
Receipt of a 51A Report on a Department Employee, Relative of a Department Employee, Department Foster or Pre-Adoptive Parent, or Area Board Member

Certain cases may pose a conflict of interest when they directly involve allegations about specific individuals employed by or connected with the Department. The following policy is intended to ensure that DSS staff are not asked to conduct investigations of 51A reports involving certain other individuals from the same Area Office. To the extent possible, such investigations will be assigned to qualified professionals from outside the Department or to employees of other DSS Area Offices. All Department timelines, documentation and confidentiality requirements are applicable to these investigations.

Policy

When the Department screens in a 51A report which alleges that a:

- DSS employee (including an "03" consultant or student intern);
- Immediate relative of a DSS employee (mother, father, sister, brother, son, daughter, spouse, step-parent, step-sibling or step-children); or
- household member of a DSS employee

has abused or neglected a child, the report will be referred immediately to a private agency under contract with the Department to conduct 51A investigations.

When the Department screens in a 51A report which alleges that a:

- DSS foster parent;
- DSS pre-adoptive parent; or
- DSS Area Board member

has abused or neglected a child, the report will be referred immediately for investigation to another DSS Area office (i.e., an Area Office that does not have primary responsibility for the foster or pre-adoptive parent or Area Board member).

Procedures

1. When the Department screens in a report which alleges that one of the above individuals has abused or neglected a child, the screener will immediately notify the Area Director. If the report involves a DSS employee, or an immediate relative or household member of a DSS employee, the Area Director, in consultation with the Resource Manager in the Office of the Deputy Commissioner for Field Operations and Support will identify an appropriate private agency to conduct the investigation.

**Assignment
for
Investigation**

If the report involves a DSS foster or pre-adoptive parent or Area Board member, the Area Director will refer the case to another DSS Area Office for investigation.

**Investigations
in Progress**

2. If, following the commencement of an investigation, Department staff determine that the 51A involves one of the above individuals, the Area Director will be notified immediately. If the report involves a DSS employee, or an immediate relative or household member of a DSS employee, the Area Director, in consultation with the Resource Manager from the Deputy Commissioner's office, will determine whether the investigation should be completed by that Area Office or by a private agency.

If the report involves a DSS foster or pre-adoptive parent or Area Board member, the Area Director will determine whether the investigation should be completed by her/his Area Office or by another DSS Area Office.

**Notification -
Deputy Commissioner**

3. If a report involving a DSS employee is supported, the director of the DSS Area Office or private agency which conducted the investigation, notifies the Deputy Commissioner.

**Case
Assignment**

4. All reports which are supported on a DSS employee, or an immediate relative or household member of a DSS employee, and which will be opened for assessment, must be assigned to a private agency. Where this is not possible, the Resource Manager from the Deputy Commissioner's office will ensure that the case is assigned to a staff person from another DSS Area Office.

All reports which are supported on a DSS foster or pre-adoptive parent or Area Board member, and which will be opened for assessment, must be assigned to another DSS Area Office (i.e., an Area Office that does not have primary responsibility for the foster or pre-adoptive parent or Area Board member).