

## LCCS POLICY 601

### Internal Appeal of Family Case Conference Decision

<b>Original Issue Date:</b>	8/15/1988
<b>Revision Dates:</b>	3/22/1991, 12/7/1998, 9/10/1999, 10/20/2004, 7/1/2009, 8/6/2013, 1/28/2021
<b>Revision Number:</b>	7
<b>Current Effective Date:</b>	1/28/2021
<b>Obsolete/Combined Date:</b>	
<b>Reason for Obsoleting/Combining:</b>	
<b>See new Policy #:</b>	

<b>Scope:</b>	All LCCS Staff participating in a Family Case Conference.
<b>Responsibility:</b>	LCCS Case Review Department
<b>Purpose:</b>	To ensure that LCCS Staff who participate in a Family Case Conference have a means of appealing a conference decision which they believe will cause a safety threat to a child or place a child at substantial risk of physical and/or emotional harm.
<b>Legal Cite:</b>	O.R.C. 5153.16

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### **POLICY STATEMENT**

Any LCCS Staff participating in a Family Case Conference may appeal the decision when they believe that the decision causes a safety threat to a child or places a child at substantial risk of physical and/or emotional harm.

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### **PROCEDURE**

*Process/procedures for appeals are the same for both emergency and non-emergency situations except for the timeframes:*

If consensus among the participating LCCS staff cannot be reached, the LCCS Caseworker and Supervisor make the final decision. The LCCS Case Review Facilitator then reminds the participating LCCS Staff of their right and responsibility to appeal, as well as, the process for such an appeal. The request for an appeal **must be made to the Manager of Case Review by the appellant.**

If appealed, the LCCS Case Review Manager or designee will determine if the appeal is appropriate, and if it is an emergency or non-emergency appeal and will notify the affected Managers who will need to be involved in the mediation and resolution. This will include the

Assessment, Family Services, Placement, Community Development Managers and the Case Review Manager.

## **MANAGERS REVIEW MEETING**

Participants in the Manager's Review will include only the staff who participated in the appealed FCC and their Managers. The other Managers, listed above, or their designee, will be invited.

The Case Review Facilitator will debrief the Managers of the conference decision and the reason for the appeal.

The Worker of Record will present the case history and their original recommendation. The Worker of Record must have the Family File available.

The appellant must present their recommendations and rationale for the appeal.

The Managers may request other persons who were part of the conference to provide additional information, if warranted.

Once all information has been presented/received the decision making Managers will dismiss themselves to another room to make the decision.

**The Case Review Manager will facilitate the Review by the Managers.** The Managers will review and discuss the presented information and reach consensus. Once the decision is made, the Managers will return to the room and the Manager of Case Review will notify the parties of the decision and any action steps that need to be taken.

The Case Review Manager will document the decision in the Activity Log section of the client SACWIS case record. The Case Review Facilitator will ensure that the final decision has been recorded on the tracking paperwork and submitted to Data Processing.

If the Managers cannot reach consensus, the Director of Social Services or designee will meet with the Managers present at the appeal to obtain the information needed to reach a decision to affirm or overrule the conference decision.

The **Director of Social Services or designee** may decide to convene an additional meeting to obtain further clarification of any issues/concerns as needed. The Director of Social Services or designee will cite the basis for the decision and offer direction regarding a future course of action (*for example, who will do what to implement the appeal decision*).

## ***TIMEFRAMES***

***Emergency Appeal*** = imminent risk/safety threat/emergency situations. The Manager's Review should be held immediately following the conference.

If the Managers cannot reach consensus, they will request an **immediate** review, by the **Director of the Social Services Division or designee**, which the Managers must attend.

**Non-emergency Appeal** = (child(ren) not at imminent risk) Request for an appeal must be made to the Manager of Case Review within **twenty-four (24) clock hours** of the conference. The Managers Review should be scheduled within **seventy-two (72) clock hours** of the conference.

**All LCCS staff involved with the appeal process will accept ownership and will share responsibility for implementation of decisions.**

***General:***

In the absence of the Director of the Social Services Division, appeals/reviews will be heard in the following order of their availability: the Director of the Support Services Division, Deputy Director or Executive Director.

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## **CASE PRACTICE GUIDES**

Consensus is when those involved can live with the recommendation that is before the group.

Consensus implies that a debate has taken place, the solution is generally acceptable rather than grudging compromise, and agreement is deep rooted enough that it can stand for some time without need to revisit the issue.

Consensus is a collective opinion arrived at by agency staff working together in a forum that promotes open communication. The group climate is sufficiently supportive for everyone to feel that they have a fair chance to evaluate information and now can fully support the decision reached by the group.

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## **RELATED POLICIES and FORMS**

LCCS Policy 600 (Family Case Conference)

LCCS Policy 139 (Ombudsperson Process)

LCCS Policy 139A (Resolution of Systemic Problems Identified by Ombudsperson)

LCCS Policy 140A (Non-Employee Grievance Reviews & Procedures)

LCCS Policy 740 (Grievance Review & Resolution Procedure)