

## **Complaints from the Provider's Perspective**

In looking at complaints from the provider's perspective, we will address the following issues.

- What providers can do to help alleviate complaints
- What complaints are investigated
- What a complaint investigation entails

### **Helping to alleviate complaints**

Child care is a business which deals with a lot of personal issues for the parents of the children you now have in care. Parents must be able to fully trust a person to care for their children in the manner that the parents would themselves. Trust-and-distrust underlies a lot of complaints received.

Complaints come to Dakota County Social Services in a variety of ways. Parents may call social services because they have a hard time communicating their concerns with providers or feel that if they say something they may lose their daycare. Complaints may also come from concerned citizens who have viewed a situation which they feel is unsafe or other agencies who have received information that needs to be investigated.

Providers can alleviate situations that may lead to complaints by:

- Conducting a thorough interview and screening process before accepting a family.
- Have a set of questions that you ask prospective clients.
- Allow the parents to question you and view the areas that their child will be in.
- Have the child visit so that you may observe them in your home.
- Have a trial period to see how things will work.
- Trust your own feelings-if you don't think you can work with the family it is not advisable to take them into your program.
- Develop open communication-help parents feel they can communicate concerns directly to you
- Encourage parents to call you at times when you both can talk about any issue.
- Encourage them to write in a journal passed between you and the parent about what is happening with their child and any concern or new development that is occurring. Make a habit of listing both positives as well as concerns about each child.
- Think about having quarterly conferences with parents so you can discuss the child's growth and development.
- Be sure that you are clear about your rules and policies. Written policies are required to be shown to parents and it is a good practice to give parents copies.
- Understand parent's expectations.
- Try to resolve any conflicts as they occur. Frustration can build up, leading to volatile situations, if you have a lot of tiny problems that have not been addressed.
- Have an open door policy so parents will feel that they can view the child care at any time. This helps a parent feel they can trust the child care arrangements.
- Seek the help of professionals when difficult situations occur such as problems with parents, unmanageable behavior of a child, contract problems, etc. Call your licensor to help you find resources.
- Provide adequate supervision so that the safety of all children in your care is a priority.
- Keep notes about any injuries, unusual behavior, and developmental milestones in a file for each child to help you discuss the child's day.
- Enforce your policies equally and fairly to all clients.

### **Types of investigated complaints**

There are two different types of complaints that are received by Dakota County Social Services. The types are personal complaints and rule violations. Personal complaints are those which a parent may

have regarding problems surrounding your business policies or a difference in beliefs. Child Care Licensing does not investigate these types of complaints. The second type would be concerns addressed by the child care rule.

Dakota County only investigates complaints alleging rule violations.

### **Investigation of complaint**

Whenever Dakota County receives a complaint alleging that a licensing violation has occurred at a licensed child care home, we are required to investigate. It is our policy to investigate in a timely, thorough, and respectful manner. We recognize the needs of each party involved in the treatment of complaints. Therefore, we have a number of goals for complaint investigations.

- To assure the protection, proper care, health, safety, and development of children in licensed family child care programs,
- To respond to concerns presented by members of the public about the practices of individual programs,
- To reveal adequate information to clear programs subjected to false complaints,
- To document sufficiently the circumstances and practices of programs failing to provide appropriate care so that corrective action or closure can be pursued.

Complaints come to our agency from a number of sources: parents, neighbors, teachers, child protection, police, other agencies, and members of the public. The name or names of persons reporting licensing violations are classified as confidential per Minnesota Statute 1997, 13.46 subdivision 4(d). Licensed providers often want to know who complained, but we are prohibited from releasing that information.

Providers assuming that the complainant is a parent whose child is in care can feel hurt or angry that the parent reported to us instead of talking to them. We have seen many instances of escalating tensions and accusations between providers and parents-or providers and neighbors or others-based on guesses about reporting sources. This is rarely productive, and these guesses are sometimes wrong, damaging relationships over nothing. While it is hard to do, it is a much better practice to focus on the issue at hand.

When Dakota County receives a complaint, we document the specifics of the alleged licensing violation and start an investigation. If the information received does not indicate imminent danger to the children but may result in a negative licensing action, the investigation must begin within 3 working days. All other complaints must begin investigation within 10 working days.

If the complaint received alleges abuse or neglect to children served by the program, the licensing worker will immediately refer the complaint to the county child protection unit. We cooperate with the county child protection unit, as requested, in conducting the investigation.

If child protection is investigating, the child protection worker will immediately report the information to the Commissioner of the Department of Human Services. Child protection typically makes an unannounced visit to the provider's home and may be accompanied by a police officer. The parents of the children in care are notified of the investigation and may be interviewed by the child protection worker. Child care licensing does not conduct the licensing investigation until the child protection assessment is complete. Once the child protection investigation is done, child care licensing will take any appropriate licensing action indicated by the findings of the protection investigation. This action may be a resolution letter, a resolution letter and correction order, or may be a negative action.

Most complaints do not involve child protection. If the complaint received does not allege abuse or neglect of children served by the program, the licensing worker will record the specifics of the complaint and initiate an investigation. The investigation may involve talking to parents using the childcare home, making an unannounced visit to the provider, on rare occasions interviewing children in care, or making a phone call to the provider to discuss the complaint. The decision on who to interview is made considering the seriousness of the issue and the likelihood that the individual interviewed would have direct relevant information.

Complaints that fail to allege abuse, neglect, imminent danger, or indicate a negative licensing action are typically investigated with the reporting source, the provider, and social worker observations.

If parents are contacted, child care licensing focuses on parents who are likely to have direct, relevant information regarding the specific allegation. Workers try to be respectful of the important relationship that all providers have with the parents who use them, and so we don't usually contact parents who would not have direct, relevant information.

If it has been determined that a licensing violation has occurred, a correction order may be issued at the time of the investigation visit or sent later with a letter. Unless there is a negative licensing action, every provider shall receive a letter of resolution. This letter describes the allegations, may cite the relevant portion of the rule, and provide a determination. Determinations are as follows:

- Licensing violation occurred--This means that the provider admitted to the allegation or there is sufficient supporting information to indicate that a licensing violation occurred.
- Licensing violation did not occur—this means that in the licensing worker's opinion, no licensing violation is found. It could mean the report was false or that there are issues but they are not a violation of the regulations.
- No determination can be made—this means the licensing worker could not determine whether the report was true or false.

If a violation has occurred a correction order or letter including the following is issued to the provider.

- The citation of the rule part or law that was violated,
- A brief description of the condition(s) constituting a violation,
- A deadline for making the correction, and
- Information to the provider on how to request reconsideration of the violation.

Complaints remain in the license holder's record and become public information once the investigation is concluded. When someone contacts our agency and requests information about complaints on a provider's record, we release the general nature of the complaint, the determination made regarding the allegation, and any action taken by our agency as a result. Our agency has no right to withhold this public data when it is requested.

Providers sometimes feel parents will rule out using a program if they hear a complaint was made about the program. In our experience as licensing workers, parents seem to be influenced more by their friends' and neighbors' references about a program's quality or by their own impressions of the provider. Parents also look at how the provider handled coming into compliance with the rule and how forthright the provider was about their record.

Being involved in a complaint investigation is at least uncomfortable, no matter what the circumstances. For all of us, being accused of doing something wrong is stressful. We know this and do what we can to be respectful while doing our job