

Children's Services After-Hours Protocol

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Items Needed By On-Call Caseworkers In The Field

1. It is mandatory for each on-call caseworker to have the following items on hand when conducting field work:
 - a. This protocol manual;
 - b. County issued cell phone and laptop or tablet;
 - c. Report of Suspected Abuse and Maltreatment Form (DSS 2221);
 - d. Consent for Release of Information Form (CS-19);
 - e. 1024 Removal Notices (without parent consent);
 - f. 1021 Removal Notices (with parent consent);
 - g. ASFA Notice Form (CS-230);
 - h. Preventive Respite Packet;
 - i. Emergency foster home list (updated weekly);
 - j. Plan of Safe Care Form (OCFS-2196); and
 - k. Foster Care placement packet containing the following forms:
 - (i) Yellow Medical (OCFS-0711);
 - (ii) Medical Provider Letter (CS-250);
 - (iii) Medical Instructions for Foster Parents (CS-101A);
 - (iv) Placement Information (CS-101);
 - (v) Release of Information (CS-19);
 - (vi) Consent for Child's Special or Emergency Medical (LDSS-0850);
 - (vii) Consent for Routine Medical (LDSS-0882);
 - (viii) Medical Letter for Foster Parent (CS-42); and
 - (ix) Evidence of Religious Faith (CS-226).

2. It is recommended that each on-call caseworker have the following items on hand when conducting field work:
 - a. Personal Safety Checklist;
 - b. Blank envelopes;
 - c. Tape;
 - d. Flashlight; and
 - e. On-Call Claim Form.

On-Call Caseworker Guidelines

1. Documentation of Case Work Activities

All casework activities conducted by an on-call caseworker must be documented in progress note format. All progress notes must be emailed to the OCDSS Hatfield Lane office by 9:00am the next business day. Should a report received from the New York State Central Registry of Child Abuse and Maltreatment ("SCR") contain allegations of a messy/dirty home and/or injury to a child, caseworker must use their OCDSS issued cell phone to take pictures of the home and/or the child's injury. All pictures must be emailed to the OCDSS Hatfield Lane office by 9:00am the next business day. Under no circumstances should an on-call caseworker use their own personal phones to take and send pictures. Additionally, under no circumstances should a picture be sent to a supervisor's personal cell phone.

2. CPS Report Initiation – 24 Hour Contact

Social Services Law 424.6 mandates that a response to each report of suspected child abuse or maltreatment commence within twenty-four (24) hours of receiving the report. The twenty-four (24) hour initiation of the response represents the first step(s) taken to gather important information needed to make an immediate safety assessment, evaluate the environment of any child named in the report and of any other child in the same home, and to take any immediate steps necessary to protect the child(ren).

The narrative documentation of the twenty-four (24) hour contact is defined as:

- face-to-face contact with the child and/or family;
- significant telephone contact with the child and/or family;
- significant face-to-face or telephone contact with the source of the report if (s)he is in a position to provide information about whether the child may be in immediate danger of serious harm and that the person is a reliable source of information who has specific and current knowledge of the safety of the child at the time of the report; and
- significant face-to-face or telephone contact with another person able to provide information about whether the child may be in immediate danger of serious harm and the person is a reliable source of information who has specific and current knowledge of the safety of the child at the time of the report.

The narrative should also include an assessment of any impending danger or safety issues that may place the child in immediate danger of serious harm in the near future. The content of the report must be evaluated to establish the immediacy with which the child/family should be seen. The steps taken during the first twenty-four (24) hours may differ depending upon the allegations contained in the report and any other significant information obtained.

Documentation of the step(s) taken in the first twenty-four (24) hours to initiate the report response must be provided in progress notes. This is critical! Once the on-call caseworker has completed the twenty-four (24) hour assessment of safety there must be a case conference regarding this assessment between the on-call caseworker and the on-call case supervisor. The on-call caseworker must document in their progress notes that the case conference has been held and a brief summary of what was discussed and reviewed during the case conference. When a report is received from the SCR regarding an infant born and identified as affected by substance abuse or withdrawal symptoms resulting from prenatal substance exposure or a fetal alcohol spectrum disorder, the on-call caseworker must develop a plan of safe care with the family and any service providers working with the family, preferably before the mother and child leave the hospital. The plan must be documented on the OCFS-2196, Plan of Safe Care form.

In addition, districts must review all cross-referenced prior reports, including legally sealed unfounded reports when the current report involves the same subject, child or child's sibling, and other relevant agency records, as an additional source of information. This alone does not, however, constitute initiation of the report response. Furthermore, CONNECTIONS case and person search and WMS/CCRS inquiry may provide information on pre-existing services or non-services cases, including the identification of the district worker(s) involved. This process can reveal whether the family has been involved with social services before and what kind of contact the family may have had with the district. The on-call caseworker must document in their progress notes that the CONNECTIONS case and person search has been completed.

3. On-Call Follow-up on Reports and/or Individuals Currently Involved With OCDSS

Occasionally, there may be the need for the on-call caseworker to assist an OCDSS caseworker with a report and/or family with whom the OCDSS caseworker is already involved. Any assistance required of an on-call caseworker must be made by a case supervisor, by e-mail, prior to 5:00pm. If the request involves follow-up work to be completed on a weekend or official County holiday, the request must be emailed to all on-call caseworkers and supervisors who are scheduled to work during that time. The designated supervisors of the Multi-Disciplinary Team Unit ("MDT") must also be sent the email. The following is a listing of some circumstances that would require follow-up by the on-call caseworker:

- a. The assigned OCDSS caseworker is involved in a removal and they have made multiple and diligent efforts to locate the subject/children during the day but have been unable to do so;
- b. SCR reports that are received at 4:45pm or later;
- c. Reports containing allegations that children are being left home alone, or are being placed at risk, during the evening or on weekends;
- d. Any time a subject and/or child needs to be interviewed and it cannot wait until the next business day; and
- e. As per supervisory direction, any open CPS or services case may require assistance after-hours.

It is expected there will be circumstances requiring a case be passed from one on-call caseworker to the next scheduled on-call caseworker for follow up. Please remember to be very specific in passing on information regarding what you have done and what still needs to be done by the on-coming on-call caseworker.

4. Field Work

The need to go into the field will be determined on a case by case basis and the decision to do so must be made in consultation with the scheduled on-call supervisor. The decision to go into the field should take into consideration if the next day is a business day and if the OCDSS office will be open. If the OCDSS office will not be open, it must be determined if the report must be passed on to the next on-call caseworker for follow up. Anything that is unresolved must be passed on to the next on-call caseworker. The following is a listing of some circumstances that would require the on-call caseworker to complete field work:

- a. When the safety of children cannot otherwise be ascertained;
- b. When information obtained by the source regarding the nature or cause of an injury brings into question the safety of the child;
- c. Any child under the age of 5 who is reported to have an injury;
- d. Any child with an injury to their face, neck, torso, or who has any current lacerations;
- e. Any active lack of supervision; and
- f. Any circumstance where law enforcement is unable to accommodate an on-call caseworker's request for a child welfare check or if law enforcement indicates they will be unable to conduct the check within two (2) hours from the time the request was made.

If the allegations contained in the SCR report relate to domestic violence, you must provide the Orange County Safe Homes hotline number to the victim of the domestic violence. Remember, in domestic violence situations, assessing the safety of the child is the priority.

When conducting field work in West Point, the on-call caseworker must always first report to the military police desk prior to going to the home.

5. Supervisory Contact

The on-call caseworker should only contact the **scheduled on-call supervisor** when supervision is needed. Prior to contacting the supervisor, the on-call caseworker must contact the source and make attempts to get information other than what is listed on the report. This information may help the supervisor make decisions and give on-call caseworker appropriate direction. Should the on-call supervisor not return the on-call caseworker's call within fifteen (15) minutes, the on-call caseworker should contact the after-hours program supervisor. The following is a listing of some circumstances that would require the on-call caseworker to contact the scheduled on-call supervisor:

- a. Any time the on-call caseworker needs to go into the field;
- b. Whenever the safety of a child cannot be determined or confirmed;
- c. Any allegations involving a child under 12 months old;
- d. When there is an allegation of an injury or marks to a child under the age of five (5) year old;
- e. When there are serious injuries, including, but not limited to burns, current lacerations/bruises/welts, broken bones of any kind, or head injuries;
- f. Any injury for which medical attention was sought or is needed;
- g. Any time a parent or caregiver is arrested for child endangerment;
- h. Any time the on-call caseworker thinks there is an emergency for which law enforcement should be called;
- i. Any time the on-call caseworker believes they need supervision. When in doubt, seek supervision;
- j. To conduct the 24-hour assessment of safety conference; and
- k. Any time you are contacted by the Orange County Probation Department regarding a child who has committed a Juvenile Delinquency Crime;
- l. Any time you are contacted by a law enforcement official regarding a child who is either a Juvenile or Adolescent Offender.

When a report is received from the SCR containing a fatality, an abused child (AB child), or reports designated as Y, the designated MDT supervisor must be contacted. Once the designated MDT supervisor is contacted, this person will be the on-call supervisor for all SCR reports received for the next two (2) hours.

If a report is received regarding a child who has sustained a serious injury, but the report is not designated AB or Y, or there are concerns of sexual abuse in the narrative, the on-call caseworker must contact the scheduled on-call supervisor who will consult with the designated MDT supervisor to determine how the report will be handled.

6. Use of a Second On-Call Caseworker

The decision to use a second on-call caseworker must be made by the scheduled on-call supervisor. The following is a listing of some circumstances that would require a second on-call caseworker:

- a. The assigned on-call caseworker is implementing a removal and needs assistance with the removal and/or more SCR reports are coming in;
- b. The assigned on-call caseworker is dealing with an especially serious report with multiple subjects and/or children who must be interviewed;

- c. It is especially busy and /or a large volume of reports is being received; and
- d. A specific case requires involvement from the MDT unit and a caseworker from the MDT unit is assigned that case.

7. Law Enforcement Assistance

There are several circumstances that will require assistance and intervention from law enforcement. Please note that any involvement with law enforcement should be reported to the scheduled on-call supervisor. When calling law enforcement for assistance, make sure you thoroughly review the allegations with them and that you are specific in your request of what you would like them to do for you. Make sure any contact with law enforcement is noted in your progress notes. Be sure to include the name of the law enforcement department, who you spoke to (including title) and specifically, what they are reporting back to you. Please remember, per New York State law, you can not reveal the source of a report, even to law enforcement. The following is a listing of some circumstances that would require law enforcement involvement:

- a. To check the welfare of a child, specifically to see if the child has an injury, is home alone or has been left outside unsupervised;
- b. To request assistance with locating a missing child;
- c. To ensure a parent and/or caregiver is not impaired by the use of drugs and/or alcohol to the point that they cannot properly care for a child;
- d. Any time a crime has or is being committed, i.e. endangering the welfare of a child, harassment, assault, domestic violence, DWI, DUI; and
- e. To accompany the on-call caseworker on a visit when there are allegations of guns or other weapons in the home or any time there are concerns regarding the safety of the on-call caseworker.

8. Protective Removals

The following are steps that must be taken any time the on-call caseworker believes a protective removal of a child(ren) needs to take place:

- a. The on-call caseworker must consult with the scheduled on-call supervisor to determine if a removal is necessary and what type of removal it may be, i.e. 1021 (protective removal with consent) or 1024 protective removal without consent). Remember that if a parent is intoxicated, under the influence of drugs or has mental limitations that prevent them from making an informed decision, that person may not be able to consent to a removal;
- b. With supervisory assistance, determine if a second on-call caseworker is needed for back up;
- c. Call the local law enforcement for assistance if needed;
- d. Complete the 1021 or 1024 removal form. Make enough copies so that each parent can have one, one can be retained for our records, and one can be given to law enforcement if necessary;
- e. Serve the parent(s) with a copy of the removal notice and ASFA notification. If the parent(s) are willing to consent to the removal, the 1021 must be signed by the parent(s) or legally responsible adult(s) and they should also be given a copy of the removal notice and ASFA notification. If a 1021 removal is being considered and both parents are present, both must sign the 1021. If a 1024 removal is being conducted, both parents must receive the 1024 notice and ASFA notification;
- f. Ask if child(ren) have any medical/psychiatric issues for which they must take medication. If a child is on medications, try to find out what type and get the prescription bottle from the parent(s) or caregiver(s). Ask if the child(ren) have any allergies and if so to what. Obtain the

- name of the child(ren)'s physician in case there is an emergency medical incident after removal. If the child is an infant, ask what formula the child may be on and try to get the infant supplies from the parent(s) or caregiver(s);
- g. If a parent is not available to be served the removal paperwork to, a copy of the completed 1021 or 1024, and the ASFA notification must be placed in a sealed envelope and affixed to the door of the family home. A copy of the notice must also be given to local law enforcement and one (1) must be sent via United States postal service to the parent;
 - h. Fill out the Placement Information Form (CS-101) and give it to the casework assistant or to the foster parent;
 - i. The scheduled on-call supervisor must assist the on-call caseworker with locating an available foster home or foster care placement for the child(ren). An emergency list of placement resources is provided by the Homefinding Unit and should be used prior to accessing foster families from the general list;
 - j. The scheduled on-call supervisor must assist the on-call caseworker with locating a casework assistant or a case aide who will be available to transport the child(ren) once they are placed in OCDSS custody. **The casework assistant or case aide should not be contacted until OCDSS has assumed protective custody and the child(ren) are in our physical custody;** and
 - k. Please note the following factors regarding removals:
 - i. **All progress notes and any photographs taken must be emailed to OCDSS by 9am the next business day following the removal. A copy of the 1021 or 1024 removal notice must be received by OCDSS by 9am the next business day following the removal along with any supporting documentation of the removal, i.e. police reports, pictures, etc.... The original 1021 or 1024 removal notice must be received by OCDSS within three (3) business days of the removal;**
 - ii. We cannot place children with relatives after hours. However, this option should still be explored with the parent(s) or guardian(s) as the OCDSS caseworker assigned the case can follow up and contact relatives on the next business day;
 - iii. If another agency has documentation that supports the removal, i.e. hospital reports, etc.... ask that they fax it to the OCDSS Office as soon as possible so that the CPS caseworker assigned the case may have it to prepare the removal petition the next business morning. OCDSS Hatfield Lane FAX is 845-291-2985 and OCDSS Newburgh FAX is 845-568-5191;
 - iv. If a removal takes place on a weekend or holiday, make sure to advise the on-call caseworker who is scheduled to work after you of the placement and placement details. If there are additional activities related to the placement that need to be completed by the next scheduled on-call caseworker, make sure it is clearly explained to them what you need them to complete; and
 - v. Law enforcement can serve removal paperwork but it is not best casework practices. This should only be done after consultation with the scheduled on-call supervisor. It must be thoroughly documented in your progress notes why this decision was made.

9. After-Hours Procedure When a Fatality Is Reported

When a report is received from the SCR regarding the fatality of a child, the following steps must be followed

- a. Contact the designated MDT supervisor. For non-related SCR child fatality situations involving foster children or children involved in an open service case, you must contact the scheduled on-call supervisor who will determine if the senior case supervisor in charge of Preventive or Foster Care should be contacted;
- b. The on-call caseworker who took the SCR report may be responsible to launch the investigation and maintain the case until the next business day. A second on-call caseworker and on-call supervisor may be called in to help handle the afterhours coverage of other incoming SCR reports. However, in most cases a CPS caseworker from the MDT unit will be called in to handle the case;
- c. The designated MDT supervisor will contact a senior case supervisor or administrator. The designated MDT supervisor will document their contacts (including times) with OCDSS administration. This includes, but is not limited to, any contacts made with a senior case supervisor, deputy commissioner, commissioner, local law enforcement and the District Attorney's office;
- d. At the direction of the designated MDT supervisor, the on-call caseworker may need to coordinate the investigation with law enforcement with jurisdiction over the case. If appropriate, the MDT unit State Police Sr. Investigator may be contacted by the designated MDT supervisor to act as a liaison. You must try to determine if there are any past or current orders of protection regarding this family through local courts. Law Enforcement may be able to provide this information to you. Information regarding actions taken or planned by law enforcement and/or the district attorney (if parents or the legally responsible party has been arrested or charged with a crime) should be clearly documented in your progress notes and discussed with the designated MDT supervisor. Progress note documentation must include the name of the law enforcement department involved and the name and rank of any law enforcement personnel involved;
- e. Ascertain if this is this an open Preventive or Foster Care Services case or if there is any current CPS involvement with the family. If it is a Preventive or Foster care case, find out if there is a contract agency assigned to the case and if so, get the names and phone numbers of the assigned caseworkers and supervisors;
- f. Obtain the cause and circumstances surrounding the death. This includes a description of what is known about the cause and the circumstances leading up to the death. Find out who has had contact with the child on the day of the child's death, and within the few days prior to the death. Find out if the child was receiving any medical care prior to the death. If so, obtain the names of both the medical establishments where treatment was received and of the treating medical professionals. At the direction of the designated MDT supervisor, obtain all medical information and/or documentation involving the child. Have the parents sign any necessary release of information forms; and
- g. A Face-to-Face contact with any surviving children and pertinent family members is immediately required unless otherwise directed by the designated MDT supervisor. A general home safety check must also be conducted. You must establish if there are other children residing in the home and the location of all family members. It must be determined if the other

children residing in the home are safe and if they need medical attention. If a child requires medical attention, you must help facilitate them getting the medical care they need. At the direction of the designated MDT Supervisor, you may need to take protective custody of the children remaining in the home, if it is deemed that they are in imminent danger of harm.

Please Note: There is to be ABSOLUTELY NO media contact by an on-call caseworker or supervisor. If the media does attempt to contact you, an Administrator must be notified immediately.

10. 24/7 Access Procedure

Effective January 18, 2007, a child protective caseworker may seek an immediate order for access to a child prior to a petition being filed. To aid in the facilitation of this order when family court is not in session, the Division of Technology will provide an application that the Division of Technology Operation Staff will use in conjunction with directives from the Judge on call to generate and transmit the appropriate order.

Procedure for Off Hours

- Step 1: A Caseworker/Attorney will call the 1-800-430-8457.
- Step 2: An operator at the Division of Technology located at Rensselaer Technology Park will answer the dedicated line. The operators are on call from 5:00 pm until 9:00 am and 24 hours a day on weekends and holidays. The operator will ask for a phone number for the case worker/attorney, in the event the call is lost when the conference with the judge is initiated.
- Step 3: The operator will call the designated judge who is on call for the county. There is one designated Family Court Judge per District as well as one judge for NYC. There is also a sequence for back up judges should the designated judge not be able to be reached.
- Step 4: Once the operator conferences in the judge, the operator will start a recording of the call.
Note: The operator will stay on the line during the call. After the discussion is complete, the operator will complete data entry by following instructions from the judge that will allow an order to be produced that is granting or denying this application.
- Step 5: After the judge interviews the case worker/attorney and has enough information for his/her findings, the judge will instruct the operator to aid in generating an order.
- Step 6: When the data entry for the order is done the operator will preview the order. The order will be read back to the judge over the phone for approval.
After the judge has approved the order, the form will be generated and a digital signature will be applied to the order. Each order will have an Order ID for reference that will be populated automatically and printed in the upper right hand top corner of the order.
- Step 7: The operator will ask the case worker/attorney for an email address or FAX number where the signed order will be sent. The operator will also ask for a phone number for the applicant in case the order does not go through correctly.

Immediately upon completion of this order, the operator will end the recorded session and will email or FAX the order to the caseworker/attorney.

11. After-Hours Procedures regarding PINS, JDs, JOs, and AOs

The following are the procedures to be followed if you receive a call regarding a child who is a PINS, JD, JO, or AO:

- a. Runaways – If a child is a runaway, regardless of custody status, and has an active runaway warrant in the system, the child can be picked up by law enforcement and be brought to Berkshire Non-Secure Detention (“NSD”) for placement without an existing court order. Law

Enforcement will then be responsible to pick the child up at NSD and transport the child to Orange County Family Court (OCFC) the next business day so that the runaway warrant can be vacated. The child does not have to be in the custody of OCDSS to be placed at NSD for the evening or weekend. Additionally, law enforcement can also bring a runaway, regardless of custody status, to A Friend's House (AFH) Youth Shelter. OCDSS would then need to ensure the child gets picked up and brought to OCFC to vacate the runaway warrant, if the child is in OCDSS custody. Access: Supports for Living, Diagnostic Center will only accept children in the custody of OCDSS. OCDSS would then need to ensure the child gets picked up and brought to OCFC to vacate the runaway warrant;

- b. Juvenile Delinquent – You may be contacted by Orange County Probation Department regarding a child under the age of (16) who has committed a crime and for whom they are seeking to place in a non-secure or secure detention facility. The on-call caseworker must call the on-call supervisor immediately for assistance. The on-call supervisor will help assist with facilitating a placement following the guidelines contained in the Orange County Raise the Age Department of Social Services Guide (Attachment 3);
- c. Juvenile Offender and Adolescent Offender – You may be contacted regarding a foster child who has committed a felony crime and falls under the classification of a Juvenile or Adolescent Offender. The on-call caseworker must call the on-call supervisor immediately for assistance. Although it is the responsibility of the Orange County Sheriff's Office to obtain a bed in secure detention for JO youth and in Specialized Secure Detention for AO youth, DSS may be contacted for assistance when the youth is a foster child. The supervisor will determine the level of DSS involvement needed and will offer assistance as necessary and consistent with the Orange County Raise the Age Department of Social Services Guide (Attachment 3);
- d. If a parent calls with a request to have a child removed from their home due to PINS like behaviors, they should be encouraged to contact Merakey Intake the following business day to request services. The parent can also bring the child to AFH if the child is willing to go. The child must be screened on the telephone by AFH to see if they are appropriate for admission. If screened and accepted, they can be taken directly there by the parent. If the child cannot go to AFH shelter and the parent is insistent on placement AND you cannot assure the safety of the child or family, contact the scheduled on-call supervisor;
- e. Runaways from other counties or states can be placed in NSD or AFH by law enforcement. **We do not need to be involved;** and
- f. Should the scheduled on-call supervisor need assistance with a runaway, PINs, JD, JO or AO the supervisor of the Court Intake Unit can be contacted for assistance.

Important Phone Numbers

1. OCDSS On-Call Supervisors. **Please note, these numbers are confidential and should not be shared outside of OCDSS without the person's permission. ***Hatfield Lane Fax Number - 845-291-2985, Newburgh Fax Number – 845-568-5191*****