

## 1201 – Child Placement Services

### X. RECORD KEEPING AND DOCUMENTATION

Documentation and record keeping are critical in managing a Child Placement case. Documentation should assist in tracking progress toward the case goal, guiding service delivery and decision-making, and pointing out when the case goal may need revision. Documentation and record keeping are also necessary requirements to meet federal, state, and local mandates. Documentation and record keeping should be viewed as a valuable tool to the county child welfare social worker and the county child welfare supervisor, as well as to the court. Not only does the case record provide a history of the child and family's involvement, it also contains documents that constitute legal evidence. A comprehensive and up-to-date case record will alert the county child welfare worker and the county child welfare supervisor when required action is needed in the case, such as agency case reviews, court reviews, and contacts with the child, family, and others.

#### A. Maintenance of the Child Placement Case Record

The county child welfare agency should develop a consistent organizational format to be used in all Child Placement cases. A consistent, organized format allows the county child welfare worker to locate necessary information readily; for new county child welfare workers to become familiar with their assigned cases more quickly; and for county child welfare supervisors to be able to review cases more easily. Multiple copies of forms, reports, court documents, and correspondence should be removed and destroyed. Maintaining only one original copy of a document in the case record cuts down on the volume and allows for more ready access to needed information.

#### B. Contents of the Child Placement Case Record

Prompt and adequate documentation in the case record shall include:

- A description of the actions taken,
- Current progress toward the goal and objectives stated in the DSS-5240 Out of Home Family Services Agreement (<https://www2.ncdhhs.gov/info/olm/forms/dss/dss-5240-ia.pdf>)
- A current copy of the DSS-5094 Child Placement and Payment Report (<http://info.dhhs.state.nc.us/olm/forms/dss/dss-5094.pdf>) or DSS-5095 (<http://info.dhhs.state.nc.us/olm/forms/dss/dss-5095.pdf>) for adoption assistance, and
- The rationale for agency involvement and services delivery on an ongoing basis.

Case documentation shall be current to within seven working days.

The agency shall maintain an individual record for each child or sibling group that contains:

1. Demographic Information including:

- The name, address, sex, race, Social Security Number, date of birth, and birth place of the child;
- The names, addresses, telephone numbers, Social Security Numbers, dates of birth, races, religion, and marital status of the child's parents; and
- The names, addresses, and telephone numbers of siblings and other significant relatives and kin.

Many agencies provide this information on a standardized face sheet in the case record. It is extremely important that this information be updated as new information is acquired and as changes develop.

2. Annual Pictures of the Child

The record shall contain annual pictures of the child. At the time that the permanent plan is achieved, the pictures shall be given to the adult assuming responsibility for the child's care. It is also a good idea to attach copies of current pictures of the child to the agency's report to the court at each review hearing. Pictures in the case record and with the court report keep those involved with the child focused on the child's sense of time and the urgency for permanence.

All additional pictures of the child can be maintained in the record or Life Book so that they are available to the child, his or her family, or his or her adoptive family after resolution of the case.

3. Placement History

A log shall be maintained in each child's record, which outlines the child's placement history. This log should contain a record of the child's prior placements with names of caregivers, addresses, dates of placement, and specific reasons for the move. Copies of required notifications to parents regarding a change in a child's placement must be included in the record.

4. Out-of-Home Family Services Agreement

All applicable parts of the Out-of-Home Family Services Agreement, including the health and education components, must be in the case record and signed by all appropriate parties. Refer to 1201 – Child Placement Services; II. The Out of Home Family Services Agreement (<https://www2.ncdhhs.gov/info/olm/manuals/dss/csm-10/man/1201sll.pdf>) for more information on required forms and documentation. Refer to 1201 – Child Placement Services; VIII. Case Reviews

(<https://www2.ncdhhs.gov/info/olm/manuals/dss/csm-10/man/1201sVIII.pdf>) for more information on required documentation.

5. Court Documents

All court documents need to be maintained in the case record, including the original petition, all motions for review, all court orders, all procedural notices, and court reports.

6. Legal Documents

Legal documents of importance to the child, including a birth certificate must be maintained in the record.

7. Reports and Evaluations

Medical reports and psychological reports, including history, written assessments, and immunization records should be maintained in the case record.

8. Educational Information

Educational records and reports for school-age children, including Individualized Educational Plans when appropriate, should be maintained in the case record.

9. Written Assessments

Any assessments of relatives or fictive kin who may be considered as a potential placement resource for the child(the) and assessments for consideration of a child(ren) for Independent Living must be included in the case record. Refer to the Initial Provider Assessment (DSS-5203), Kinship Care Comprehensive Assessment (DSS-5204) and Instructions for Kinship Care Assessment (<http://info.dhhs.state.nc.us/olm/forms/dss/dss-5204ins.pdf>) for information on kinship assessment and to 1201 – Child Placement Services; Adolescent Services: NC LINKS (<https://www2.ncdhhs.gov/info/olm/manuals/dss/csm-10/man/1201sVII.pdf>) for information on Transitional Living Plan.

10. Interstate Compact Documents

All required documentation for accessing the Interstate Compact must be included in the case record.

11. Correspondence

Letters of attempts to contact parents, relatives, and/or fictive kin; reminder letters of scheduled visits and reviews; and referral letters to service providers should be carefully maintained in the case record. These letters constitute legal

evidence and document attempts to contact missing parents and attempts to provide services. Maintaining correspondence from parents, relatives, and kin document the family's response to these attempts. In addition, copies of notifications to participants in the Permanency Planning Action Team meetings shall be maintained in the child's record, unless all are maintained centrally.

12. Documentation

Documentation should reflect the dates and content of the county child welfare worker's face-to-face and telephone contacts with the child, the parents, the placement providers or other caregivers, and collaterals. Not only does the documentation need to reflect the frequency of county child welfare worker visits (monthly contact required), but it should also document reasons that justify when the requirements for a particular child are adjusted or not met.

More importantly, documentation should reflect progress that the county child welfare worker is making in providing the services reflected in the Out-of-Home Family Services Agreement. This documentation is important to show that reasonable efforts toward reunification or another identified permanent plan are being made.

When reunification is the plan, documentation should reflect the progress or lack thereof that the parent is making toward the goals and objectives identified in the Out-of-Home Family Services Agreement. This documentation should focus on parental behaviors and efforts that relate to the central issue that must be corrected in order for the child to return home safely. Documentation of visits between the parent and the child should reflect the dates and length of visits, as well as the substantive interactions between the child and parent during the visit. Since visitation is an indicator of progress or lack thereof in achieving case plan objectives, quality documentation of visits can be used to support decision-making.

Documentation should also reflect issues related to compliance with the Indian Child Welfare Act and the Multi-Ethnic Placement Act. Refer to 1201 – Child Placement Services; IV. Placement Decision-Making (<https://www2.ncdhhs.gov/info/olm/manuals/dss/csm-10/man/1201sIV.pdf>) for information about the Indian Child Welfare Act and the Multi-Ethnic Placement Act.

13. Form DSS-5094, Child Placement and Payment System

A current copy of the DSS-5094 (<http://info.dhhs.state.nc.us/olm/forms/dss/dss-5094.pdf>) must be maintained in the case record (unless this form is maintained centrally elsewhere in the agency). This form must be updated as required and whenever there are changes related to any field. Entries on this form are critical for accurate payments to placement providers. Furthermore, data is now being collected from other fields that are used for statistical analysis. This data is being

used for the Children's Services Outcomes Reports for counties and for the Report on Experiences of Children Entering Child Welfare Custody in NC Data from county child welfare agencies is being analyzed to identify strengths in the child welfare system and areas for program improvement. The accuracy of data is critical in this analysis. Data is provided on request to the NC General Assembly, county commissioners, county managers, media, public officials, etc.

14. Form DSS-5027, SIS Client Eligibility Form

A current copy of the DSS-5027 Services Information System Client Entry Form must be maintained in the case record (unless this form is maintained centrally elsewhere in the agency.) As with the DSS-5094 (<http://info.dhhs.state.nc.us/olm/forms/dss/dss-5094.pdf>), this form should be updated as required and when there are any changes related to any field. All fields are important and are used for statistical analysis.

15. Eligibility Forms

All relevant eligibility forms, including the IV-E Eligibility Determination forms, must be maintained in the case record. The agency shall follow the confidentiality requirements which are contained in law and policy.

16. Confidentiality of the Child Placement Case Record

NCGS §108A-80 ([http://www.ncleg.net/EnactedLegislation/Statutes/HTML/BySection/Chapter\\_108A/GS\\_108A-80.html](http://www.ncleg.net/EnactedLegislation/Statutes/HTML/BySection/Chapter_108A/GS_108A-80.html)) applies in general to all county department of social services records. It provides that all information pertaining to applicants and recipients of public assistance and social services shall be confidential and may only be disclosed for "purposes directly connected with the administration of the programs."

NCGS §7B-2901(b) ([http://www.ncleg.net/EnactedLegislation/Statutes/HTML/BySection/Chapter\\_7B/GS\\_7B-2901.html](http://www.ncleg.net/EnactedLegislation/Statutes/HTML/BySection/Chapter_7B/GS_7B-2901.html)) requires that the county departments of social services maintain a record of cases of juveniles in protective custody or placement by the court and that the following types of confidential information should be included:

- Family background information,
- Reports of social, medical, psychiatric, or psychological information regarding the juvenile or the family,
- Interviews with the family, and
- Other information which the judge finds should be protected from public inspection in the best interest of the juvenile.

The records may be examined only by order of the judge, except that the juvenile shall have the right to examine them.

17. Sharing Information from the Record with Other Agencies

County child welfare agencies may share information from the record with other county child welfare agencies and service providers that are serving a child receiving Child Placement Services, as that sharing of information is needed to facilitate services for the child and family.

State law requires that the chief district court judge in each district shall designate by standing order certain agencies in the district as “agencies authorized to share information.” Agencies that are authorized shall share information, upon request, that is relevant to any case in which a petition is filed alleging that a juvenile is abused, neglected, and/or dependent, and shall continue to do so until the juvenile is no longer subject to the juvenile jurisdiction of the court. Designated agencies may include:

- Local mental health facilities,
- Local health departments,
- County child welfare agencies,
- Local law enforcement agencies,
- Local school administrative units,
- The district attorney’s office,
- The Division of Juvenile Services of the Administrative Office of the Courts, and
- The Office of Guardian ad Litem Services of the Administrative Office of the Courts.

NCGS §7B-2901(c)

([http://www.ncleg.net/EnactedLegislation/Statutes/HTML/BySection/Chapter\\_7B/GS\\_7B-2901.html](http://www.ncleg.net/EnactedLegislation/Statutes/HTML/BySection/Chapter_7B/GS_7B-2901.html)) provides that, “in the case of a child victim, a judge may order the sharing of information among such public agencies as the judge deems necessary to reduce the trauma to the child victim.” Any information shared among agencies pursuant to the law shall remain confidential, shall be withheld from public inspection, and shall be used only for the protection of the juvenile.

NCGS §7B-1404-1413

(<http://www.ncleg.net/gascripts/Statutes/StatutesTOC.pl?Chapter=0007B>) sets rules of access for community and State multidisciplinary teams that review cases of child abuse and/or neglect and child deaths to identify gaps or deficiencies in the delivery of services to children and families. The State Child Fatality Task Force, the State and Local Child Fatality Prevention Teams, and the Community Child Protection Teams have access to all medical records, hospital records, and records maintained by the state, county or local agency as needed to carry out their legislated responsibilities. Information shared with these teams remains confidential and is not subject to discovery or introduction into evidence in any proceedings. The information may only be disclosed as necessary to carry out the purposes of the teams.

#### 18. Confidentiality Policy Statements

County child welfare agencies shall have a written confidentiality policy that ensures protection and appropriate use of information contained in all Child Welfare Services records. The policy shall clearly define, in accordance with law:

- Under what conditions specific access to a child's record may be given;
- Protection of information that cannot be released,
- Agencies designated by the chief district court judge that are required to share information, upon request, that is relevant to any case in which an abuse, neglect, and/or dependency petition is filed,
- Determination of other non-designated individuals who need information to facilitate the safety and protection of a child, and
- County child welfare agency protocols for providing summary information to the public following a child fatality or near fatality.

#### 19. Confidentiality and HIV Status

It is recognized that placement providers have a need to know the HIV status of children in their care. Infections or viruses that are less serious in a non-infected child can be fatal to an HIV-infected child, and placement providers must be aware of symptoms that require immediate medical attention. However, prior to disclosure of a child's HIV status, the county child welfare agency must consider and protect the child's right to confidentiality. While concern for confidentiality exists throughout the service delivery system, information regarding persons infected with HIV requires special consideration. This is due to the potential social and psychological damage that can be caused by inappropriate sharing of such information.

NCGS § 130A-143

([http://www.ncleg.net/EnactedLegislation/Statutes/HTML/BySection/Chapter\\_130A/GS\\_130A-143.html](http://www.ncleg.net/EnactedLegislation/Statutes/HTML/BySection/Chapter_130A/GS_130A-143.html)) provides that HIV status and related information is strictly confidential and shall not be released or made public except under certain circumstances. One such circumstance provides that release of all or part of the medical record can be made with the written consent of the person or persons identified or the guardian. In this context, guardian applies to a county child welfare agency having authority to release HIV status and information on a child in its custody on a need to know basis to placement providers.

Information on the child's HIV status should be shared only with persons who have a need to know, and persons informed should be told that re-disclosure of the information is prohibited without consent of the child, the parent, or guardian. Best practice would suggest involving the parents in these decisions to the extent possible and appropriate.