

## Overview

1. Complaint received
2. Complaint assigned
3. File review
4. Initial inspection
5. Interviews
6. Review of evidence
7. Determination
8. Delivery of findings
9. Possible citations and plans of correction

Collaboration, communication and partnership with foster parent.

## You Have Rights

- The right to know the allegation as soon as possible including the regulation which may have been violated
  - If such notice will hinder the investigation, the LR will not immediately disclose the details of the allegation
- The right to appeal any determination or citation

## Please Note

- LRs will never divulge the source of the complaint
- The law requires that all complaints be investigated



STATE OF CALIFORNIA

HEALTH AND HUMAN SERVICES AGENCY

DEPARTMENT OF SOCIAL SERVICES

Complaint Investigation Process  
CDSS – CCLD – CRP

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# CDSS

CALIFORNIA  
DEPARTMENT OF  
SOCIAL SERVICES

## Complaint Investigation Process

Community Care Licensing Division  
**Statewide Children's  
Residential Program**

*What County Licensed Foster  
Parents can expect during a  
complaint investigation*

## What is a Complaint

A complaint is an allegation that any licensing regulation or law has been violated.

The Foster Family Home regulations can be found at <http://cclid.ca.gov/>

## The Steps in the Process:

### 1. A Complaint is Received

A complaint can be made in person or via phone, email, fax or letter. The source of the information may be anyone, including a child, parent, guardian, authorized representative, relative, neighbor, teacher and counselor. The complainant may request to be anonymous. The complaint may contain one or more allegations.

### 2. The Complaint is Assigned

After a complaint is received by the county, it is assigned to the appropriate County Licensing Representative (LR).

### 3. The File is Reviewed

Before the LR makes contact with the caregiver, he/she will conduct a file review, attempt to contact the complainant and plan the investigation.

### 4. An Initial Inspection is Conducted

Complaint inspections are unannounced; they are made without prior notice to the caregiver. The initial inspection will be conducted within 10 days of receipt of the complaint. The LR will identify him/herself and explain the purpose of the inspection. Then the LR will outline what he/she intends to do while in the home and how the foster parent can assist. While at the home, the LR may conduct interviews, tour the home with the caregiver and review files.

If possible, the LR will make a determination and deliver findings before leaving the home. However, the complexity of complaints often necessitates further investigation. Before leaving, an exit interview will be conducted, which will outline the next steps in the investigation.

### 5. Interviews are Made

Interviews held with persons who have knowledge of the allegation will aid the investigation. The LR will attempt to interview as many witnesses related to the allegation as possible. It is a best practice for the LR to interview children away from the home. Foster parents' biological children cannot be interviewed without a parent's permission. Foster children can request that an adult be present at interviews.

### 6. Evidence is Reviewed

Additional relevant evidence will be sought and reviewed including, but not limited to, medical records, law enforcement reports, photographs and fire inspector reports.

### 7. A Determination is Made

Once all the evidence has been gathered and interviews conducted, the Licensing Agency will make a determination regarding the allegation. The possible conclusions are:

**Unfounded:** the allegation is false, could not have happened and/or is without a reasonable basis.

**Inconclusive:** although the allegation may have happened or is valid, there is not a preponderance of the evidence to prove that the alleged violation occurred.

**Substantiated:** the allegation is valid because there is a preponderance of evidence to prove that the violation occurred.

### 8. The Findings are Delivered

Findings will typically be delivered in person to the foster parent.

## Follow-Up: Citations and Plans of Correction

Allegations that are determined to be substantiated are accompanied by a citation. A citation is a notice of deficiency issued to a caregiver for a violation of a statute or regulation. LRs can use an advisory note instead of issuing a citation for violations that are technical in nature and do not present an immediate or potential health, safety or personal rights risk. The LR should clearly explain violations to the caregiver. The foster parent will develop a Plan of Correction, along with the LR. The Plan will describe how the caregiver will bring their home into compliance. It must be measurable and verifiable. The LR, with the foster parents, will establish a reasonable due date.

## What Should You Expect From Our Staff?

- ❖ They will treat all people with courtesy, dignity, fairness and respect.
- ❖ They will keep people informed about the status of the investigation. The LR will provide an estimated date of completion on the LIC 9099.
- ❖ They will work in partnership with foster parents and county agencies.
- ❖ They will close the complaint as soon as possible.

If you have any questions or concerns, you are welcome to call our staff at the number provided on the LIC 9099. It is our goal to fulfill our mission while reflecting the Core Values of the California Department of Social Services:

**Compassion:** Treat all people with dignity, fairness and courtesy.

**Diversity:** Solicit and listen to all ideas from people of various backgrounds and philosophies. Include these same people in policy and program considerations.

**Simplification:** Eliminate unnecessary paperwork, de-emphasize process, and emphasize goals and outcomes.

**Service:** Provide effective and responsive service with skill and integrity.