

Chapter 20

SAFETY DETERMINATION

20-1. Purpose. The culmination of investigative practice is to ensure the safety of children and prevent further maltreatment. The accuracy of the safety determination of safe or unsafe is based upon the reliability and relevance of the information collected in the Family Functioning Assessment - Investigation and the proficiency of the child protective investigator in thoroughly assessing caregiver protective capacity and identifying impending danger. While sufficient information is essential to good decision making, the child protective investigator must use critical thinking skills to analyze – assimilate, integrate and synthesize all the available information – to make the appropriate safety determination.

20-2. Caregiver Protective Capacity.

a. The investigator's assessment of protective capacity should represent the caregiver's overall functioning, and not be based solely on an isolated incident or singular event. While a parent may fail to demonstrate impulse control during a maltreatment incident, a more global, in-depth assessment of functioning evaluates if the parent demonstrates impulse control in other ways (e.g., no impulse buying, or delays purchases until he or she can pay cash, etc.).

b. Only an in-depth assessment of caregiver protective capacity will enable the investigator to determine when a negative family condition is being managed successfully over the long-term by a caregiver and never, or rarely, reaches the threshold of an impending danger threat. Many parents will argue that a short-term, temporary incapacitation or lapse on their part is not representative of the parent's normal capacity to control the negative family condition in the home. This is a critical distinction for the investigator to recognize because if the maltreatment incident was not a result of any lack of protective vigilance on the part of a parent, but due solely to a one-time, highly unusual incident or unique set of circumstances, the determination that a negative family condition met the threshold of out-of-control (i.e., not subject to the family's control) would be inaccurate. It is dependent upon the investigator to clearly show how the parent or legal guardian routinely and regularly demonstrates protective vigilance despite the current maltreatment incident or negative family conditions in the home by:

(1) Validation of past actions and behaviors by the parent to successfully manage the negative family conditions.

(2) Validation of the parent or legal guardian's current protective actions on the child's behalf.

c. All 19 protective capacities contained in the FFA-Investigation need to be assessed by the investigator in light of overall functioning, independent of the maltreatment incident itself and actual maltreatment findings.

20-3. Safety Determination – Safe or Unsafe.

a. The investigator must make a decision about a caregiver's ability to protect his or her child from negative family conditions in the home. The parent either does or does not have sufficient protective capacity to protect the child. Vulnerability and protectiveness are not measured by degree, but by determining the variable being considered is either present or absent. The determination of the caregiver's ability to protect a vulnerable child from a negative family condition determines whether or not impending danger exists in the home with the resultant need for a safety plan to control for the danger threat via the provision of safety management services:

(1) If a negative family condition(s) is identified in the home but it is determined the parent or legal guardian is effectively controlling the family behavior, condition or situation effectively keeping the safety threshold from being breached, the child is safe.

(2) If a negative family condition(s) is identified in the home but it is determined the condition is unrestrained, unpredictable and chaotic and cannot be controlled by a parent or legal guardian, the resultant impending danger threat is identified and the child is unsafe.

b. The determination of unsafe will automatically require the investigator to proceed to "Safety Analysis and Planning" to determine if an in-home safety plan can effectively control the danger threat to allow the child to remain in the home.

c. The determination of unsafe will require the investigator to transfer the case for ongoing case management services.

20-4. Supervisor. When initiated, the Supervisor Consultation should affirm:

a. Through case consultation, the supervisor is responsible for ensuring that the child welfare professional is able to describe how family conditions are consistent with the safety threshold criteria. Supervisors should seek to understand the following:

(1) How long has the family condition been concerning or problematic?

(2) How often is the negative condition actively a problem or affecting caregiver performance?

(3) What is the extent or intensity of the problem and how directly does it impact caregiver functioning and overall family functioning?

(4) What contributes to or causes the threat to child safety to become active?

(5) How is the child vulnerable to the threat?

b. The documentation in the FFA is sufficient:

(1) Information domain areas are sufficiently described in order to identify family conditions and danger threats.

(2) Safety analysis summary presents why the child is determined to be safe or unsafe.

c. The child welfare professional is able to describe the impending danger threats and specify how the safety plan (if applicable) manages those threats.

20-5. Documentation.

a. The investigator will complete the FFA – Investigation within 14 business days of identifying present danger.

b. The investigator will document critical information associated with impending danger threats in case notes within 48 hours of obtaining the information.

c. The supervisor will document the consultation using the supervisor consultation page hyperlink in the investigation module within two business days.

