

Child Protective Services: Investigation

2104.33 Use of Relative, Neighbor or Other Individual as a Safety Resource

Prior to knowing whether allegations will or will not be substantiated, it may be necessary to use one or more conditional safety measures (See 2102.3 and 2104.20) to ensure a child's immediate safety. Selected safety resources are incorporated into the Safety Plan (Form 455B). These measures remain in place until the report becomes unsubstantiated, or until there is a plan in place for a high or moderate risk substantiated case. A safety measure may become part of the case plan. Also, these safety measures may later be used as reasonable efforts documentation, if it becomes necessary to file a deprivation complaint to protect a child. Safety is reassessed whenever a controlling safety response appears no longer effective.

The use of a relative, neighbor or other individual as a safety resource is one possible temporary solution for a child's immediate safety. **It is never intended to become a permanent placement;** however, it is one means of establishing conditional safety while the investigation is being conducted. Parents have the right to make decisions for their children and may suggest that a child can temporarily go to the home of a relative or other individual while the investigation is in process and until it is determined that the home is safe for the child's return.

During the investigation process, if a temporary out-of-home placement is indicated as a means to ensure a child's conditional safety, it is acceptable to discuss with the parent that the child needs to be out of the home until all aspects of the report can be investigated. **It is not appropriate to tell or to push a parent to place a child outside the home as a way to avoid court action.**

A parent may suggest that a child can live temporarily with a relative, neighbor or other individual. A parent may already have sent a child to one of these resources. In either situation, the case manager is to immediately initiate steps to determine whether the parent's choice for the child is safe and acceptable (see [Requirement](#) and [Practice/Procedure Issues](#) that follow this discussion). If the parent's choice is not acceptable, the case manager is to proceed with court action.

A child does not automatically become safe when placed out of the home. The temporary out-of-home placement of a child does not change the safety issues in the parents' home. The intent is for the child to return to the parent when allegations are unsubstantiated or when the family's progress, in substantiated cases, indicates that there is sufficient change for the child to return home to parents, who can now provide for the child's current and ongoing safety needs.

For substantiated cases, lowering the level of risk occurs with the **successful completion** of the case plan requirements. This lowered risk level is determined at reassessment of the case plan (See [2105.18](#)). Safety responses are **not** a substitute for either a case plan or the case plan steps developed with parents to address needed change within the home. **The use of reasonable efforts that gives a child conditional safety does not change a family's level from high or moderate to low.**

Remember, use of a relative, neighbor or other individual as a temporary placement resource is never a substitute for court action when any of the conditions that require court action

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(see **2102.1** and **2102.20**) are present. In these situations, the department must file a deprivation petition and follow regular placement requirements.

Requirement

If, during an investigation, a parent suggests temporarily placing a child with a relative, neighbor or other person, the case manager is to determine if this proposed placement will meet conditional safety requirements for the child while living outside the parent's home:

- Follow the steps listed in the Procedures/Practice Issues and determine the suitability of the **parent's** proposed temporary out-of-home plan for a child.
- **Immediately file a deprivation complaint for transfer of the child's custody to the department if the plan does not meet approval requirements.**
- Obtain the supervisor's and/or county director's documented approval of the out-of-home placement plan.
- Continue the CPS investigation and provide the level of services required for the assigned risk level of a substantiated report after the investigation is completed (See 2105.3 and 2105.4). A substantiated case remains open for ongoing CPS services.
- Provide required services to both the parent and the child at their respective locations.
- Maintain an active case until risk level in the parent's home has been reduced or until custody or guardianship of the child is transferred to the out-of-home resource.

All requests for any exception to the above guidelines are to be staffed with the Regional Field Program Specialist. The RFPS written approval/disapproval of the request is to be documented in the case record.

Procedures/Practice Issues

Throughout the CPS investigation and the provision of ongoing services, the department has the responsibility to determine that a child, placed outside the home by the parent, is in a safe environment. Complete the assessment for a temporary out-of-home placement, when possible, prior to the child's placement.

Home Assessment

The assessment for a temporary out-of-home placement should be completed within **three** working days to determine the appropriateness of the placement. A home visit with the resource is required.

Determine the following for **all** out-of home resource placement assessments:

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- Does the resource and/or other individuals in the home have any CPS history? Check IDS Online/PSDS and SUCCESS to determine who is in the home, whether there is CPS history, the extent of history, and how it was resolved.
- Does the resource, and/or others in the home who are sixteen and older, have known criminal conviction history? At IDSONline links, check the Sexual Offender Register, Department of Corrections Offender Registry and the Board of Pardons and Parole. Also check these resources for other adults with regular contact in the home (e.g., boyfriends), and determine whether any have a history of criminal activity of a nature that might impact the resource's ability to meet the child's needs. If there is any negative information found on anyone that indicates a history of substance abuse (drugs/alcohol) within the past three years, any violent behavior or any history indicating cruelty or abuse of children then:
 - ✓ Inform the family that their suggested safety resource is not acceptable and there are no other immediate options to provide safety, protect the child by filing a deprivation complaint in Juvenile Court.
- What person(s) will provide direct care for the child? Interview all adults living in the home who will have a caretaking role. Observe and describe the quality of the relationship between these persons and the child.
- Does the resource have needed childcare skills? Observe all children living in the home and the quality of care they receive.
- Are there hazards that might harm the child in the home? Will the resource quickly correct any that are identified?
- Is the resource prepared for the child? Observe where the child will sleep and whether the home is equipped to meet any special needs of the child.
- What is the resource's ability to provide for the child's needs? Talk to a minimum of two collaterals (See 2104.21) and obtain their opinion of the resource's ability to provide for the child. Do their comments support the statements made by the resource? If necessary, ask the resource to sign Release of Information forms.
- Does the resource have any known physical, psychological, emotional or intellectual limitations that impair their ability to care for the child?
- Does the resource have sufficient financial means to provide temporary care for the child? Is the resource eligible for and/or in need of help applying for benefits for the child?
- Are there arrangements made by the parent for the resource to enroll school age children in school? This may require a temporary transfer of guardianship.
- Is there a plan for the resource to seek medical treatment, if needed, for the child? What is the plan? This may require a temporary transfer of guardianship.

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- Does the resource need a childcare plan because of work schedule, child's after school needs or other reasons? What is the plan?
- Does the resource understand that the department will be involved until a decision is made and that contact with the child will be made in their home until the child can safely return home or the resource obtains custody, guardianship, or the department files for custody?
- Does the resource understand that, if a parent takes or attempts to take back physical custody of a child without the department's approval, the resource is required to immediately notify the department?

Document all above information on the Contacts Sheet (Form 452) (see Documentation Chapter 80.6).

Any proposed placement resource made by the parent is inappropriate if it cannot be established that it ensures safety. **Immediately file a deprivation complaint for custody when it cannot be determined that a parent's placement resources can provide for the child's basic safety.**

A parent remains financially responsible for a child sent to a temporary out-of-home placement resource.

When the placement resource is or is not in the child's county of residence, the case managers are to open the out-of-home placement in the name of the resource in the Internal Data System Form 590 (See 2104.23 and Social Services Manual 61.7). Once the resource placement is approved the case manager is to take the necessary steps to add/link the child to the placement resource in IDS Online (see Social Services Manual Chapter 60 Appendix B).

NOTE: Adding/ Linking the Safety Resource is done at the approval/placement of a child with a safety placement resource, at the closing/transfer of a CPS case and/or at the removal of a child from a placement resource home.

PLACEMENT RESOURCE IS IN ANOTHER COUNTY/STATE

When a proposed placement resource is in another county or state, the case manager is to immediately telephone that location's child welfare office and request an assessment of the placement resource. The child welfare office at the location in which the placement resource resides is responsible for visiting the resource and determining its appropriateness to care for the child. The case manager is to assure that the proposed resource is financially able to support the child(ren) and determine the length of time the resource will be able to do so. The case manager is also to request that the resource is advised of any special needs the child may have and ascertain information regarding the resource's ability to provide for the child's needs. A child placed in another county is counted in that county's Internal Data System reporting (see [2104.23](#) and 61.7 in the Social Services Manual). The out-of-home placement county does not complete Child Abuse and Neglect Report (Form 431). This form is to be completed by the county investigating the report of alleged maltreatment.

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When a parent sends a child to a resource in another state, the case manager is to alert that state of the child's presence and request the state to check for CPS history on the resource. The department **cannot** request that another state provide services to or supervision of the temporary placement of a child, unless the department has custody or a court order for supervision. In this case the ICPC procedures outlined in the Interstate Compact on the Placement of Children Manual 1010 are to be followed to request that the receiving state conduct a family assessment or provide other services to a child who is under Georgia's legal jurisdiction. Assistance should be requested from the Field Program Specialist (FPS) as needed, when a child is out of state without Georgia having any legal jurisdiction.

PLACEMENT RESOURCE IS INAPPROPRIATE

When a parent has placed a child prior to an evaluation of the resource and the assessment determines that the resource cannot provide for the child's safety needs, the case manager is to **immediately** file a deprivation complaint for a transfer of the child's custody to the department.

If a child is with an out-of-county resource, both the county of placement and the home county are to discuss the circumstances and concur as to how best to ensure the child's immediate safety and to plan for the child's return to the county of the parent's residence. The home county has the overall responsibility for planning the child's return. If it is not possible or advisable for the parent to pick up the child, one of the involved counties must file a deprivation complaint for the purpose of gaining physical custody of the child (see 2103.22). When the county where a child is temporarily placed is required to take steps for a child's immediate protection, the home county is to start immediate steps (see 2103.22) for the return of the child.

LACK OF PARENTAL PROGRESS

If, at any time, it becomes necessary to file a deprivation complaint, and the child is in an approved relative out-of-home placement, the case manager is to confer with his/her supervisor to determine the appropriateness of recommending a transfer of custody to the relative. This situation is most likely to occur when a parent is not cooperating and there is no change or little change in meeting the case plan goals (See 2105.18). The case manager is to discuss with the supervisor whether a relative wants custody of and ongoing responsibility for the child. If willing prior to the hearing, the court is provided a written home evaluation based on the bulleted outline in the Practice/Procedure 2104.33. The case manager is to also consider filing a deprivation complaint and recommending a transfer of custody to a relative out-of-home placement resource, if that relative is willing to resume ongoing responsibility for the child, when the risk level rating in the parent's home does not move to "low" during the course of service provision, owing to either the parent's unwillingness or ability to follow the case plan (See 2105.18). If the child is placed with a relative and the relative needs financial assistance through the Relative Care Subsidy Program or as a Relative Foster Home, a deprivation complaint is to be filed and a request made to transfer custody to the department. Remember, if custody is transferred directly from the parent to a relative, the only financial assistance available is through TANF, if the relative is eligible, and/or support payments from the parents.

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SUBSTANCE ABUSE CASES

In substance abuse cases, the identification of an alternate resource for a child is critical when planning for the child's safety and protection in the event of a parent's relapse (See 2105.15). This planning helps reduce disruption-related trauma to both the child and parent, and it reduces the likelihood that a child will need foster care placement. The case manager may assist the parent to select individuals to serve, if needed, as temporary out-of-home resources. A home evaluation is to be completed at the time the resource is designated. Should a relapse occur, having already completed the above steps for determining the suitability of the placement resource will help make this change easier for the child.