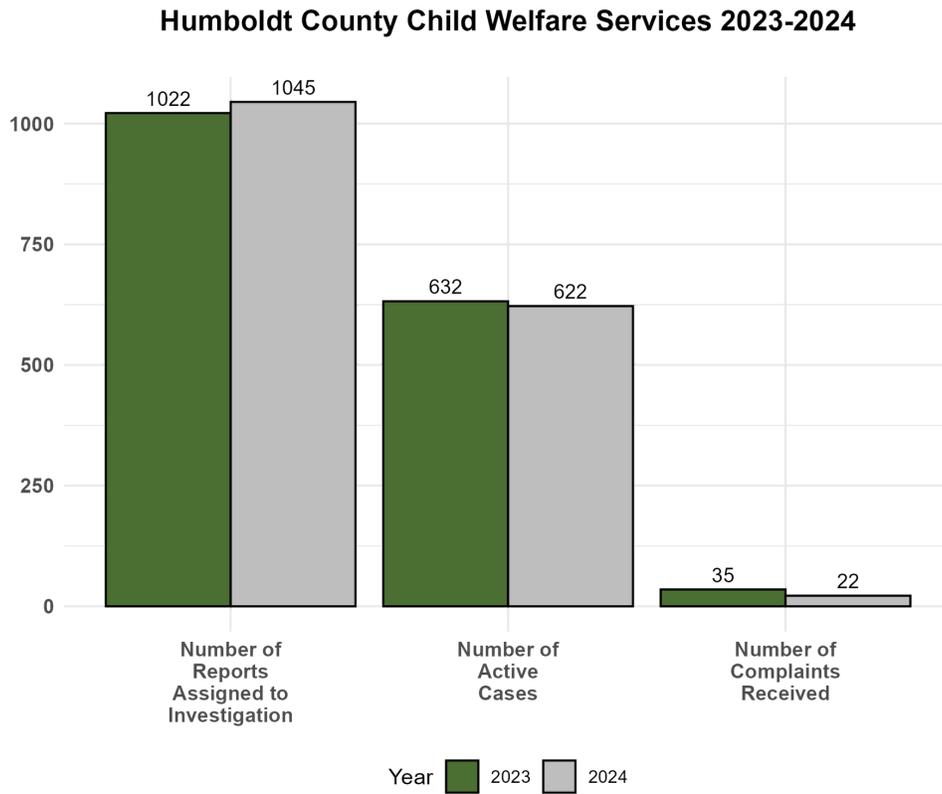


Figure 4. How was the call received?

Calls Received Through	Number of Calls	Percentage of Total Calls
Phone	115	91%
Email	5	4%
Letter/Written	5	4%
In Person	1	Less than 1% (.008)
<b>Total Calls Received</b>	<b>126</b>	

## Complaint Themes

Of the 126 calls the CWS Office of the Ombudsperson received between 2023 and 2024, 57 were classified as complaints. Figure 5 summarizes the major themes of these requests, and the following narrative provides additional details on those themes.

Figure 5. Complaint Themes: 2023–2024<sup>5</sup>

Complaint Themes	Number of Total Complaints 2023–2024
Communication with CWS Staff	23
Investigation Decisions	15
Placement Decisions	9
Visitation Related	8
Timeliness and Service Availability	7
Miscellaneous/Difficult to Categorize	6
Outcome of Report of Abuse	3
Inaccurate Reporting	3
Reunification	2
Tribal Collaboration	2
Case Closure	2
Communication between Family Members and/or Placement	2

<sup>5</sup> Note: The total complaints exceed 57 because some complaints touched on more than one theme.

*Communication with CWS Staff: 23 total complaints*

The majority of complaints in this theme centered around ineffective or inadequate communication with CWS staff. Assuming an average number of cases per year of 627, and an average of 12 complaints per year, complaints were received about staff communication in 1.9% of active cases.

*Investigation Decisions: 15 total complaints*

The majority of complaints in this theme centered around the caller disagreeing with decisions around investigations- from a decision not to investigate, decisions around removal of a child, to a rushed or improper investigation. Assuming an average number of reports assigned to investigation per year of 1,034, and an average of 8 complaints per year, complaints were received regarding investigation decisions in less than 1% (.8%) of reports assigned to investigation.

*Placement Decisions: 9 total complaints*

The majority of complaints in this theme centered around disagreement with placement decisions. Assuming an average number of cases per year of 627, and an average of 5 complaints per year, complaints were received about placement decisions in less than 1% (.8%) of active cases.

*Visitation Related: 8 total complaints*

The majority of complaints in this theme centered around concerns with the frequency or decision-making around visitation. Assuming an average number of cases per year of 627, and an average of 4 complaints per year, complaints were received about placement decisions in less than 1% (.6%) of active cases.

*Timeliness & Service Availability: 7 total complaints*

The majority of complaints in this theme centered around general concerns with timeliness and availability of services- from the timeliness of child and family team meetings, visitation and supervision, and concerns about the adequacy of available services. Assuming an average number of cases per year of 627, and an average of 4 complaints per year, complaints were received about timeliness and service delivery in less than 1% (.6%) of active cases.

*Miscellaneous/Difficult to Categorize: 6 total complaints*

Due to the individual and case-level nature of these six complaints, additional details are not provided to protect the identity of the caller.

*All Additional Categories: Outcome of Report of Abuse (n=3), Inaccurate Reporting (n=3), Reunification (n=2), Tribal Collaboration (n=2) and Case Closure (n=2)*

Fewer than five complaints were received about the following topics: outcome of report of abuse, inaccurate reporting, reunification, Tribal collaboration, and case closure. Again, to protect the identity of the callers, additional details are not provided here.

*Final Note on Complaint Themes:*

All complaints are important and documented, so the reader is cautioned from drawing conclusions that small numbers mean a complaint is not valid or important. In addition, the review of the complaint data was limited to the most recent two-year period, and is based only on documented calls classified as complaints in that time frame.

**Information Themes**

Of the 126 calls the CWS Office of the Ombudsperson received between 2023 and 2024, 59 were classified as requests for information. Figure 6 summarizes the major themes of these requests.

Figure 6. Requests for Information Themes

Request for Information Themes	Number of Total Requests for Information 2023-2024	Percentage of the Total Requests for Information
Information about CWS Services or Cases	29	49%
Information about Another Department or County	11	19%
Complaints about Other Departments	7	12%
Reports to Other Departments	2	3%
Unable to Reach Caller for Follow-Up	10	17%
<b>Total Number of Requests for Information</b>	<b>59</b>	

Figure 6 highlights that members of the public see the CWS Office of the Ombudsperson as more than just a complaint line. There were more requests for information (n=59) than complaints (n=57) in the two-year period for which data was examined. The most prevalent request for information about CWS was for the name or contact information for a specific social worker (n=6, 20% of the total requests for information about CWS cases or services).

# SUMMARY OF KEY FINDINGS

There is no statewide mandate that requires county-level child welfare services to operate an Office of the Ombudsperson. As discussed earlier, Division 31 Section 020 GRIEVANCE PROCEDURES (31-020) provides the following guidance: “Grievance procedures shall be developed to review complaints from foster parents, legal parents, guardians, and children concerning the placement or removal of a child from a foster home. All issues shall be resolved in the best interest of the child.”

The 2018 Judgment required Humboldt County CWS to “create a complaint procedure that can be easily understood by and publicized to the community.” The standards for an “Office of the Ombudsperson” were not required by the Judgment and are not required by California law or by the California Department of Social Services. Only eight of fifty-eight California counties operate an ombuds office at the county level. The laws and regulations that mandate confidentiality in the child welfare system also significantly factor into any release or disclosure of information to complainants, making disclosure of complaint outcomes very difficult and in many cases not allowable by law.

The only ombuds function required by the State of California is the operation of a Foster Child Ombuds Program, which exists and is housed in the California Department of Social Services. Based on a review of the 58 counties, and seeing that only 8 (all of which are significantly larger in population than Humboldt County) have an ombuds office, county-level ombuds offices are few and far between, are not resourced, and are not mandated by California law.

Analysis of the 2023-2024 data provided by the CWS Office of the Ombudsperson also reveals that less than half of the calls received (126) were classified as complaints, for a total of 57 complaints received in the last two-year period. In terms of how people are utilizing the Office of the Ombudsperson, it appears that requests for information are slightly more frequent than complaints, and that the community need for services defined as within the role of an ombudsperson is relatively low.

In a review of calls received, the community need is for the following:

- 1) Information about Child Welfare Services and its’ functions and/or rules
- 2) Case-level complaints from individuals who report that communication with their assigned CWS staff person is not meeting their expectations
- 3) Case-level complaints from individuals who disagree with decisions made or services offered by Child Welfare Services related to investigation, placement, visitation, and reunification

# RECOMMENDATIONS

In keeping with the spirit of the 2018 Judgment, Division 31 Section 020, and the stated desire of Humboldt County CWS to give a voice to families involved in the Child Welfare Services system, it is recommended that CWS continue to implement a complaint policy and procedures (see below recommendations), but it should not be called an “Office of the Ombudsperson.”

The 2024 Humboldt County Grand Jury Report on the CWS Office of the Ombudsperson made a critical point about those who are calling that office-“These complainants are people in difficult situations.” While a review of the data revealed that not all callers are complainants, and some are just looking for information, they are all people who need assistance with a difficult situation.

The Grand Jury Report also raised important points about the complaint resolution process, and the expectation of complainants for the complaint to be resolved in their favor. Many complaints reviewed in the data analyzed were from people who disagreed with a decision made by CWS or the courts. The idea of complaint “resolution” in the favor of the complainant is significantly hindered by confidentiality laws and established decision-making tools and processes that CWS utilizes to make complex decisions about investigations, placement, reunification and other areas of work. Any complaint resolution process must adhere to State law and preserve the designated authority of child welfare and the courts to make decisions in the best interest of the child.

All of the following recommendations are made based on two guiding principles:

- People who call the CWS Office of the Ombudsman are people who are in a difficult situation and are seeking assistance.
- The safety of the child is the top priority.

## **Complaint Resolution Process:**

- It should be made clear to complainants that filing a complaint will not result in different recommendations to the court or in court orders being overturned or overruled. While this may not be the resolution that all complainants seek, this is a critical limitation in scope of the complaint procedure that should be clearly communicated, particularly for complainants whose desired resolution is to overturn a decision made by child welfare or the Court.
- CWS must follow WIC Section 827 and cannot disclose records or information to unauthorized individuals without a court order. Confidential information cannot be shared with all callers and that may limit CWS capacity to provide resolution to a caller.
- According to ACIN Notice No. 1-29-23: ICWA Hotline, the following is stated regarding confidentiality: “The ICWA Hotline staff shall be required to follow the law, regulations, and policies related to confidentiality. To the extent authorized by law, the ICWA Hotline will preserve the confidentiality of any informant to the hotline. Disclosure of an informant’s identity will occur when the informant consents to disclosure or when disclosure is necessary to prevent an immediate risk to the health and safety of a child.”

## **Evaluation of Complaint Process:**

- CWS is not mandated by California or by the 2018 Judgment to evaluate the performance of the complaint process.
- Continued tracking of the type of complaints received and the action taken as a result of those complaints, at the aggregate level, will be helpful to CWS and the community at large.
- Suggestions for quarterly or bi-annual data reporting: These are informed by the ACIN Notice No. 1-29-23 (ICWA Hotline):
  - Total number of complaints received
  - Total number of complaints screened out- i.e. requests for information rather than complaints
  - Types of complaints received
  - Summary of actions taken by CWS in response to complaints

## **General Complaint Resolution Recommendations:**

- Based on the 2023-24 data, most people prefer to contact the CWS Office of the Ombudsperson by phone. It is recommended that CWS continue to provide a single point of contact: A dedicated phone line for the public to call for information and/or complaints.
  - This could be an existing number, such as Admin line 4 (created in 2019 for child welfare).
  - This line should reach a person who is not directly involved in case management, since many complaints received relate to individual cases and should be reviewed and categorized by someone outside of that process. It is also recommended that the person tracking calls is able to quickly refer and access information and/or resources within CWS to assist callers.
- All complaints should be resolved at the lowest level possible, and elevated only when resolution at a lower level could not be achieved.
  - Current CWS Policy & Procedure (No.10-75) states the following: All concerns/complaints are resolved at the lowest possible level within the CWS organizational structure. Generally, the complaint is first addressed by staff of the CWS Office of Ombudsperson, who will seek problem resolution through discussion, education, and referral. If the Ombudsperson staff cannot completely resolve the issue, they forward the complaint to the appropriate CWS program's staff member and supervisor, and/or to a program manager, for review and resolution. If a complaint has been elevated to a program manager and remains unresolved, the CWS Office of the Ombudsperson provides an independent review. If the complaint remains unresolved, it is elevated to the CWS Director, who retains final decision-making authority for complaints and grievances.
- Clearly identify the decision tree for complaint and information referrals to ensure that both complaints and requests for information are followed up on.
- Add a "action taken" column to the existing data tracking spreadsheet. Add a YES/NO column, a date column, and a "referred to" column.
- At least twice a year, review the data tracking spreadsheet and follow up on any complaints that were not acted upon.

## Complaint Form:

- The following recommendations came from the California Youth Connection, a youth-led organization.
  - Create a google form or other online version of the complaint form.
  - Create a satisfaction survey for those who submit complaints.
  - Make complaint form available at case management meetings.

## Overall Recommendations:

- 1) Continue to implement a complaint policy and procedures to give families and community partners a voice in the local child welfare system.
- 2) Provide a dedicated phone line for the public to call to request information or to make a complaint.
  - a) Data from calls received by the CWS Office of the Ombudsperson suggest that the primary community needs are: 1) information requests, 2) an option to ask for assistance when standard communication channels with CWS are ineffective and 3) an option to express disagreement with decisions related to investigation, placement and reunification.
- 3) The majority of calls analyzed were related to questions and complaints about a specific CWS case. The data suggests that community need is centered around individual cases, and actions taken will likely be at the case level. Due to the sensitive nature of information, and confidentiality laws, it is unlikely that specific actions in response to complaints can be made public. However, ideally, data is collected to show that complaints are addressed and responded to, and that callers are directed to other resources to resolve their complaint if it is not within the purview of CWS.
- 4) Track the type of information requests to understand if there are common themes in those requests and, as resources allow, make information that the public regularly inquired about as accessible as possible.
- 5) Continue to track calls to the dedicated line to understand community needs and concerns, and be able to address them whenever possible, at the lowest level possible, and in a timely manner.
- 6) Provide web-based resources to help community members access and utilize state-level resources discussed in the report, specifically the CWS Office of the Foster Care Ombudsperson and the ICWA hotline.
- 7) Continue to provide clear direction when complaints are based on a caller's desire to overturn or overrule a CWS or court decision. Clearly explain what action can be taken, if any, and that the resolution they seek cannot circumvent other policies and procedures that CWS and/or the courts follow to make decisions and determinations about investigation, placement, visitation, reunification, and court orders.