



## Custer County Department of Human Services

PROTOCOL TITLE <b>Falsification of Documentation</b>	EFFECTIVE DATE <b>9/1/2024</b>
Program Area <b>Child Welfare and Adult Protection Services</b>	

### **Purpose:**

Clear process and expectations around falsification of documentation in Child Welfare (CW) and Adult Protection Services (APS)

### **Policy Statement:**

This protocol sets the process for investigation if falsification of documentation is suspected and the steps to be taken when falsification of documentation is confirmed. A confirmed incident of falsification is an incident that was found to be substantiated after an investigation by the county department where the county department establishes by a preponderance (more likely to be true than not) of the evidence, that a person knowingly or intentionally made a false entry in or falsely altered information in the Comprehensive Child Welfare Information System known as TRAILS or Colorado Adult Protection Services (CAPS) System in Adult Protection Services.

### **State Required Protocol:**

County Responsibilities, Staff Training and Qualifications, Client Rights, Confidentiality -- 7.601.81

Colorado Revised Statutes 2023 -- Title 18 -- § 18-8-114(1)(a), C.R.S.

Colorado Revised Statutes 2023 -- Title 26 -- § 26-1-118(2), C.R.S

### **Procedure:**

If at any time a Supervisor, Administrator and/or Director of Child Welfare and Adult Protection has or has been given information that a staff member in Child Welfare or Adult Protection Services has falsified documentation in their respective systems (TRAILS for CW and CAPS for APS) the following will be the process:

- Upon a suspected incident of falsification of documentation, the Supervisor of record will notify The Director of Human Services of the allegation.
- The allegation will be reviewed with the Director and Human Resources and/or County Attorney if deemed necessary. The staff person may be put on paid or unpaid

administrative leave so the allegation can be thoroughly investigated. This may include a suspension of their email account and access to all child welfare and adult protection services data bases (CAPS/TRAILS) for the duration of the investigation. This will be completed by the Agency Administrator.

- The Agency Administrator and/or Director will investigate the alleged incident. The team will investigate and determine if false documentation occurred using the standard of a preponderance (more likely to be true than not) of the evidence, that a person knowingly or intentionally made a false entry in or falsely altered information in the Comprehensive Child Welfare Information System known as TRAILS or Colorado Adult Protection Services (CAPS) System.
- If an incident of falsification is substantiated, the Director or a Child Welfare Administrator shall notify the Division of Child Welfare or the Division of Adult Protection within three (3) working days.
- Personnel action will be determined by the Director and can include disciplinary action up to and including termination of employment as deemed necessary. Disciplinary action shall remain confidential unless otherwise ordered by the court of competent jurisdiction.
- Custer County Department of Human Services considers a confirmed incident of falsification of child welfare records an ethical violation of the agency's code of conduct.
- The case supervisor shall create an addendum with the original date to correct the information in a falsified record, but the original documentation will not be deleted. Notice to the affected individuals of the corrected record shall be documented in the respective systems.
- No later than 10 working days from the date of a substantiated allegation of falsification, the information shall be shared with the District Attorney's Office by the Director. The referral to the appropriate investigatory agency or the district attorney shall be documented by the county department in the staff member's personnel record.
- If the falsified child welfare record relates to an open dependency and neglect or juvenile delinquency case, the county department shall notify the court, parties to the case, their legal counsel, and Counsel for Youth/Guardian ad Litem that a record in the comprehensive child welfare information system known as TRAILS has been corrected.
- If the falsified child welfare record relates to an assessment, referral, or case for which there is no corresponding dependency and neglect or juvenile delinquency case, the county department shall notify the parents and guardians of the child/youth who was alleged or found to be the victim of abuse, neglect, or a youth in conflict, the person

found or alleged to be responsible for the abuse or neglect, and the child/youth if the age is 10 years or older if the child is the alleged person responsible for abuse/neglect.

**Efforts to prevent falsification and assist workers with accurately documenting their work in the statewide database.**

- CCDHS has written protocol that requires caseworkers to complete Record of Contact notes within 7 days of contact and/or by the 5<sup>th</sup> of the following month. CCDHS utilizes tracking reports from the Records of Management system to ensure that contacts are completed as required. These reports are reviewed on a monthly basis by the Child Welfare Supervisors.
- Supervisors have the ability to accompany a caseworker to interviews, court, Family Engagement Meetings, and/or home visits as a piece of intervention for performance improvement and training.
- Child Welfare/Adult Protection Case Review Requirements-
  - Open cases have pre-audits for Foster Care Review/Foster and Kin Desk Review/In home and Assessment Reviews/Adult Protection Reviews through the Administrative Review Division
- Supervisors review work completed with caseworker in detail through safety assessments, Safety Plans, 90-day reviews, and/or reports to the court on what the caseworker observed to inform safety, permanency, well-being, and children, youth and at-risk adults and to verify completion of required duties.
- Child Welfare and Adult Protection Services Supervisor shall regularly monitor for worker fatigue, burnout, and missed deadlines, as well as other predictive indicators to prevent falsification during routine supervision.
- Supervisors can complete outreach with the families their staff are working with. This could look like a meeting in the field with their staff and the family, a call to the family, or attending a court hearing with their staff.

Staff who have access to and/or work in the Child Welfare database TRAILS and/or Adult Protection Services CAPS shall sign off on this protocol, indicating they have received a copy and a copy of said signature shall be kept in their personnel file.

Staff Printed Name: \_\_\_\_\_

Staff Signature: \_\_\_\_\_

Date: \_\_\_\_\_