
 VERMONT DEPARTMENT FOR CHILDREN AND FAMILIES Family Services Policy Manual		52I
Chapter:	Child Safety Interventions	
Subject:	Child Abuse and Neglect Investigations	Page 1 of 14
Approved:	Cynthia K. Walcott, Deputy Commissioner	Interim 7/1/2009
Supersedes:	Interim Family Services Policy No. 52	Dated: 1/1/2007

Purpose

To clearly articulate a primary focus on child safety and to describe the process and requirements for conducting investigations of alleged child maltreatment as defined in Title 33, Chapter 49. In this policy, child abuse or neglect as defined in Chapter 49 is referred to as child maltreatment.

Purpose	1
Policy	2
Required Time for Commencing an Investigation	2
Determining Response Priority	3
Supervising Child Maltreatment Investigations	3
Planning the Investigation	3
Entries into the SSMIS Supervisory Tracking Form	4
Statutory Requirements for Investigations	5
Assistance from Law Enforcement	5
Investigations Involving Residential and Child Care Licensing	6
Required Notifications to People Being Interviewed	6
Working with Individuals with Limited English Proficiency	7
Photographs and X-Rays	7
Interviewing Children	8
Assessing and Planning for Safety	8
Additional Interviews	9
Interviewing the Alleged Perpetrator	10
Co-occurring Child Maltreatment and Domestic Violence	11
Substance Use / Abuse	11
Working with Individuals with Disabilities	12
Risk Assessment	12
Completing the Investigation	12
Transfer for Ongoing Service to High Risk Families	13
Supervisor Tasks	14

 VERMONT DEPARTMENT FOR CHILDREN AND FAMILIES Family Services Policy Manual		52I
Chapter:	Child Safety Interventions	
Subject:	Child Abuse and Neglect Investigations	Page 2 of 14
Approved:	Cynthia K. Walcott, Deputy Commissioner	Interim 7/1/2009
Supersedes:	Interim Family Services Policy No. 52	Dated: 1/1/2007

Policy

This policy is applicable whenever the division has determined that an allegation of child maltreatment is valid and will receive an investigation response under 33 VSA Chapter 49.

The first priority of the social worker is to assess child safety:

- Is the child safe now? Will he or she be safe in the near future?
- If not, what needs to be done to promote safety?
 - Is out of home placement necessary?
 - If the child must leave home, is a familiar person available to provide short-term care?
 - Is DCF custody a necessary element to promote safety?

Required Time for Commencing an Investigation


When information is received that is considered a valid allegation of child maltreatment, the division will respond within 72 hours. Within that time, the child will be interviewed in person or observed by a social worker if the child is too young to be interviewed. An interview by law enforcement does not substitute for investigation commencement.

The District Director, the Child Protection Director, the Child Safety Assessment Manager or an operations manager may waive the requirement to interview or see the child within seventy-two hours only when, in his or her judgment:

- it would be harmful to the child¹
- there is danger to the worker; or,
- the victim cannot be located.

The waiver must be granted prior to 72 hours. Issues necessitating the waiver must be addressed immediately so the investigation can commence as soon as possible. The investigation supervisor is responsible for daily documentation of activity directed towards commencement when a waiver has been granted.

¹ Example: when commencing the investigation within 72 hours would result in repeated interviews to the child when the child is not at imminent risk and the alleged perpetrator will not have unsupervised access to the child.

 VERMONT DEPARTMENT FOR CHILDREN AND FAMILIES Family Services Policy Manual		52I
Chapter:	Child Safety Interventions	
Subject:	Child Abuse and Neglect Investigations	Page 3 of 14
Approved:	Cynthia K. Walcott, Deputy Commissioner	Interim 7/1/2009
Supersedes:	Interim Family Services Policy No. 52	Dated: 1/1/2007

The Child Protection Director or Child Safety Assessment Manager must approve waiver requests for other reasons. The rationale for the waiver will be documented on-line. The issues necessitating the waiver will be addressed so that the investigation can commence as soon as possible.

Determining Response Priority

Investigations are assigned a response priority based on information available at the time of intake. Response times are:

- Level 1: Commence by the end of the current work day
- Level 2.1: Commence within 72 hours
- Level 2.2: Commence within 72 hours

The delineation between the level 2 response priority categories allows the supervisor to prioritize initiation of investigations within the 72-hour timeframe.

The intake supervisor may select a response priority to provide a **higher or lower** response priority level. An override may be necessary when critical information needed to assess the case is unknown. The supervisor will document the reason for any override.

Supervising Child Maltreatment Investigations

The assessment supervisor will supervise all child maltreatment investigations, even if the social worker normally reports to another supervisor.

Planning the Investigation

Thoughtful planning of a child maltreatment investigation is critical, in order to minimize the risk to the child, other family members, and the worker. Issues to be considered in planning include:

- What history does the division have with the family?
- Could the investigation place the child at higher risk? How can we minimize that risk?
- How do issues of domestic violence or substance abuse in the family affect the approach to the investigation?
- Are there risks to the worker? How can they be minimized?
- Is police involvement indicated?
- What is the appropriate sequence of interviews?
- Is it necessary to interview the child without parental permission? If so, what environment will be most comfortable for the child? Who is the appropriate


Chapter:	Child Safety Interventions	
Subject:	Child Abuse and Neglect Investigations	Page 4 of 14
Approved:	Cynthia K. Walcott, Deputy Commissioner	Interim 7/1/2009
Supersedes:	Interim Family Services Policy No. 52	Dated: 1/1/2007

disinterested party to be present?

- How can repeat interviews, especially with the child, be avoided?

Entries into the SSMIS Supervisory Tracking Form

When a case is opened for investigation, the case type is designated as CI.

 VERMONT DEPARTMENT FOR CHILDREN AND FAMILIES Family Services Policy Manual		52I
Chapter:	Child Safety Interventions	
Subject:	Child Abuse and Neglect Investigations	Page 5 of 14
Approved:	Cynthia K. Walcott, Deputy Commissioner	Interim 7/1/2009
Supersedes:	Interim Family Services Policy No. 52	Dated: 1/1/2007

Statutory Requirements for Investigations

Chapter 49 states that, ***to the extent reasonable***, (emphasis added) the investigation shall include:


- a visit to the child's residence or place of custody;
- a visit to the location of the alleged abuse or neglect;
- an interview with or observance of the child;
- determining:
 - the nature, extent and cause of the abuse or neglect;
 - the identity of the person responsible for the abuse or neglect;
 - the names and conditions of any other children living in the same home environment;
 - the immediate and long term risk to each child if that child remains in the existing home environment;
 - the environment and the relationship of any children in the home to the person responsible for the reported abuse or neglect; and
 - any other data deemed appropriate.

Assistance from Law Enforcement

Assistance from law enforcement will be requested in all:

- investigations of child sexual abuse by an alleged perpetrator age 10 or older;
- investigations of serious physical abuse or neglect likely to result in criminal charges or requiring emergency medical care (examples include broken bones, head injuries, etc);
- situations potentially dangerous to the child or worker.

Assistance from law enforcement may also be requested in other situations, according to local protocols. When the social worker and law enforcement are jointly investigating a report of child maltreatment pursuant to state or local protocols, the officer will be considered a person assigned by the Commissioner to investigate child maltreatment under 33 VSA §4916(d). Under those circumstances, written information from the case record may be shared with the officer. However, since information contained in police records is discoverable if the perpetrator is charged criminally, only information directly relevant to the investigation should be shared. Consultation with the Assistant Attorney General's office is recommended in circumstances when written information from the case record is needed by law enforcement that is not directly relevant to the investigation.

 VERMONT DEPARTMENT FOR CHILDREN AND FAMILIES Family Services Policy Manual		<h1>52I</h1>
Chapter:	Child Safety Interventions	
Subject:	Child Abuse and Neglect Investigations	Page 6 of 14
Approved:	Cynthia K. Walcott, Deputy Commissioner	Interim 7/1/2009
Supersedes:	Interim Family Services Policy No. 52	Dated: 1/1/2007

If the alleged child maltreatment took place in an area where the Vermont State Police provide law enforcement, the designated district office contact person will contact the designated V. S. P. contact person to discuss the request. According to established protocol, when a joint interview is done with the Vermont State Police, they will be given the option of interviewing the alleged perpetrator first.

Investigations Involving Residential and Child Care Licensing

If, during the investigation, the social worker learns that the perpetrator resides or receives services in a licensed or approved facility serving children, the social worker will notify the SIU immediately.

Required Notifications to People Being Interviewed

33 VSA § 4921 requires that the division inform the parent or guardian of the child that:

- a report has been accepted as a valid allegation and that the division is conducting an assessment or investigation.
- That they may request a redacted record of the assessment, unless they are the alleged perpetrator.


Federal law requires that the division inform the alleged perpetrator, at the time of the initial contact, of the complaint or allegation made against the individual. In making this notification, the confidentiality of the reporter will be protected, unless the reporter has given permission for his or her identity to be shared.

Before interviewing any person as part of an assessment, the social worker will make the person aware of their right to receive reasonable accommodations in order to participate in the interview.

Suggested language for notification is as follows:

“DCF has received a call expressing concern that your child may be abused or neglected. We need to speak to you about that concern.

If you have a disability and need, or think you may need, an accommodation in order to participate in the interview, please let us know. We will discuss your needs and provide you with a reasonable accommodation”.

 VERMONT DEPARTMENT FOR CHILDREN AND FAMILIES Family Services Policy Manual		<h1>52I</h1>
Chapter:	Child Safety Interventions	
Subject:	Child Abuse and Neglect Investigations	Page 7 of 14
Approved:	Cynthia K. Walcott, Deputy Commissioner	Interim 7/1/2009
Supersedes:	Interim Family Services Policy No. 52	Dated: 1/1/2007

Working with Individuals with Limited English Proficiency

As an agency receiving federal funds, the division is governed by Federal Executive Order # 13166 which required that agencies adopt plans to ensure that persons limited in English proficiency "can meaningfully access programs and activities."

The Agency of Human Services (AHS) policy requires that all departments provide language assistance as may be needed to ensure meaningful access to our programs. AHS maintains three forms of interpretive services:

- **In-person Interpretive Services:** The Agency maintains contracts to provide in-person interpretive services throughout the state.
- **Written Translation Services:** The State, through the Department of Information & Innovation, maintains a contract to provide translation of documents, brochures, application forms and any other needed written materials for all state agencies and departments.
- **Telephonic Services:** The State, through the Department of Information & Innovation, maintains a contract for assistance to allow all state agencies and departments to access interpretive and translation services telephonically.


When conducting an assessment in which a caretaker or child has limited English proficiency, the social worker will arrange for appropriate interpretive services. Children will not be asked to interpret for their caregivers.

Photographs and X-Rays

If trauma to the child is visible, photographs should be taken of the injuries. This may occur without parental permission. If a law enforcement officer or medical provider is involved in the investigation, he or she should take the photographs.

At times during an investigation, the social worker may determine that a physician should examine a child, or a physician may recommend that a child be x-rayed (Note: x-rays must be indicated as appropriate by a physician, according to law.).

In either case, unless it would compromise the child's safety, parental permission should be sought. When parental permission cannot or should not be obtained, an emergency detention order will be obtained before proceeding with the examination or x-ray.

 VERMONT DEPARTMENT FOR CHILDREN AND FAMILIES Family Services Policy Manual		<h1>52I</h1>
Chapter:	Child Safety Interventions	
Subject:	Child Abuse and Neglect Investigations	Page 8 of 14
Approved:	Cynthia K. Walcott, Deputy Commissioner	Interim 7/1/2009
Supersedes:	Interim Family Services Policy No. 52	Dated: 1/1/2007

Interviewing Children

The social worker must interview or, for a non-verbal child, observe the alleged victim during the interview. The interview with the victim should be carefully planned to avoid the necessity of subsequent interviews. Other children in the home will also be interviewed when:

- there are concerns about their safety; or
- they may have information important to assess the safety of the alleged victim.

If necessary to assure a child's safety, the alleged victim or another child in the home may be interviewed without the permission of the child's parents, guardian, or custodian. This interview must take place in the presence of a disinterested adult, such as a teacher, nurse, member of the clergy, etc. Law enforcement officers are **not** disinterested adults.

Examples of situations in which it may be appropriate to interview a child without parental permission include:


- the parents are the alleged perpetrators;
- the parents could not be contacted within the seventy-two hour time limit on commencement of an investigation; or,
- there are concerns that the parent(s) have failed to protect the victim.

When an interview occurs without parental permission, the parent should be informed as soon as is reasonable, and during this initial contact should be informed of the allegations against them (when they are the alleged perpetrator). The confidentiality of the reporter will be protected, unless the reporter has given permission for his or her identity to be shared. In most situations, subsequent interviews should take place with the parent's awareness and permission. Subsequent interviews of children without parental permission may occur with the approval of a supervisor.

Assessing and Planning for Safety

The assessment of safety is the first priority during an assessment; safety assessment focuses on present or impending danger to the child. It is a casework process that involves the social worker, the family, and others who are engaged with the family.

- A child is in **present danger** when an immediate, significant and clearly observable family condition is currently endangering or threatening to endanger a child and therefore requires prompt response.
- There is **impending danger** when family behaviors, attitudes, motives, emotions

 VERMONT DEPARTMENT FOR CHILDREN AND FAMILIES Family Services Policy Manual		52I
Chapter:	Child Safety Interventions	
Subject:	Child Abuse and Neglect Investigations	Page 9 of 14
Approved:	Cynthia K. Walcott, Deputy Commissioner	Interim 7/1/2009
Supersedes:	Interim Family Services Policy No. 52	Dated: 1/1/2007

and/or situations pose a danger that may not be currently or always active, but can be anticipated to become active and have severe effects on a child at any time.

The assessment of safety requires evaluating present dangers, child vulnerability, child and family protective capacities.

- **Present dangers** are caretaker conditions that lead to serious harm or threatened serious harm.
- **Child vulnerabilities** are characteristics that make the child more likely to be maltreated and less likely to be able to participate in a plan for safety. Children in the home must be assessed independently.
- **Protective capacities** are attributes that can mitigate the presence of or threat of serious harm to a child when activated on the child's behalf. Not all family strengths are protective capacities.

The safety assessment focuses on determining if the child is safe or unsafe:


- **Safe** is a condition in there are no danger indicators; the child appears to be safe.
- **Safe with Safety Plan** - There is at least one danger indicator, and there may be protective capacities that can mitigate the danger. A safety plan is in place that addresses the identified dangers, and if successfully carried out, will allow the children to remain in the home. The plan may include informal placement with a safe friend, relative or non-resident parent as a temporary measure.
- **Unsafe** -- There is at least one danger indicator, and protective capacities are not sufficient to mitigate the danger at this time. A court order or voluntary care agreement with placement outside the home for one or more children is the only way possible to protect the child from immediate or serious harm. [

The **Assessment of Danger and Safety** is a tool for the documentation of the safety assessment and the safety plan. The Safety Assessment tool must be documented within 24 hours of the first interview with the family. If any danger items are selected, the Family Safety Planning framework will be used to complete a safety plan with the family.

The Assessment of Danger and Safety will be updated when dangers were identified, but transfer for ongoing services is not recommended.

Additional Interviews

In addition to the interviews and visits required by statute, the social worker will also interview:

 VERMONT DEPARTMENT FOR CHILDREN AND FAMILIES Family Services Policy Manual		52I
Chapter:	Child Safety Interventions	
Subject:	Child Abuse and Neglect Investigations	Page 10 of 14
Approved:	Cynthia K. Walcott, Deputy Commissioner	Interim 7/1/2009
Supersedes:	Interim Family Services Policy No. 52	Dated: 1/1/2007

- the reporter, if he or she may have additional information;
- the child's parents or guardian (In cases where domestic violence is an issue, the adults should be interviewed separately.)
- other people who may have information about the child and family, including persons suggested by the family.

In co-occurring child abuse and domestic violence cases, complete and accurate investigation is most likely to occur when the adult victims and children are interviewed in supportive and confidential sessions separate from the batterer.

The supervisor may waive any of these additional interviews because it is:

- in the best interests of the child; or
- reasonable to believe the person does not have information concerning the event or the circumstances of the child's care.


In conducting interviews, care should be taken to protect the confidentiality of the child and family, revealing only what is absolutely necessary to obtain desired information. Information provided about domestic violence should not be shared with the alleged perpetrator of domestic violence.

Interviewing the Alleged Perpetrator

The social worker will interview the alleged perpetrator during the investigation, unless that person:

- refuses to be interviewed;
- is a minor and his/her parents refuse to give permission;
- is not the child's parent or caretaker and has been interviewed by the police in the context of a joint investigation;
- is not residing in the home and has been interviewed by the police in the context of a joint investigation; or
- cannot be located.

The Keeping Children and Families Safe Act of 2003 (Public Law 108-36) requires that the investigating social worker inform the alleged perpetrator, at the time of the initial contact, of the complaint or allegation made against the individual.

 VERMONT DEPARTMENT FOR CHILDREN AND FAMILIES Family Services Policy Manual		52I
Chapter:	Child Safety Interventions	
Subject:	Child Abuse and Neglect Investigations	Page 11 of 14
Approved:	Cynthia K. Walcott, Deputy Commissioner	Interim 7/1/2009
Supersedes:	Interim Family Services Policy No. 52	Dated: 1/1/2007

The confidentiality of the reporter will be protected, unless the reporter has given permission for his or her identity to be shared.

If the social worker and supervisor believe that an alleged perpetrator should not be interviewed because it would increase risk (an example would include circumstances where domestic violence and child abuse co-occur) consultation with the Child Safety Assessment Manager or Child Protection Director will occur.

Co-occurring Child Maltreatment and Domestic Violence

Child maltreatment assessments may involve co-occurring domestic violence. In such cases, although our primary duty is to ensure child safety, ensuring safety for the adult victim is often closely linked to ensuring safety for the child.

Safe intervention when child maltreatment and domestic violence co-occurs requires addressing risks to both children and adults who fear retaliation or harm by the batterer as a result of our intervention. Examples of safe intervention practices include:

- Interviewing adult victims and children in supportive and confidential sessions separate from the batterer; and
- Developing safety plans in collaboration with the adult victim and children that address their unique immediate and future safety needs.


Information provided about domestic violence should not be shared with the alleged perpetrator of domestic violence.

When documenting information regarding domestic violence, the social worker should avoid language that blames the adult victim for the batterer's abusive behavior.

Substance Use / Abuse

Nationwide, federal Child and Family Services Reviews have documented that parental substance use disorders were a factor in 16% to 48% of cases. Substance use disorders were found in families who repeatedly came to the attention of the child protection agency.

Social workers should be informed about and comfortable in screening for substance use issues in order to appropriately engage families to address underlying issues of risk. In addition to utilizing the information contained within the accepted report, social workers may utilize the screen found in the Appendices section of Family Services Division Policy

 VERMONT DEPARTMENT FOR CHILDREN AND FAMILIES Family Services Policy Manual		52I
Chapter:	Child Safety Interventions	
Subject:	Child Abuse and Neglect Investigations	Page 12 of 14
Approved:	Cynthia K. Walcott, Deputy Commissioner	Interim 7/1/2009
Supersedes:	Interim Family Services Policy No. 52	Dated: 1/1/2007

Manual (Appendix 9) in an effort to identify substance use issues that may need further professional assessment. If any of the answers are yes, a referral to assessment is appropriate.

Working with Individuals with Disabilities

The department recognizes that persons with a disability can be successful parents and may need reasonable accommodations, including adaptive equipment and supports. When a parent identifies as having a disability the assessment of service needs will be developed with input from and in cooperation with a person with relevant expertise. The department will make referrals as appropriate.

Risk Assessment


The social worker will complete a Family Risk Assessment during all investigations, including already open cases unless the alleged perpetrator is not a caretaker or parent and is not a member of the child's household. The risk assessment should only be used if there is a question about the caregiver's ability to protect. By completing the risk assessment, the worker obtains an objective appraisal of the likelihood that a family will maltreat their children in the next 12 to 18 months. The instrument **does not predict** occurrence or recurrence, but simply assesses whether a family is more or less likely to have abuse/neglect incident without intervention.

Completing the Investigation

All child maltreatment investigations should be concluded within 60 days. If that is not possible, clear tasks and deadlines should be established and documented by the supervisor.

Concluding an investigation means that the social worker has completed all interviews and required investigation documentation, a case determination has been made, the supervisor has made a case disposition and completed online tools, and the caretakers and alleged perpetrator(s) are informed of the outcome (see FSD Policy No. 56 on Substantiating Child Maltreatment).

If a child comes into custody during an investigation due to an emergency detention hearing, the social worker still needs to complete all steps of the child maltreatment investigation.

 VERMONT DEPARTMENT FOR CHILDREN AND FAMILIES Family Services Policy Manual		<h1>52I</h1>
Chapter:	Child Safety Interventions	
Subject:	Child Abuse and Neglect Investigations	Page 13 of 14
Approved:	Cynthia K. Walcott, Deputy Commissioner	Interim 7/1/2009
Supersedes:	Interim Family Services Policy No. 52	Dated: 1/1/2007

Transfer for Ongoing Service to High Risk Families

Cases transferred for ongoing service involve families who:


- are at high or very high risk for a future incident of child maltreatment, or
- have an outstanding danger issue that could not be resolved during the investigation, regardless of risk level.

Due to the nature of these criteria, the ongoing worker must begin their work with the family promptly. The transfer process will be concluded within 5 working days. The transfer process includes:

- supervisory review;
- assignment of worker in SSMIS; and,
- worker contacting the family to schedule an initial visit to review the safety plan and begin the assessment for service planning.

Social Worker Tasks

- Reviews report and results of master index, central registry and department of corrections checks.
- Confers with district staff who have knowledge of the family.
- Identifies any other individuals who need to be contacted.
- Within 72 hours (unless waived) interviews or observes alleged victim either in the presence of the parent or a disinterested adult.
- Conducts other necessary interviews, as indicated in policy.
- Informs any person to be interviewed that if they identify themselves as having a disability and needing an accommodation to participate in the interview, the division will provide reasonable accommodation.
- Completes necessary SDM Tools, including documenting specific information from police affidavits or reports to provide relevant detail that supports the determination.
 - Safety Assessment (within 24 hours of commencement)
 - FSP Framework (required when any Danger item is scored yes on Safety Assessment)
 - Risk Assessment (before end of investigation, within 45 days)
 - Investigation Activities Summary

 VERMONT DEPARTMENT FOR CHILDREN AND FAMILIES Family Services Policy Manual		52I
Chapter:	Child Safety Interventions	
Subject:	Child Abuse and Neglect Investigations	Page 14 of 14
Approved:	Cynthia K. Walcott, Deputy Commissioner	Interim 7/1/2009
Supersedes:	Interim Family Services Policy No. 52	Dated: 1/1/2007

- Safety Assessment (before end of investigation if any Danger item was scored yes at time of initial Safety Assessment AND recommendation is to close case)
- Case Determination

Note: Safety is dynamic and often changes throughout the life of an assessment. If there is a substantial change in the family's situation that indicates a child may be in danger, the social worker should complete a new safety assessment.

- Completes all tasks within sixty days.

Supervisor Tasks

- Determines the nature and immediacy of response using the Response Priority Tool.
- Makes recommendation to district director on waiving the 72 hour mandate, if indicated.
- Assists the worker in planning the investigation, addressing issues of child and worker safety.
- Determines the need for law enforcement assistance.
- Determines if any required interviews should be waived or if subsequent interviews of a child without parental permission are warranted.
- Reviews investigations at least weekly with worker during the investigation.
- Searches available databases to determine whether or not the caretaker and alleged perpetrator, as well as other adults residing in the home, have prior substantiations or involvement with Family Services, and assesses whether or not this information is relevant to the case determination decision.
- Reviews completed investigation tools within 60 days. This review should be conducted, whenever possible, by the supervisor within each office assigned the duties of intake and investigation.