STANDARD FOR ASSESSING AND MANAGING SAFETY FOR TEMPORARY CHILD RESIDENTS

PURPOSE

The purpose of this standard is to provide guidance to the Children and Family Services (CFS) program regarding assessing and managing child safety for children who are intermittently visiting a home active with CFS, however that home is not their primary residence. This standard is intended to achieve statewide consistency in the application of child safety practice for these children and will be implemented in the context of all-applicable laws, rules and policies.

INTRODUCTION

It is well documented family structures and roles have been evolving over the past several decades. The increase in divorce is one significant precipitating factor. Increasingly, families are headed by single parents, or are blended families, composed of two adults who enter the relationship with their own children born into prior relationships. Similarly, there is a marked increase in the caregiver and custodial roles played by extended family members, including grandparents, aunts, step siblings, etc. These changing family structures frequently result in children having a primary and a secondary or transitory residence. They may live with one caregiver the majority of the time but have regular visits with another caregiver on a somewhat predictable basis. These changes in family structure translate to changes in family composition. Family composition is no longer static but changes as children move in and out of a given family. This dynamic and fluid family composition has significant implications for child welfare practice especially related to child safety assessment, safety reassessment and safety planning.

TERMS

For purposes of this standard, all terms as defined in the Safety and Comprehensive Assessment Standard apply. In addition, the following terms also apply:

Custodial Parent/Primary Caregiver: A caregiver who is granted primary custody of a child by a court of competent jurisdiction.

Non-custodial Parent: A biological or adoptive parent who is not granted primary custody of a child and who may or may not have visitation rights established by court order.

Custody Order: The most recent legal document which specifies custody, and/or visitation or no contact orders.

Temporary Custodian/Primary Caregiver: A caregiver who has been granted court ordered custody of a child on a provisional basis.

Primary Residence: A family home where a biological, adopted or kinship child lives the majority of the time.

Secondary Residence: A family home where a biological, adopted or kinship child lives or visits on a temporary short term basis as a result of court ordered visitation or informal agreements between parents, caregivers, or other family members. Secondary residence applies if a child is staying in the home overnight or longer or if a child is routinely in the home on a weekly basis without regard to overnight stays. These children are referred to as **temporary child residents**.

Temporary Child Resident: A child who does not reside in the primary residence which is active with CFS but who lives or visits there as a result of court ordered visitation or informal agreements between parents, caregivers, or other family members. This includes children related through blood relatives, step parents, and fictive kin. These children would reasonably be expected to have information to inform the safety decision. These children may have been present in the home at the time the reported abuse occurred or they may be likely to be in the home while unsafe conditions exist.

IMPLEMENTING THE STANDARD

Jurisdiction for CFS intervention is established when a report of child abuse or neglect is accepted for assessment. CFS will determine if temporary child residents are safe or unsafe and will take actions that will reasonably assure their safety if they are potentially subject to present or emerging danger. This guidance is provided to clarify the nature and scope of responsibility and to articulate the process and requirements for doing so.

- 1. When taking a possible report of child abuse or neglect, Central Intake will inquire about other children (temporary child residents) who may frequent or periodically live in the home, their legal relationship to the primary family being reported, and the frequency and time frames the child or children are present. Central Intake staff will document this information, or document their attempt to gather it in the report if accepted for safety assessment.
- 2. Upon initial contact, the assigned social worker will ask all other adults in the home and children with sufficient verbal capacity if there are other biological, adoptive or kinship

children who are regularly in the home. This may confirm information obtained by Central Intake or may provide other new information not obtained at that time.

- 3. If there are temporary child residents who are in the home at the time of the contact, the social worker will include them as part of the initial safety assessment and will notify that child's primary parent that CFS interviewed their child as part of the assessment of a report of abuse and neglect.
- 4. If there are temporary child residents who visit the home but are not present during the initial contact, the social worker will gather contact information (name, address, phone numbers, and caregiver's identifying information, roles and relationships) and will arrange a face to face contact with the temporary child resident to assess the temporary child resident's safety in the secondary residence. This assessment will include interviews with the child, their primary caregiver, and any collateral contacts needed to confirm information. The purpose of the interview with the child is to gather relevant information about the issues of concern in the secondary residence related to a report of alleged maltreatment. The purpose of any contact with the temporary child resident's primary parent or caregiver is to further inform the assessment and to determine their ability to protect their child from safety threats in the home of concern. (See Addendum)

If it is not possible for the worker to comply with this part of the standard because the temporary child resident's primary residence is out of state, a request for a courtesy visit from that jurisdiction will be made. If the distance required to travel inside the state is prohibitive, a request for a courtesy visit will be made.

- 5. If as the result of the safety assessment it is determined all children, including the temporary child resident(s) are safe, no further action is needed in regard to child safety for the temporary child resident.
- 6. If as a result of the safety assessment it is determined any child in the home being assessed is unsafe, the social worker must assess whether the safety threats in operation also are likely to affect the temporary child resident when he/she is in the home. If they do not, documentation will be entered into the record explaining how that decision is made including the information supporting why the temporary child is not vulnerable to or subjected to the same threat(s).
- 7. Only when a worker identifies a safety threat or present danger to a child in the home being assessed for a report of abuse or neglect or receiving case management services, or a child or children are removed from that home, and a temporary child resident is likely

to be subjected to those threats when in their secondary residence, the social worker will do the following during a contact with the child's primary parent or caregiver:

- a. Notify the caregivers in the home being assessed that safety threats exist for the temporary child resident and that their primary caregiver will be notified of those concerns.
- b. Immediately contact the temporary child resident's primary caregiver and describe the nature of the safety threat and concern for their child being in the situation.
- c. Ask the custodial parent/primary caregiver of the temporary child resident what actions they will take to ensure the safety of their child.
- d. Initially assess the caregiver's dependability and protective capacity to follow through on plans for ensuring their child's safety (See Addendum). Discuss how you can confirm the actions were taken and the plan was followed.
- e. If the caregiver does not seem capable of ensuring their child's safety, the social worker will arrange a face to face meeting as soon as possible and prior to the next scheduled time the child will be in their secondary residence to discuss the matter, explore options, and further assess the caregiver's capacity to take actions and be protective. If the caregiver is assessed as being protective and able to take action to keep their child safe, the worker will document that plan in the case record including the methods and time frames for CFS follow up. If the caregiver does not demonstrate the willingness or ability to take necessary protective actions, the social worker will consult with their supervisor and take any or all of the following actions:
 - i. If the court has taken jurisdiction over a child, it may take jurisdiction over another child living or having custodial visitation in the same household without the filing of a separate petition if it finds all of the following:
 - (a) The other child is living or is found within the state;
 - (b) The other child has been exposed to or is at risk of being a victim of abuse, neglect or abandonment;
 - (c) The other child is listed in the petition or amended petition;
 - (d) The parents or legal guardians of the other child have notice as provided in section 16-1611, Idaho Code. (16-1603, Idaho Code)
 - ii. Consider the circumstances and the impact of the lack of primary caregiver protectiveness, and if the information as assessed justifies it, make a new report of neglect to Central Intake.
 - iii. Include the temporary child resident in the safety plan at their secondary residence; ensuring safety actions and monitoring are occurring when the child is visiting in their secondary residence.

- 8. Any time the social worker has reasonable cause to believe a temporary child resident or any other child is being abused or neglected in his/her primary residence, the social worker will make a report to Central Intake consistent with their obligation as a mandated reporter.
- 10. When there is any court order (custody order, visitation order, no contact order, etc.) the social worker cannot directly or indirectly support violation of that order. The social worker can provide information about resources and processes a caregiver may access in order to seek revisions to such court orders if it is in the interest of child safety.