



CDSS

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DEPARTMENT OF SOCIAL SERVICES

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EDMUND G. BROWN JR.
GOVERNOR

December 23, 2015

ALL COUNTY LETTER (ACL) NO. 15-103

REASON FOR THIS TRANSMITTAL

- State Law Change
- Federal Law or Regulation Change
- Court Order
- Clarification Requested by One or More Counties
- Initiated by CDSS

TO: ALL COUNTY WELFARE DIRECTORS
ALL COUNTY CHILD WELFARE DIRECTORS
ALL CHILD WELFARE SERVICES (CWS) PROGRAM MANAGERS

SUBJECT: IMPLEMENTATION OF SOCIAL WORKER HOTLINE (ASSEMBLY BILL [AB] 1978 HOTLINE)

REFERENCE: Assembly Bill (AB) 1978 (Chapter 786, Statutes 2014), Welfare & Institutions Code (W&IC) section 10605.5

The purpose of this ACL is to disseminate information and instructions to counties regarding the implementation of the new AB 1978 Hotline for child welfare social workers and state adoptions workers.

BACKGROUND

Child welfare agencies have policies and procedures rooted in state law, regulation, and best practice that guide social workers in the delivery of services to children and families. Fundamental to these policies is the assurance of a child’s safety and well-being. Social workers also have a responsibility to the children to promote their safety and well-being, and accomplish this through many core functions, including conducting safety and risk assessments, conducting face-to-face visits with the child, obtaining placement and providing supervision of a child in Foster Care.

The AB 1978 added section 10605.5 to the W&IC, which mandates the California Department of Social Services (CDSS) to develop, in consultation with county and labor organizations, and implement a process by which county child welfare and state adoptions social workers may make voluntary disclosures to the CDSS related to negative impacts on child health and well-being. Specifically under W&IC section 10605.5(a), workers are able to report or disclose information confidentially if they have

a reasonable cause to believe that a policy, procedure or practice in child welfare meets any of the following conditions:

- Endangers the health or well-being of a child.
- Is contrary to existing statute or regulation.
- Is contrary to public policy.

Once disclosures are made they will be reviewed to determine if they fall within the statutory criteria listed above. The CDSS may further investigate such disclosures, and pursuant to W&IC section 10605.5(d), will report to the Legislature summary information regarding the disclosures and the actions taken by the department in response. This information will be used to inform policy and practice changes to improve child welfare services.

IMPLEMENTATION

As part of AB 1978 implementation, a hotline was established to provide a confidential place for county social workers, as well as state adoptions workers contracted to perform direct adoptions services to county child welfare agencies, to report or disclose concerns as outlined above. The AB 1978 Hotline, with its companion website, will become available for reporting on January 1, 2016.

Social workers may report their concerns by calling the AB 1978 Hotline or submitting a written report electronically via the AB 1978 Hotline mailbox. (Additional information and resources are available on the CDSS AB 1978 Hotline webpage listed at the end of this letter.) Relevant reports must meet the statutory requirements outlined above, both in the scope of who is making the report and in what is being reported.

Reports that are determined to be irrelevant will be assigned a report number and maintained for information only purposes or referred to the appropriate program, if they fall under the purview of another program. Reports that are determined to be relevant will be assigned to a CDSS staff person for review. Once an initial review of the complaint is completed the CDSS will determine any next steps, including possible on-site reviews.

This hotline is not a 24-hour emergency hotline; consequently, and workers who know of an urgent risk to the safety of a child should report the situation to the appropriate officials within the local jurisdiction. Workers are also encouraged to take their concerns to management to ensure child safety. Other non-emergent issues related to the health and well-being of children can be reported and will be responded to in a timely manner.

DATA REPORTING

Pursuant to W&IC section 10605.5(d), data from reports received will be collected and maintained as of January 1, 2016 and will be published no later than January 1, 2018. On or after that date, the CDSS will report the following information on its website:

- The total number of disclosures received that meet the criteria for inclusion;
- The month and year the disclosure was received;
- A summary of the issues raised in the report; and
- The actions taken by the CDSS in response to these disclosures.

Due to the narrow scope of parties that can report via the AB 1978 Hotline, call volume cannot yet be anticipated. As call volume and complexity are assessed, the CDSS will utilize an ongoing model of continuous quality improvement practices to refine and further develop the program and determine the reporting intervals for the public website. It is anticipated that this will be done within the first year of implementation.

CONFIDENTIALITY

The W&IC section 10605.5(a)(2) provides for the confidentiality of a reporting social worker's identity to remove any barriers to reporting concerns. The CDSS shall not disclose to any person or entity the identity of a social worker making a disclosure unless the social worker has consented to the disclosure or there is an immediate risk to the health and safety of the child.

Strict confidentiality requirements will be adhered to by the CDSS staff but it should be noted that due to the nature of the report or the small size of some counties, a reporter's identity may be inferred by county staff. However, public and private employees who report information they have reasonable cause to believe discloses a violation of a state or federal statute, or a violation or noncompliance with a local, state or federal rule or regulation, are covered under the California Whistleblower Protection Act, (Labor Code §1102.5 to 1105). Additional information regarding these Labor Code sections can be found at <http://www.dir.ca.gov/dlse/dlseRetaliation.html>.

Further information on the AB 1978 Hotline will be developed and released in subsequent ACL/All County Information Notices as needed. In addition, the CDSS maintains a web page with helpful information regarding the AB 1978 Hotline including: the scope of what can be reported through the hotline, how to make a report, reporting data, etc. This page is located at: <http://www.childsworld.ca.gov/PG4844.htm>. A copy of the reporting form [SOC 886](#) from the website is attached for reference. An

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informational flyer is also attached for counties and labor representatives to share with staff.

Questions regarding the AB 1978 Hotline should be directed to the Children's Services Outcomes and Accountability Bureau at AB1978Hotline@dss.ca.gov or to the Hotline Manager at (916) 651-8099. Reports can be made to the AB 1978 Hotline at (844)796-6283 or electronically through the mailbox.

Sincerely,

Original Document Signed By:

GREGORY E. ROSE
Deputy Director
Children and Family Services Division

Attachments

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AB 1978 Hotline

Social workers are able to report concerns about child welfare practice, policies and procedures that endanger the health, safety, and well-being of children by making a report. This hotline allows workers to report concerns AB 1978, which provides for non-disclosure of reporting parties and provides an avenue for accountability and oversight to local child welfare agencies. The goal is to help improve our system of care and outcomes for children.

1-844-796-6283

WHO CAN REPORT CONCERNS THROUGH THIS HOTLINE?

Social workers in county child welfare agencies or for State Adoptions District Offices

WHAT TYPES OF REPORTS CAN BE MADE TO THIS HOTLINE?

Concerns regarding policies, procedures, or practices that endanger the health, safety or well-being of children can be reported through the hotline.

HOW CAN I REPORT A CONCERN ABOUT A POLICY, PROCEDURE, OR PRACTICE IN A COUNTY?

Reports of concerns can be made by either calling the hotline at 1-844-796-6283 or via the AB 1978 Hotline website at <http://www.childsworld.ca.gov/PG4844.htm>.

HOW WILL MY REPORT BE HANDLED?

Once a report is received, it is reviewed by a staff member to determine if it meets the criteria then a review of the report will be initiated. After initial investigation, CDSS will determine how to proceed based on the information reported and reporting parties will receive notification that their complaint has been investigated.

WILL MY CONFIDENTIALITY BE PROTECTED?

The CDSS will not disclose reporter identity, but it should be noted that the details and nature of the report may make it possible for county leadership to infer the source of the report. Again, these reporters are provided protection under California Whistleblower laws.

CAN I FACE REPROCUSSIONS FOR MAKING A DISCLOSURE?

Reporters are protected under California's Whistleblower laws (California Labor Code Section 1102.5) when making a disclosure about violations or concerning practices in the workplace. Resources on reporting violations and whistleblower protections can be viewed at <http://www.dir.ca.gov/dlse/dlseRetaliation.html>.

For more information or to discuss possible concerns, you may also consult your local labor representative.

CONTACT INFORMATION

You can contact the AB 1978 Hotline through the toll free 1-844-796-6283, or for administrative questions, you can contact the Outcomes and Accountability Bureau at (916) 651-8099 and ask to speak to someone regarding the AB 1978 Hotline. For additional information on the hotline, please see our website at <http://www.childsworld.ca.gov/PG4844.htm>.



SOCIAL WORKER DISCLOSURE REPORT

Today's Date:	Date of Incident:	Report ID Number:
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REPORTER INFORMATION

Last Name:	First:	Position:
Do you consent to disclosure of your identity? <input type="checkbox"/> Yes <input type="checkbox"/> No	Reporter Contact Information:	Phone Number:
		May we contact you to follow up on report? <input type="checkbox"/> Yes <input type="checkbox"/> No

INCIDENT AND AGENCY INFORMATION

County:	Agency Name:	Phone Number:
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Agency Address:

Type of Concern

Endangers the Health or Well-being of a child

Contrary to statute/regulation

Contrary to Public Policy

Describe the child welfare policy, procedure, or practice you are concerned about:

Is this concern related to a specific case? <input type="checkbox"/> Yes <input type="checkbox"/> No	If yes, provide name or child identifying information:	Case or Referral ID (CWS):
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Type of Case: <input type="checkbox"/> ER <input type="checkbox"/> FM <input type="checkbox"/> FR <input type="checkbox"/> PP <input type="checkbox"/> ST	Case Open? <input type="checkbox"/> Yes <input type="checkbox"/> No	Child's Location:
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Is there immediate child safety involved? <input type="checkbox"/> Yes <input type="checkbox"/> No	If yes, provide additional information:
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Have you reported this concern to the agency? <input type="checkbox"/> Yes <input type="checkbox"/> No	If yes, list the parties notified:	Contact Information:
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Was any action taken? <input type="checkbox"/> Yes <input type="checkbox"/> No	If so, describe action taken:
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ACKNOWLEDGEMENT

The above information is true to the best of my knowledge. I understand that unless I consent to disclosure, my identity will not be disclosed by the California Department of Social Services pursuant to Welfare & Institutions Code Section 10605.5 (a) (2) unless there is an immediate health and safety risk to a child.