

Child Safety in Placement: The First Encounter

Introduction

For 18 months we've been considering child safety with respect to a child's own home. CPS safety intervention also includes assessing safety when children are placed in kin or foster homes. Most everyone agrees that the standard for care in out of home placement should exceed the care the child was receiving in his or her own home particularly with reference to the basis for why the child was removed. And certainly everyone agrees that children should be safe once they enter placement. This month's safety article is devoted to that issue – child safety when children enter placement.

There are compelling reasons for CPS workers to be competent in their practice related to safety in placement:

- The community has little tolerance when children in out-of-home placement are maltreated.
- High profile cases in states involving injuries and deaths in kinship and foster placements press the need for focus in this area.
- Landmark federal legislation requires states to assess safety when children are placed and all during placement.
- The federal legislation has been translated into state law, which requires safety assessment for children in placement.
- Policy and administrative directives have followed.
- The political climate is clear with respect to expectations about maintaining children safely in placement.

The Adoption and Safe Families Act

The Adoption and Safe Families Act (ASFA) identifies many requirements for CPS related to safety intervention. Among these are safety interventions when children are placed in kin and foster homes. This month we will consider only the requisite associated with the initial placement and CPS responsibilities for safety management occurring when the placement occurs.

ASFA states that during an initial assessment or at any time a placement of a child is being considered, CPS must judge the safety of the chosen placement. This requirement applies to **both** kin and foster placements.

In practical terms, this means if CPS or a law enforcement officer makes contact with a family at any time (day, night, weekends) and determines that a child's safety is threatened and safety cannot be maintained in the child's home, any prospective placement resource being considered must be assessed for safety. This obligation exists for any placement resource whether they are family members, friends, neighbors or professional providers like foster families. Additionally it doesn't matter how long the placement is expected to exist (e.g., overnight, a week, months.) Before a child is placed a determination must be made that qualifies the home as a safe environment for the child.

Be aware that assessing safety in foster homes is different from licensing foster homes. Assessing a foster home for safety is something that must be done in addition to licensing. Foster care licensing usually occurs annually and is not focused on child safety. Assessment of the safety of a foster home occurs every time a placement is considered. Parenthetically out-of-home safety assessment is required throughout the placement.

The Challenge of Safety Assessment of a Chosen Placement at First Encounter

Usually the first encounter with a prospective placement provider (kin or foster) occurs as you are in the process of deciding to remove a child up to 24 hours. This is the first time you see the people who may be chosen to take the child into their home. The burden is obvious. You must make a serious decision about a child's safety; you must do so in an immediate context; you must do so often within the midst of highly charged circumstances; and you must do so with limited time and likely minimal opportunity. You typically must rely on limited yet obvious information at the point of placement. For instance information collection that is possible given the urgency of the situation may include a brief home visit; an interview with adult caregivers, which may also be brief; observation and minimal contact with other household members; and criminal and CPS record checks. It may be possible to get references for the placement home but to do so normally would be unlikely given the constraints CPS faces during emergency removals.

The First Encounter Safety Standard in Placements Is For Present Danger

In many of our safety articles we have mentioned the distinction between risk of maltreatment and safety. Understanding this distinction is crucial as you proceed with assessing safety during the first encounter with a prospective placement home. At this first encounter you are not concerned with risk of maltreatment. Your only concern is with safety! The safety standard when you are considering a placement or another professional has made that you apply after a placement is present danger. If you need a reminder of the concept of present danger, check out the March 2003 safety article in the archives.

When you first meet a kin or foster family, certain things are likely true. You do not know these people. You are usually not in a position to know how they

function generally. You are forced to judge safety at this time strictly on the basis of what you can observe or information you can collect through your interview with the family members or with others that know the family well and that can be trusted.

So what can you observe or get through an interview during the first interview will be transparent, obvious, happening before your eyes. It is present danger. Your safety assessment responsibility includes:

- Identifying harm or danger that is immediately apparent.
- Identifying threats of harm that could endanger the child.
- Gathering additional information, consult with others; talk with collaterals to confirm concerns about harm and threats as necessary.
- Deciding about placement based on findings.

Meet these responsibilities:

- When kin have been recommended and you encounter them face-to-face.
- When the child has already been placed with kin and you encounter them face-to-face.
- After a foster family has been selected and you encounter them face-to-face.
- Any time with any family when you are in personal contact with them and you observe any of these concerns.

When present danger exists in a placement home, it suggests the need to fully explore and understand the nature of the harm or threat of harm. For instance, consider the child who is afraid of the kin situation. You may not want to use that fact as the sole basis for changing placements. However, this should compel you to examine in detail what the reality and source of the fear is. Additionally it suggests the need to avoid the home as a placement or to locate the child in another home.

The absolute minimum safety responsibilities standard for out of home placements is in **no** instance should a child be placed or remain *in a kin or foster placement if harm or threats of harm are apparent*.

Present Danger Unique to Placement Homes

It is important to recognize that there are safety related issues or present danger that should be considered in placement homes that go beyond the present danger conditions that might be apparent in a child's own home. When encountering prospective kin or foster care providers for the first time include the following assessment questions in addition to considering present danger.

- Does the child have exceptional needs or behaviors, which placement caregivers cannot or will not meet or manage?
- Do placement caregivers see the child as responsible for the child's parents' problems or for problems the prospective placement caregivers are experiencing or may experience?

- Are placement caregivers sympathetic toward the child's parents; do they justify the parents' behavior; do they believe the parents rather than CPS and the child; and/or are they supportive of the child's parents' point of view?
- Is there a history of or active criminal behavior associated with the placement home?
- Will the placement caregivers allow parents access to the child?
- Is the placement caregiver family an active CPS case; is there a history of CPS involvement or history of reports?

The presence of any of these safety concerns along with present danger should be fully studied and understood and may represent a basis for not choosing a placement.

Closing

It is CPS' responsibility to check out prospective placement families for present danger in the first hours of consideration for placement; if a placement has occurred; and prior to confirming the placement. The standard *present danger* should stimulate information collection and guide the judgment about the safety of the placement home.