

	INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE MANUAL	
	Chapter 2: Administration of Child Welfare	Effective Date: October 15, 2006
	Section 5: Investigation and Review of DCS Staff Alleged Perpetrators	Version: 1

POLICY [NEW]	OLD POLICY: N/A
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- The Indiana Department of Child Services (DCS) will require that any DCS employee being investigated as an alleged perpetrator of Child Abuse or Neglect (CAN)¹ notify, within one (1) business day of the employee learning of the investigation, his/her local DCS office director if the employee works in a local office or his/her **work unit manager** if the employee works in central office of the investigation. Failure to notify the appropriate person in a timely manner may result in disciplinary action up to and including termination.
- If, in the course of an investigation, an FCM learns that an alleged perpetrator is a DCS employee, then the investigating FCM will notify the accused employee's Regional Manager or the DCS human resource office.
- DCS will require that an administrative review be conducted of all substantiated investigations of alleged employee perpetrators. This review must be completed within 10 business days of the substantiation.
- DCS will require that the Administrative Review of a DCS staff case be conducted by:
 - a. The accused employee's Deputy Director or Designee², **and**
 - b. A DCS Human Resource representative, **and**
 - c. A Regional Manager or work unit manager
- DCS will not allow the alleged employee perpetrator to have direct contact with families (including resource families) until the Administrative Review Process has been completed. The alleged employee perpetrator may be reassigned or may be placed on emergency suspension during this time.
- DCS recognizes that the alleged employee perpetrator has the right to appeal the decision of the Administrative Review team if the substantiation is upheld. See separate policy, [Administrative Appeal Hearings](#).
- DCS reserves the right to take disciplinary action up to and including termination upon completion of the Administrative Review, if the substantiation is affirmed, regardless of whether the allegations involve actions taken in the scope of employment. See Separate policy, [Disciplinary Action](#).

Code References

- N/A

PROCEDURE

The alleged employee perpetrator will

- Notify his/her local DCS office director or work unit manger within one (1) business day of learning of the investigation.

The investigating FCM will

¹ Herein referred to as the 'alleged employee perpetrator'.

² The designee must be at least one supervisory level above the accused employee.

- Notify the alleged employee perpetrator's regional manager within one (1) business day of learning of the investigation if the alleged employee perpetrator works in a local office; or
- Notify the DCS human resources office within one (1) business day of learning of the investigation in the event that the accused employee works in Central Office.

The local DCS office director/human resource office will

- Coordinate with the appropriate staff to reassign the employee.
- Contact the DCS Human Resource Director, in the event that emergency suspension is considered.
- Assure the appropriate Deputy Director is notified of the investigation.

The administrative review team will

- Review the complete CPS investigation file
- Decide to do one of the following:
 - Affirm the substantiated determination; **or**
 - Set aside the determination and reclassify it as unsubstantiated or indicated; **or**
 - Return the file to CPS for further investigation and reconsideration of the report.

The Division Director will:

- Coordinate the Administrative Review Process.
- Notify the alleged employee perpetrator of the decision of the Administrative Review team.
- Take any necessary disciplinary action in accordance with the DCS [Disciplinary Action Policy](#).

PRACTICE GUIDANCE

- N/A

FORMS AND TOOLS

- N/A

RELATED INFORMATION

Consulting with Human Resources

Staff investigations are very delicate situations. The central office human resource office is always available to assist management staff with any decisions that must be made surrounding reassigning an employee or when to consider emergency suspension. Please contact your assigned HR consultant or the HR Director if you have any questions.