



OCM 16.00
FCA 14.00
IA 10.00

PROGRAM ACTIVITY:

Independent Investigation

Revised 8/2007

PURPOSE:

To ensure a consistent structure for timely decision making when the subject of a report is an employee or agent of BMCW and the subject's relationship with BMCW introduces a potential for bias: to clarify roles and responsibilities when the report must be referred for an independent investigation.

PROCEDURES:

Access Unit Responsibilities

1. When the Access worker receives a report of maltreatment that suggests an independent investigation may be warranted, the Access worker will record the referral with the foster parent as the reference person. If the alleged maltreatment involved a child in a group home, adolescent assessment and/or placement stabilization centers, or other licensed facility, the Access worker will record the referral under the child's family case in WiSACWIS as described in the procedure "Access: Receiving Referrals". The Access worker must bring the report to the Access supervisor's immediate attention.
2. The Access supervisor will decide whether the case circumstances warrant an independent investigation, in accordance with the requirements in Memo Series DCS-95-29. According to the Memo Series the Access supervisor will:
 - Screen the referral in or out based on Child Protective Service Investigative Standards. The screening decision must be made within one hour of the referral.
 - Establish a response time according to normal intake guidelines. If the referral is screened in as an independent investigation, the response time should be no more than 24 hours.
 - Determine whether a safety assessment is required. If the Access supervisor determines that a facility has taken necessary precautions so that the child is safe, the Access supervisor may use his/her discretion and not require a safety assessment. When there are no children in the foster home where the alleged maltreatment occurred or if the alleged maltreater does not currently have access to children, a safety assessment is not required because the children are safe. The Access supervisor will document these decisions with the rationale in the PS Report Narrative, under the heading "Screening Decision – Response Time."
3. When a report of maltreatment is received and the case circumstances involve criminal charges, a death, media involvement and/or a high profile family, the BMCW Director must be notified immediately by the Access Supervisor.



OCM 16.00
FCA 14.00
IA 10.00

4. **When a report of maltreatment is screened in for an independent investigation and a safety assessment is required**, the Access supervisor notifies via e-mail the following individuals that the report has been received:

- The region manager, service managers and PA3 at the site responsible for the geographic location of the home
- The Foster Care and Adoption (FCA) program manager
- The FCA Placement Referral Manager
- Any FCA staff assigned to the case and their supervisors
- All Ongoing case managers with children in the home and their supervisors
- All region managers and the section chief assigned to Initial Assessment
- The PA3 at the administrative site responsible for tracking Independent Investigation reports

The PS Report will be linked to an existing case or to a new case created by the Access Supervisor, and then be assigned to the appropriate IA region coverage service manager for worker assignment and to the supervisor of the Independent Investigation program. The coverage service manager will email the name of the assigned worker to the Independent Investigation Coordinator and FCA Program Manager.

5. **When a report of maltreatment is screened in for an Independent Investigation and a safety assessment is not required**, the Access supervisor notifies via e-mail the following individuals that the report has been received:

- The FCA program manager
- The FCA Placement Referral Manager
- Any FCA staff assigned to the case and their supervisors
- All Ongoing case managers with children in the home and their supervisors

The email should include the following information: the name of the provider, the provider number and WiSACWIS case numbers, the licensing worker, the names of all children in the home, along with the name and site number of the current ongoing worker.

The PS Report will be linked to an existing case or to a new case created by the Access Supervisor, and then be assigned to the Supervisor of the Independent Investigation Program.

If a second report of maltreatment is received while the investigation is being completed and the Access supervisor determines that a safety assessment is needed, the Access supervisor will assign the second report of maltreatment to the



OCM 16.00
FCA 14.00
IA 10.00

appropriate region supervisor on WiSACWIS for assignment. The case will then be assigned to the assigned Initial Assessment worker by their supervisor as a Secondary Assignment.

6. When the report of maltreatment is screened out for maltreatment, the Access supervisor will discuss the screen-out decision with the designated program evaluation manager (PEM) within four (4) hours of the screening decision. The PEM will review the screening decision and either approve or not approve the decision.

If the PEM approves the decision, the PEM will document the approval on the PS Report Narrative under Independent Investigation. The Access supervisor will document the approval in the screening decision window of the Access Tab and will send an e-mail to the following regarding the intake and screening decision:

- Any assigned FCA staff and supervisor
- Any Ongoing case managers with children in the home and their supervisors.

If the PEM does not approve the decision, the Access supervisor will screen the case in and assign it to the appropriate region supervisor for assignment. If the PEM is not available to review the screen-out decision, for example during after hours, the Access supervisor will document in WiSACWIS that they are holding the intake.

7. The Access supervisor will fax a copy of any reports of maltreatment on facilities licensed by the Bureau of Regulation and Licensing staff to the State of Wisconsin, Bureau of Regulation and Licensing.
8. When the completed safety assessment is entered into SACWIS, the Initial Assessment supervisor will send an email to the PA2 or PA3 responsible for tracking independent investigations stating that the safety assessment has been completed. Any medical reports, police reports, report of contacts and any other documents used to assess safety will be forwarded to the investigating agency to be incorporated into the Independent Investigation file.
9. If the Investigator identifies information during the course of the investigation which suggests that the children still in the home may be unsafe, or wishes the home to be assessed for special supportive services, or if there is an additional allegation of maltreatment in the home, the investigator will contact 220-SAFE and report the information to Access. Access will record this as a Protective Services referral and will assign the case to an Initial Assessment worker for a safety assessment. Whenever possible, the initial assessment worker who conducted the prior safety assessment will be assigned.

Independent Investigation Agency

1. The agency conducting Independent Investigations will assign an investigator to the case within three (3) business days of the referral.



OCM 16.00
FCA 14.00
IA 10.00

2. The agency will conduct and complete the investigation using *Child Protective Services Investigative Standards* and other instructions of the Bureau.
3. When the investigation has been completed, the assigned investigator will complete the Initial Assessment window on eWiSACWIS. The investigator will make and will explain the CPS finding for each allegation in the referral(s) under investigation.
4. The supervisor of the Independent Investigation Agency will review and approve all investigations and ensure that all findings are in compliance with State and Bureau requirements. The supervisor will notify the Independent Investigation Program Coordinator via email when investigations are completed.
5. If the investigator or the supervisor feels that the circumstances of the case warrant a review by the Independent Investigations Review Panel, a recommendation will be made in the body of the Initial Assessment document and included in an email to the licensing agency and the Independent Investigation Program Coordinator.
6. If the subject of the investigation was a traditional or treatment foster home, the supervisor of the Independent Investigation Agency will approve the Initial Assessment and transfer case assignment to a designated supervisor in the Out of Home Care Program.
7. If the subject of the investigation is someone other than a licensed foster or adoptive parent, the investigator will indicate the reason for the assignment as an independent investigation on the Initial Assessment on the Maltreatment window. The supervisor will approve the initial assessment and transfer case assignment to the Independent Investigation Program Coordinator.
8. The investigating agency will send a letter to the subject of the report indicating whether the report was unsubstantiated or substantiated.

COORDINATOR

1. The Independent Investigation Coordinator or designee will review all completed Independent Investigations that involve Bureau employees or where the parent or alleged maltreater is not a licensed foster parent.
2. The Independent Investigation Coordinator will be responsible to review the investigator's report and initiate any follow-up action that might be necessary on the part of the Bureau.
3. The coordinator will send a letter to any mandated reporter via the WiSACWIS system.
4. The coordinator will ensure that ongoing case managers and initial assessment workers with children in the home are notified of the completion of the investigation.



OCM 16.00
FCA 14.00
IA 10.00

Initial Assessment Responsibilities

1. Within 2 hours after receiving a referral for a safety assessment on an Independent Investigation, the Service Manager will e-mail the Access supervisor, with a copy to the designated Program Assistant the name of the Initial Assessment worker assigned to do the safety assessment.
2. **The Initial Assessment worker must follow the response time identified by Access and complete the safety assessment within 24 hours of contact with the child. If the referral involves a child in a child care institution, group home, adolescent assessment center or placement stabilization center, the assessment must be completed within 48 hours of contact.** The Initial Assessment worker is responsible for taking any action necessary to ensure child safety for the 60-day period of time it takes to complete the Independent Investigation including placing the foster child in a new foster home or taking the biological child(ren) of the foster parent or other alleged maltreater into custody. The Initial Assessment worker must confer with the assigned ongoing case manager to obtain information about the child and the child's family that might impact on a safety plan.
3. When the completed safety assessment is entered into SACWIS, the Initial Assessment supervisor will notify the Independent Investigation Program Coordinator and the investigating agency, by email, stating that the safety assessment has been completed. The safety assessment must include a description of any safety influences found, along with the process followed to complete the safety assessment, and any actions taken to address safety concerns including the location of the child(ren).
4. When an Initial Assessment worker receives a report of maltreatment and the circumstances suggest that an independent investigation may be warranted, the Initial Assessment worker will call 220-SAFE and report the information as a protective services referral..
5. Whenever a substantiated finding is made against a foster parent and there are foster children still in the home, the Initial Assessment worker will be notified and instructed to complete a new safety assessment. If there are concerns that biological children of the foster parent may need services, the initial assessment worker will assess for service needs as well.

Ongoing Case Management Responsibilities

1. **When a report of maltreatment is received by an Ongoing case manager and an independent investigation may be warranted, the Ongoing case manager will contact 220-SAFE and report the information as a protective services referral.**
2. No children are to be removed from a foster home by the Ongoing case manager because of a report of maltreatment except in conjunction with the Initial Assessment worker after the Initial Assessment worker has completed a safety assessment. The



OCM 16.00
FCA 14.00
IA 10.00

assigned Ongoing case manager is responsible for all decisions and actions related to informing and supporting the child's parent(s). To do this effectively, communication among the assigned social worker, the BMCW contact person, provider staff and the FCA social worker is required.

3. If the investigation returns a substantiated finding against the foster parent, Initial Assessment will conduct a new safety assessment and determine if the children can safely remain in the home. If the children are allowed to remain, the ongoing worker must notify the foster parent that the children will be subject to a non-emergency removal and must follow the procedures outlined in **Receiving Substantiated Independent Investigation Reports**.

Foster Care and Adoption Staff Responsibilities

1. The Foster Care and Adoption Programs will each designate a single individual who will be responsible for coordinating activities relating to independent investigations on homes for which they have licensing responsibility.
2. When the investigation is completed and the Investigating Agency has assigned the case to the supervisor of the licensing agency, the supervisor will review the report and recommendations. If the recommendations are for specific actions by the agency, the supervisor will be responsible for ensuring that the recommendations are met and for documenting the completion of any required tasks in the narrative section in WiSACWIS.
3. If no action is indicated or required, the supervisor will enter a case note indicating that the report has been reviewed by the agency.
4. Once all activity is complete, the supervisor will close the assignment on WiSACWIS.

FORMS REFERENCED

All forms are available in eWiSACWIS unless otherwise noted.

Safety Assessment

Safety Analysis and Plan

CROSS REFERENCE

Independent Investigation Review Panel