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SENSITIVE CASES IN
CHILDREN & FAMILY SERVICES

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I. OVERVIEW

This manual section provides guidelines for special handling and assignment of Children & Family Services (CFS) referrals and cases designated as “**Confidential.**” While all information contained in a case record is considered confidential, certain records are given “**Confidential**” designation to maximize confidentiality within the Employment and Human Services Department (EHSD). It is mandatory to designate “**Confidential**” on any records where the recipient of services is an employee or former employee of Contra Costa County EHSD.

Child Welfare referrals and cases are documented and tracked through the Child Welfare Services/Case Management System (CWS/CMS). Whereas EHSD and Children & Family Services have historically used the word “**Confidential,**” CWS/CMS uses the designation “**Sensitive.**” CFS referrals and cases that are determined to be “**Confidential**” are designated as “**Sensitive**” in CWS/CMS.

II. POLICY

To ensure clients’ rights to confidentiality, the Department’s protection, and the protection of Department employees, EHSD requires staff not be assigned any referrals or cases that involve relatives, friends, a client with whom they have a personal relationship, or a client who is living in their home.

A. Referrals and cases will be designated as **Sensitive** when the service recipient is:

1. A person well-known in the community, media, and/or high profile
2. An employee or former employee of CFS
3. An employee or former employee of EHSD in a bureau other than CFS
4. A relative of a CFS or EHSD employee who is residing in the home of the CFS or EHSD employee
5. A close relative (e.g. child, parent, or sibling) of a CFS or EHSD employee who is residing outside the employee’s household
6. A child fatality occurs in an open referral or case

B. There may be circumstances where referrals and cases do not meet the above criteria, but include special circumstances that deem them appropriate to be marked as **Sensitive**. CFS staff will consult with their Supervisor, Division Manager, and/or CFS Director to determine the appropriateness of the **Sensitive** designation.



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- C. The **Sensitive** designation restricts access to the record in CWS/CMS, so that only the assigned Social Worker and Social Work Supervisor are able to view the referral and case management activities (designated Clerical and other support staff may have access as well in order to support work on these referrals/cases).
- D. To maintain uniformity within the County, case folders will continue to be referred to as “**Confidential.**”
- E. In all instances, viewing a referral or case in CWS/CMS or in hard copy for reasons not directly related to the administration of the Department’s service programs is a violation of the Department’s confidentiality policy and subjects the employee to disciplinary action.

III. PROCEDURE

A. Authority to Designate Referrals/Cases as Sensitive

CFS Supervisors and above have the authority to designate a referral/case as **Sensitive** in CWS/CMS. The Division Manager or CFS Director will be consulted when a case is to be designated for an individual who is high profile or well-known in the community or media.

B. Sensitive Referral/Case Assignment and Access

Decisions concerning the assignment of referrals/cases for employees and/or relatives of employees of CFS and other EHSD bureaus ensures the confidentiality and privacy of information, and are based on the work location of the employee.

Referrals/cases linked to CFS employees and relatives living in a CFS employee’s home are designated **Sensitive** and transferred to another county.

Each District will assign a **designated team** to carry **Sensitive** referrals/cases. The assigned **district designated team** will be staffed with a Clerk, Supervisor, Emergency Response Social Worker, Court Unit Social Worker, and Continuing Services Social Worker.

If an open case is identified as **Sensitive**, the Supervisor will contact the **Designated District Supervisor (DDS)** and in consultation with the Division Manager (DM), determine if the case must be reassigned or remain with the existing Social Worker. The DDS will inform the Screening Supervisor of the change of status for entry into the **Sensitive Case Log**.



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Referrals which meet the Sensitive status criteria will be assigned by the Screening Supervisor to a district office before the referral is sent out. If the recipient DDS determines the referral needs to be assigned to a different CFS district, the **rotation log** maintained by the Screening Unit will be consulted. The sending district is expected to reach an agreement with the receiving district regarding re-assignment.

If a child fatality occurs on an open referral/case, the referral/case will remain in the assigned District Office unless otherwise notified by the CFS Director or designee.

- If a child fatality occurs in out-of-home placement, the resource home referral, child's case, and any sibling cases will be marked **Sensitive**.
- If a child fatality occurs in parent or guardian care, the mother/guardian's referral, child's case, and any sibling cases will be marked **Sensitive**.

CFS employees assigned to a referral/case of someone known to them as a friend or associate are required to advise their Supervisor. These referrals/cases will be reassigned, but will not be marked **Sensitive** unless special circumstances deem them appropriate as determined by the Operations Division Manager of the district office.

C. CFS Internal Review Meetings

Referrals and cases discussed in CFS Internal Review forums should be introduced as **Sensitive** and steps should be taken to maintain the confidentiality and privacy of the referral/case. There may be situations where the DDS may opt to review a referral/case (e.g. a case involving a relative of a current CFS employee) and convene a confidential meeting with only the Division Manager, designated staff, and other relevant staff/partners.

D. Tracking Sensitive Referral/Case Designation

The Screening Supervisor maintains the **Sensitive Case Log**. The log documents and identifies referrals/cases designated as **Sensitive**, the reason for the designation, and the relationship to and name of CFS/EHSD employee (if any).

When a Supervisor in the district identifies a referral/case as **Sensitive**, the Screening Supervisor will be notified and the information regarding the **Sensitive** designation will be entered into the log. The Screening Supervisor will contact the DDS, who will then assign the case to a designated Social Worker.

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E. Review and Removal of Sensitive Status

Referrals and cases with **Sensitive** status will be reviewed in the following ways:

- Once a year during the month of July (more often if determined necessary), the Screening Supervisor will initiate a review of the **Sensitive Case Log** and take action to update future **Sensitive** case status in CWS/CMS and the log as appropriate.
- Cases marked **Sensitive** will be reviewed when a new referral is received on the case, checked against the **Sensitive Case Log**, and the referral status updated. If the information in the log does not support continuation of the **Sensitive** designation, the Screening Supervisor will remove the **Sensitive** status and send the new referral to the district, advising the DDS that the **Sensitive** designation of the case must be reassessed. If the referral/case is subsequently identified as a **Sensitive** case, the DDS will reinstate the **Sensitive** status and provide that information to the Screening Supervisor for entry into the **Sensitive Case Log**, and the steps for open **Sensitive** cases should be followed.
- The status of a **Sensitive** case will be reviewed if the case is transferred to another designated Social Worker.

The **DDS** will notify the Screening Supervisor if a **Sensitive** case is linked to an employee whose employment has ended. The Screening Supervisor will note the information in the **Sensitive Case Log**. The Sensitive status may be removed at the discretion of the Division Manager and at least one year beyond end of employment.

Please refer to the [Practice Guide: Sensitive Cases in Children & Family Services](#) for a detailed outline on **Sensitive** status designation criteria, case/referral assignment, and timeframe of **Sensitive** status retention and removal.

F. Transmittal of Sensitive Case Folders and Materials

When a **Sensitive** referral is assigned for investigation, clearance information is sent to the **DDS** in a manila envelope marked "**Confidential.**" The referral is assigned directly to the **DDS** CWS/CMS inbox and the **DDS** is alerted by phone.

Case folders for **Sensitive** cases are to be labeled on the outside of the folder with the word "CONFIDENTIAL" in red felt-tip pen.

Sensitive case folders are to be sent individually to and from ARM (Archived Records Management) in a large envelope marked "**Confidential.**" The terminal digit is to be written in the upper right hand corner of the envelope. When a

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Sensitive case folder is requested from ARM, it should be sent in a large envelope and addressed to the **DDS** or Clerical Supervisor.

When the case folder is given to a Clerk/Clerical Technician, or sent to another district, it is to be transmitted in an envelope marked "**Confidential.**"

IV. RESOURCES

[Quick Guide: Sensitive Cases CWS/CMS Data Entry Instructions for Supervisors](#)
[Practice Guide: Sensitive Cases in Children & Family Services](#)

V. REFERENCES

[MS 48-007 Handling of Cases Designated as "Confidential"](#)

[MS 31-003 Confidentiality](#)

[MS 31-503.5 CFS Employee Policy on Conflict of Interest](#)

[Welfare & Institutions Code Section 10850](#)

[California Department of Social Services \(CDSS\) Manual of Policies and Procedures \(MPP\) Division 19 Section 19-000](#)

[ACIN 1-13-09 Documentation of Referrals in Child Welfare Services/Case Management System \(CWS/CMS\)](#)

CONTACT PERSON: First line Supervisors and above may contact the **Program Analyst** with any questions regarding this Department Manual Section.