Complaint/Grievance Process for Participants or Companions with Disabilities

**Purpose:** The intent of the following policy is to ensure that Participants or Companions with disabilities have unimpeded access to the complaint/grievance process and to ensure that a participant’s or companion with disabilities rights are not violated. The process also serves as a mechanism to eliminate unsatisfactory conditions and to reduce tension among participants in the program.

**Policy:** Participants or Companions with disabilities shall be encouraged to grieve, in writing, the actions of program staff or other participants perceived as unfair or problematic. Any complaint/grievance made by a program participant or companion with disabilities will not result in any form of retaliation or barrier to services.

 The Complaint/Grievance Process and Complaint/Grievance Form shall be made available and reviewed with participants or companions with disabilities at orientation and posted at each CDS site where services to participants are available.

All participants or companions with disabilities will be asked to complete a voluntary Customer/Companion Feedback form survey to assist us in evaluating and improving our services. This form will be submitted to the Department of Children and Families Office of Civil Rights.

CDS shall fully cooperate with DCF and/or the Partnership for Strong Families whenever complaint investigations are conducted.

CDS shall notify the local licensing office of DCF in writing within seven days if:

(1) Any civil or criminal action is commenced in any jurisdiction against any director, officer, employee or agent of CDS, where the civil or criminal action relates to or affects the licensed child-placing activity of CDS; or

(2) Any action is commenced in any jurisdiction to revoke or suspend a license held by CDS.

**Procedure and/or Process:**

Each level of the Complaint/Grievance Process shall be addressed within 72 hours. The Complaint/Grievance Process shall include:

* Acknowledgement by the participant or companion with disabilities, in writing, that a written response from the program was received
* A final response to the participant or companion with disabilities that concludes the issue grieved
* Programs generating written complaint/grievances shall turn them in monthly to the Data Systems Department as part of the Utilization and Risk Management review process to ensure trends and issues are tracked and analyzed
* A system of maintaining all complaint/grievances and findings in at each program site as well as a centralized system of maintenance through the Chief Operations Officer for a period of not less than one year

## Internal Complaint/Grievances

If a participant or companion with disabilities believes he/she has been treated unfairly by our staff or another participant, or there are conditions or circumstances in our program that violate participants’ rights, we want to know. The participant or companion with disabilities should be encouraged to initiate the following complaint/grievance procedures.

1. The participant or companion with disabilities should report any complaint/grievance to a staff member. If the participant or companion with disabilities cannot resolve the problem with the help of a staff member, he/she should complete a Complaint/Grievance Form.
2. The completed Complaint/Grievance Form should be dropped in the Complaint/Grievance box. Grievance boxes are checked by management or a designated supervisor at least daily (excluding weekends and holidays) and documented in the logbook.
3. If a complaint/grievance is alleged against one staff member, he/she should not attempt to investigate that complaint/grievance by involving other participants or third parties. He/she should report the complaint/grievance to a supervisor.
4. The primary counselor will work on a resolution for the complaint/grievance (Must be done within 72 hours).
5. If the primary counselor is unable to provide a resolution, the complaint/grievance will be presented to the following individuals in the chain of command until a resolution is determined: Site Supervisor, Program Director, Chief Operations Officer, Chief Executive Officer. Each level must address the complaint/grievance within 72 hours. If it is not resolved in the 72 hour period, documention explaining the cause for the delay is noted on the Complaint/ Grievance Report as is the resolution.
6. When a final resolution is determined, the Complaint/Grievance Report is to indicate the resolution.
7. Staff will meet with the grieving participant to inform him or her of the final written resolution to the complaint/grievance. The participant or companion with disabilities should sign acknowledging that a copy of the written resolution was received.
8. The Regional Director / Supervisor will review sign and date the Complaint / Grievance Report making notes in writing of any additional pertinent information.
9. The Report should then be faxed to the COO for review who will in turn forward it to the CEO for review and signature. The CEO will then return the document to the COO for storage for a period of not less than one year.
10. The Regional Director / Supervisor will maintain a separate file of all complaint / grievances and findings for a period of not less than one year for the sites under their supervision.

## External Complaint/Grievances:

Participants or companions with disabilities have the right to file a complaint/grievance of discrimination with an appropriate governmental agency. As part of the orientation process the participant or companion with disabilities should receive the following list of outside resources that may be contacted at their discretion.

U.S. Department of Health and Human Services (HHS)

Attention: Office for Civil Rights

Atlanta Federal Center, Suite 3B70

61 Forsyth Street

S.W. Atlanta, GA 30303-8909

(404) 562-7881 or TDD: (404) 331-2867

U.S. Department of Health and Human Services (HHS)

Attention: HHS Director, Office for Civil Rights

Room 515-F

200 Independence Avenue

S.W. Washington, D.C. 20201

(202) 619-0403 (Voice)

(800) 537-7697 (TTY)

US Department of Justice

950 Pennsylvania Avenue, NW

Civil Rights Division

Disability Rights Section 1425 NYAV

Washington, D.C. 20530

(202) 307-0663 (voice and TTY)

(202) 307-1197 (Fax)

www.ada.gov/complaint/.

If you have questions about filing an ADA complaint, please call:

ADA Information Line: 800-514-0301 (voice) or 800-514-0383 (TTY).

U.S. Department of Justice (USDOJ) *(race, color, sex, or national origin complaint/grievances)*

Civil Rights Division

Office of the Assistant Attorney General

950 Pennsylvania Avenue, N.W.

Washington, D.C. 20531

(202) 514-4609 (Voice)

(202) 514-0711 (TDD)

(202) 307-2839 (Fax)

Department of Children & Families

Office of Civil Rights Compliance Officer

Richard (Dick) Valentine

5920 Arlington Expressway

Roberts Building, Room 328

Jacksonville, FL 32211

(904) 485-9682 (Voice)

(904) 723-2144 (Fax)

Department of Children & Families

Office of Civil Rights

1317 Winewood Blvd.,

Bldg 1, Room 110

Tallahassee, Florida 32399-0700

(850) 487-1901 (Voice)

(850) 921-8470 (Fax)