



State of South Carolina

Department of Social Services

Policies and Procedures: Child Welfare Services

Subject:	Child Welfare Services Investigations
Authority:	S.C. Code Sections 63-7-20, 63-7-920, 63-7-930
Standards:	Guiding Principles and Standards (GPS) Practice Model
Application:	All Child Welfare Services (CWS) staff
Purpose:	A Child Welfare Services (CWS) Investigation is undertaken to evaluate the safety of a child, determine whether a child has been abused, neglected, or harmed by a person responsible for the child's welfare, and to initiate services to the child and family as indicated by investigative findings.
Policy Statement:	DSS shall begin a CWS investigation within 24 hours of receiving a report of child abuse, neglect, or harm that suggests: 1. A child is at imminent and substantial risk of physical or mental injury; 2. The family may flee or a child may be unavailable for the purpose of conducting a child protective services investigation; or 3. Stating that a child has been taken into emergency protective custody. DSS shall begin a CWS investigation within 2 business days for all other reports of suspected child abuse, neglect, or harm that do not meet the criteria stated above. Based upon the nature of the allegations, DSS intake shall inform the CWS investigator of the timeframe within which the investigation must begin in accordance with this policy.
Policy Administration:	The Child Welfare Services Safety Division is the owner of this policy and will annually review unless there is a change in statute or practice.
Policy Guidelines:	A. Shift Guidance 1. Investigations shall operate the following shifts Monday through Friday to meet the needs and service delivery requirements of DSS shifts: a. 8:30 a.m. – 5:00 p.m. – 1st Shift b. 1:00 p.m. – 9:30 p.m. – Mid Shift c. 4:00 p.m. – 12:30 a.m. – 2nd Shift 2. On-call times (covered on a rotational basis decided on by county): a. Weekdays On-Call: 12:30 a.m. – 8:30 a.m. b. Weekend On-Call: Saturday at 12:30 a.m. – Monday at 8:30 a.m. 3. See Investigations Work Aid 3.10: Shift Guidance for information on conducting each shift.

Subject: Child Welfare Services Investigations

	4. Refer to Investigations Work Aid 3.7: A Case Manager's Guide to Opening and Transitioning Cases .
B. Initial Contact	1. Initial contact, supported by Investigations Work Aid 3.3: Initial Contact, must be completed within the assigned response time as determined at intake but must not exceed two business days. a. The intake will be assigned to a corresponding case ID in CAPSS and the Investigation shall be opened by a team leader, team coordinator, Deputy Director, or County Director. The intake and case information will be provided to the assigned case manager to assist in making initial contact. b. Within the assigned timeframe, the case manager shall make contact with the victim child. c. If possible, make contact with non-victim children, caregiver, parent, and household members at Initial contact. 2. Initial contact must include a decision about whether the child who is the subject of the report is safe or unsafe, guided by the agency's assessment tool, the Family Advocacy and Support Tool (FAST). The Initial FAST assessment shall be conducted in conjunction with the family at initial contact and documented in CAPSS within 72 hours of the initial contact.
C. Initial Safety Decision	1. In identifying safety interventions, case managers must make reasonable efforts to preserve families. This means, when it can be done safely, case managers shall make concerted efforts to conduct child protective services investigations without removing the child from the parents. Unless the child's safety would be threatened, the case manager shall conduct with FAST assessment with the parent, as well as kin and fictive kin. 2. If immediate intervention is recommended, the case manager must consider the need for a safety service listed in Work Aid 3.6, in order from least intrusive to most intrusive. Note: Any implemented safety services must be documented in the Family Permanency Plan. 3. Refer to Investigations Work Aid 3.6: Safety Services and Planning for further details.
D. Investigative Responsibility	1. Once a report is screened-in, the DSS case manager completes an investigation of all types of maltreatment by: a. Interviewing collateral contacts, to include all children who reside in the home and to the extent it is reasonably possible, children who may not reside in the home, but who are routinely present in the home and non-custodial parents; b. Making a referral to law enforcement for all reports of sexual abuse; c. Documenting the initial contact and all other investigative actions in CAPSS within five business days of the activity; d. Reviewing records:

Subject: Child Welfare Services Investigations

	I. Agency history II. Educational III. Medical and/or mental health IV. Legal V. Law Enforcement e. Assessing child safety and making safety decisions while considering: I. Imminent threat II. Protective capacity III. Child vulnerability f. Responding to identified service needs and/or safety concerns by implementing services and documenting them in the FPP; and g. Conducting ongoing formal and informal safety assessments utilizing the FAST as the formal safety and risk assessment. Please refer to Policy 1646: Family Advocacy and Support Tool for further details. 2. DSS must give parents and guardians a standardized form that includes the following information as soon as reasonably possible after commencing the investigation (for a list of the forms DSS uses see Investigations Work Aid 3.3: Initial Contact): a. The names of investigators; b. The allegations being investigated; c. Whether the person is a suspected perpetrator of abuse or neglect; d. The right to inspect department records concerning the investigation; e. The statutory and family court remedies to complete the investigation and protect the child if the parent or guardian is uncooperative; f. How information provided by the parent or guardian may be used; g. The possible outcomes of the investigation; and h. The telephone number of a department employee who is available to answer questions. 3. Refer to Investigations Work Aid 3.7: A Case Manager's Guide to Opening and Transitioning Cases. 4. If during an open CWS case, the agency becomes aware of new allegations of sexual abuse, the case manager or team leader is responsible for making a report to law enforcement and to the intake hub. 5. The Investigator shall follow additional steps in the case of child fatality or near fatality. Refer to the Child Fatality Response Policy.
E. Engaging Non-Custodial Parents	1. In addition to engaging custodial parents, make concerted efforts to locate and interview the non-custodial parent during

Subject: Child Welfare Services Investigations

	the initial stages of the investigation. Refer to Investigation Work Aid 3.2: Concerted Efforts to Locate Families. - Document all attempts to locate non-custodial parents in CAPSS. - Inform the non-custodial parents of the situation and gather any critical information. - Assess the protective capacity of the non-custodial parents. If a child cannot safely remain in the home during the investigation, make concerted efforts to place with the non-custodial parent unless placement with the non-custodial parent would be contrary to the well-being of the child or the custodial parent opposes placement with the non-custodial parent. Refer to Investigations Work Aid 3.5: Kinship Care During Investigations and Investigations Work Aid 3.6: Safety Services and Planning.
F. Child Advocacy Center Referral Protocol	Cases with serious abuse allegations shall be referred to the local Child Advocacy Center (CAC) by the DSS case manager within five days, or as soon as possible. For further details, please refer to the Child Abuse Response Protocol for CAC Cases. - In addition to a Forensic Interview, some cases require a Forensic Medical Evaluation. Refer to CAC Response Protocol for guidance on when to make forensic medical referrals. - All children in the home where allegations of serious abuse are made shall be sent for forensic interviews regardless of whether they have been listed as the victim child(ren). This criteria is found in Chapter 5, Section "Guidelines for Forensic Interviews" in the CAC Response Protocol. Referrals for forensic medical evaluations may also be needed in these cases, based on the criteria found in chapter 6 section "Guidelines for Forensic Medical Evaluations in the CAC Response Protocol. If other children or the victim child(ren) are non-verbal or under the age of three, DSS should review the case with the CAC to determine if a forensic interview would still be appropriate. Children who are non-verbal or under the age of three shall still be referred for Forensic Medical evaluations if there are concerns for serious abuse. - Serious abuse allegations can include, but are not limited to: - Near fatality or fatality allegations; - Abuse or neglect that medical professionals certify places the child(ren) in serious or critical condition; - Severe or repeated allegations of abuse, neglect, human trafficking, or acts that constitute torture; - Allegations of sexual abuse or sexual exploitation; and - Exposure to violent crimes.
G. Team Leader	Team leaders assign case managers caseloads per the 1:12 caseload standard but will account for county intake volume when assigning new cases.

Subject: Child Welfare Services Investigations

	2. The team leader holds designated formal and informal case consultations with the case manager throughout the investigation which include: a. Timeliness of initial contact; b. Assess safety threats and risk factors; c. Safety decision points (safe or unsafe); and d. Identified services. 3. Please refer to Investigation Work Aid 3.1: Investigative Case Consultations to see a comprehensive list of what to include in case consultations. 4. The team leader reassigns a case manager's caseload if the case manager is no longer able to manage the assigned cases. The team leader distributes the cases among other case managers in the county and will take care that all emergent needs are resolved, and case consultations are held with the receiving case manager prior to reassigning the cases in CAPSS.
H. County Transfers	1. Upon determining the victim child's primary residence is in another county, a transfer request can be made to the receiving county within 14 calendar days of a report being screened-in for a new investigation. 2. A case consultation must occur when transferring an investigation to another county. Refer to Investigation Work Aid 3.1: Investigative Case Consultations for more information.
I. Incident Outside County of Primary Residence	1. When an incident occurs outside of the county where the child resides, the county of the child's primary residence (receiving county office) shall be responsible for case management and providing services. The receiving county office may request an assist from the county where the incident occurred. The county in which the incident occurs must assist the receiving county office as needed to promote case management and service delivery without disruption to the child and family. 2. When an EPC occurs in a location outside of the receiving county, the county in which the incident occurred must respond to make timely initial contact with the victim child within the specified time frame involved in the incident while the receiving county retains case management and works with the county legal department to file the court action in the receiving county. The responding county must participate as a witness in the Probable Cause Hearing if requested. These procedures are not applicable to interstate jurisdictional issues. Note: A child's primary residence can be determined by considering where the child attends school, where the child's toys and clothes are kept, where the child eats most meals, or where the child sleeps most nights. 3. Refer to Policy 712: County of Jurisdiction and Legal Residence for more information.

Subject: Child Welfare Services Investigations

J. Assists for County Office Staff	1. When a victim child is located more than 60 miles from the receiving county office, the receiving county may request assistance from the county in which the victim child is located. 2. In these cases, the county office in which the victim child is located must respond by making timely contact and documenting efforts in CAPSS. 3. Refer to Policy 712: County of Jurisdiction and Legal Residence for more information.
K. Emergency Protective Custody	1. When a child is placed into Emergency Protective Custody (EPC) by Law Enforcement or the court, DSS is granted physical custody of the child(ren) for the first 24 hours. 2. During the first 24 hours DSS has physical custody of the child(ren), DSS is required to complete a preliminary investigation that, at a minimum, includes the following: a. Attempt to identify safety services that can be put in place to prevent removal from the home; b. Attempt to identify alternative placement options that can prevent the child(ren) from entering the legal custody of DSS; c. Complete a CFTM to discuss the circumstances that led to EPC and possible corrective actions, including return to the parents or placement with kin or fictive kin; and d. Conduct a consultation with the legal department to determine whether ground for assuming legal custody of the child(ren) exist and whether DSS has engaged in reasonable efforts to avoid the removal. 3. After completing a legal case consultation, the agency determines that either: a. Imminent and substantial danger exists for the child(ren) and DSS assumes legal custody (S.C. Code Section 63-7-620(B)(2)); b. DSS has determine the child(ren) can return home and has obtained agreement from Law Enforcement and Law Enforcement has rescinded the EPC (S.C. Code Section 63-7-670); or c. DSS has identified kin or fictive kin who can assume placement of the child(ren) and the parent has agreed to the placement, thus DSS need not assume legal custody of the child(ren) (S.C. Code Sections 63-7-650 and 63-7-690). i. Prior to placement, kin or fictive kin must be advised of the procedures to become a licensed kinship foster family in accordance with SC. Code Section 63-7-735. ii. Once a caregiver has been identified and approved as a placement for the child(ren), placement shall occur immediately. iii. DSS may retain physical custody for a five-day period, if necessary to enable the caregiver to make arrangements for the child(ren). If the placement does not occur

Subject: Child Welfare Services Investigations

	within a five-day period, DSS must determine whether to assume legal custody of the child(ren). 4. If DSS has determine the child(ren) can return to the home safely and Law Enforcement has agreed to rescind the EPC or if the agency has found a relative or other fictive kin who can assume placement of the child(ren) within 24 hours, the agency would not assume legal custody of the child(ren) and custody would remain with the family. If DSS has been unable to determine that the child(ren) can return to the home safely or has been unable to identify a kin placement for the child(ren) within 24 hours, the agency will assume legal custody of the child(ren) and follow appropriate court procedures. 5. If DSS has been able to identify kin or fictive kin placement for the child(ren), but the family is not in agreement OR the identified kin or fictive kin would like to become licensed, the agency will assume legal custody of the child(ren) and follow court procedures. DSS will promptly begin the process to license kin or fictive kin who want to become licensed to provide kinship foster care pursuant to S.C. Code Section 63-7-650, provided that risk assessments do not suggest the child would be at significant risk of abuse, neglect, or harm, the child may be placed in the home of kin or fictive kin pending licensure.
L. Case Determination Consultation	Within 45 calendar days of a report being screened in, or 60 days if an extension was granted, a case determination consultation must be held to decide whether the report should be indicated or unfounded. For more information see Investigations Work Aid 3.1: Investigative Case Consultations. During the case determination consultation, the following individuals must be present: the case manager, investigation team leader or team coordinator, and a member of the Family Preservation Services leadership team or Foster Care leadership team, when applicable. The team must determine whether the report is indicated or unfounded, and whether the case will require transfer to Family Preservation Services or continuation of Foster Care, by selecting one of the following options: 1. Unfounded Category I DSS received a report according to S.C. Code Section 63-7-910 and abuse and neglect were ruled out following the investigation. Note: A report falls in this category if evidence of abuse or neglect as defined in this chapter was not found regardless of whether the family had other problems or needed services. 2. Unfounded Category I with Services DSS received a report according to S.C. Code Section 63-7-910 and abuse and neglect were ruled out following the

Subject: Child Welfare Services Investigations

	investigation, but the family is already receiving services and has requested to receive Family Preservation Services. 3. Unfounded Category II DSS received a report according to S.C. Code Section 63-7-910 and the investigation did not produce a preponderance of the evidence that the child is an abused or neglected child. 4. Unfounded Category II with Services DSS received a report according to S.C. Code Section 63-7-910 and the investigation did not produce a preponderance of the evidence that the child is an abused or neglected child, but the family is already receiving services and has requested to receive Family Preservation Services. 5. Unfounded Category III DSS received a report according to S.C. Code Section 63-7-910 and an investigation could not be completed because DSS was unable to locate the child or family despite concerted efforts or for some other compelling reason. The investigation may be reopened at a later date if the child or family is located or the compelling reason for the inability to complete the investigation is removed. If it is determined the investigation may be reopened, the case manager shall complete DSS Form 3073: Notice of the Reopening of a Child Welfare Services Investigation for Category III Unfounded Reports, and upload a copy to the linked files in CAPSS. DSS must make a case decision within 45 days after an investigation is reopened. Refer to Investigation Work Aid 3.2: Concerted Efforts to Locate Families. 6. Unfounded Category IV DSS received a report according to S.C. Code Section 63-7-350 which is not investigated by DSS 7. Indicated DSS received a report according to S.C. Code Section 63-7-190 and found a preponderance of the evidence that the child is an abused or neglected child. Note: If an Investigations case is being indicated and no FPS are being recommended by DSS staff, then DSS Form 3062: Team Leader Case Consultation must be completed and signed by the county director and legal representative to approve no FPS on an indicated case. The consultation must include a detailed explanation of the services that the family has already completed to address the identified abuse and neglect, and why FPS are not needed to ensure the safety and well-being of the children. The team leader will link the completed form in CAPSS and document the decision in case dictation.
--	--

Subject: Child Welfare Services Investigations

	Note: Indicated determinations must include a description of the services being provided to the child, those responsible for the child's welfare, and all relevant dispositional information. Note: Classification of typology must occur regardless of services.
M. 15-Day Extensions	1. The county director or the director's designee may extend the period for completing an investigation up to 15 calendar days upon a showing of good cause, including but not limited to, when the receipt of records or information could impact case determination. Examples include, but are not limited to, when DSS is awaiting records from the following sources: a. Medical Records; b. Law enforcement records and/or investigative decisions; and c. Autopsy results. 2. The request for an extension and the decision must be made before the expiration of the 45-day investigatory timeframe and the decision must be documented in CAPSS. 3. The director or the director's designee documents the case consultation on DSS Form 3062: Team Leader Case Consultation and uploads the form into CAPSS and records the case consultation into CAPSS dictation within three business days of the date of the consultation.
N. Case Closure and Transfer	1. To properly close an investigation, regardless of plans to transfer to another program area, all investigative responsibilities referred to in section D of this policy must be completed within the investigative period, in addition to the following tasks: a. The family must be seen within 15 calendar days prior to the case determination decision. b. Dictation must be entered within five business days of completing the investigative activity or before case closure, whichever is sooner. c. All documents must be linked in CAPSS before case closure. d. Complete the DSS Form 3070: Determination Fact Sheet (for CWS use only) and provide this notice of the case decision by certified mail within five business days of the case determination to: I. The person who is the subject of the report (person alleged or named as the perpetrator); and II. The person responsible for the child's welfare; Note: DSS Form 3069: Determination Fact Sheet is for OHAN Use Only. e. Document the case determination in CAPSS; f. The case manager must notify the family of the case determination within five business days of the determination; g. DSS Form 3089: Notice of Right to Appeal the Agency's Decision must be included with DSS Form 3070 to inform the recipient of procedures to appeal a case decision; and

Subject: Child Welfare Services Investigations

	h. DSS Form 3065: Notice of Unfounded Investigation must be included with DSS Form 3070 when a case is unfounded specifying the correct category. 2. For a case to be unfounded with services and transferred to family preservation, the following requirements must be met: a. The case consultation must include dictation indicating specific services the agency will be providing to the family; b. A referral must have been made during the investigation and services must be documented on the FPP prior to case determination; c. The decision MUST be approved by a team coordinator, Deputy County Director, or County Director; d. The family voluntarily accepts services; e. A Child and Family Team Meeting must be scheduled and held with the family to discuss services and next steps. 3. A case transfer consultation must occur when transferring a case to another county office or program area when the family is determined to reside within another county, a service need is identified, or when Foster Care services are required. Refer to Investigation Work Aid 3.1: Investigative Case Consultations.
--	---

Forms:	DSS Form 3062: Team Leader Case Consultation DSS Form 3065: Notice of Unfounded Investigation DSS Form 3069: Determination Fact Sheet for OHAN Use Only DSS Form 3070: Determination Fact Sheet for CWS Use Only DSS Form 3073: Notice of the Reopening of a Child Welfare Services Investigation for Category III Unfounded Reports DSS Form 3089: Notice of Right to Appeal the Agency's Decision
Related Management Reports:	SC 110-R01 - Daily - Intake Accepted for Investigation SC 110-R02 - Daily - Intake Accepted for Investigation - Office Summary SC 115-R01 - Daily - Intake Accepted for Investigation - Initial Contact 24 Hours SC 115-R03 - Intake Accepted for Investigation - Initial Contact 24 hours - By Worker

Glossary:	
Accepted Referral:	is a report of abuse or neglect that is accepted for investigation at intake. See also <i>Screened-In</i> .
Children at Risk:	also known as non-victim children are, children who are not listed as alleged victims, but who live or visit the household of alleged abuse or neglect and may be at risk of being a victim.
Child Protector:	an adult individual who meets the requirements to carry out the responsibilities of a safety plan who may or may not reside in the home.

Subject: Child Welfare Services Investigations

Child Vulnerability: the degree to which a child can avoid, negate, or modify safety threats or compensate for the caregiver's insufficient protective capacities; the child's capacity for self-protection.

Custodial Caregiver: a caregiver who has legal custody of the child (by marriage or by court order).

Determination: DSS's decision, based on a preponderance of the evidence, to indicate or unfound a report of suspected abuse or neglect.

Diligent Effort to Locate: steps that must be taken and documented to locate the child and family as outlined in the [Investigation Work Aid 3.2: Concerted Efforts to Locate Families](#).

Household: all individuals living in the home to include victim child(ren), any children listed in the referral, and the caregiver responsible for the alleged abuse and neglect.

Immediate Safety Concern: present danger as determined by formal and informal assessments of the child, family, and home, that require intervention to ensure child safety in the form of a safety service or child removal.

Imminent Threat or Harm: serious harm or danger from physical injury, sexual abuse, significant mental suffering, extreme fear, extreme impairment or disability, death, or substantial impairment (or substantial risk or impairment) to the child's mental or physical health or development

Indicated Determination: there is a preponderance of evidence to believe, based on a report received according to S.C. Code Section 63-7-350, that abuse or neglect is more likely than not to have occurred.

In-Home Protector: someone who protects the child and resides in the home with the family.

Kinship Caregiver: a caretaker, protector, and nurturer of a child who is temporarily unable to live with his/her parent, and includes an adult who is related to a child by blood, marriage, or adoption, as well as an adult who is not related by blood, marriage, or adoption, but who has a relationship with the child or the child's family (fictive kin).

Non-custodial Caregiver: a caregiver who does not have legal custody of the child.

Non-offending Parent: a caregiver who is not alleged to have committed abuse and neglect.

Non-residential Parent: a caregiver who does not reside in the same home with the child.

Preponderance of Evidence: evidence that when fairly considered, is more convincing as to its truth than the opposing evidence. A preponderance of evidence is also described as the greater weight of the evidence.

Protective Capacities: behavioral, cognitive, and emotional characteristics that can specifically and directly be associated with a person's ability to care for and keep a child safe.

Receiving County: the county where an intake is assigned (county of jurisdiction or county of origin in CAPSS).

Recipient: an individual listed in the case who must be interviewed to complete an Investigation.

Subject: Child Welfare Services Investigations

Response Time: timeframe for case manager to initiate the investigation within 0-2 hours, 2- 24 hours, or 2 business days that begins at the time that the intake team leader accepts referral of abuse or neglect.

Safety Decision: a decision of whether the child is safe or unsafe.

Safety Plan: an agreement between DSS and the family to address an immediate safety concern, not to exceed 90 days.

Safety Services: actions, activities, tasks, or imposed situations that may be formal or informal; provided by professionals and non-professionals for the purpose of managing or controlling impending safety threats. Safety services must be capable of having an immediate effect; must be immediately available; must always be accessible; and must be sufficient to control impending danger.

Screened-In: is a report of abuse or neglect that is accepted for investigation at intake.

Timely: completed within the timeframe required, i.e. completing an initial safety assessment within 0-2 hours, 2-24 hours, or 2 business days from the time the intake was accepted and completing an investigation within 45 days, or 60 days if an extension is granted.

Unfounded Determination: there is not a preponderance of evidence to believe that abuse or neglect is more likely than not to have occurred.

Victim Child: any child alleged to have been abused or neglected