

VACCRRRA – Provider/Abuse Complaint Guidelines and Procedures

Purpose:

The purpose of the VACCRRRA complaint policies and procedures is to have consistent and standardized protocols for handling complaints by CCR&R's throughout the state. The following are basic complaint procedures, which any agency may elaborate on or modify for its agency's purposes, as long as the change does not substantially alter the intent of the VACCRRRA policies and procedures.

All complaints, whatever their categorization, shall be treated with the strictest confidentiality to protect all concerned.

When a provider is added to a CCR&R's referral listings, he or she shall be informed of the agency's complaint policies and procedures and the conditions under which the provider's name will be temporarily or permanently removed from the referral list.

VACCRRRA's complaint guidelines shall comply with any pertinent regulations of the Child Care Services' licensing unit of the Department of SRS.

All complaints, mandated to be reported to SRS or not, shall be documented by the CCR&R staff member to whom the complaint is made on the complaint form.

Categories of Complaints

Abuse Complaints involve the alleged abuse or neglect of children, which must be reported to SRS.

Serious Violations involve alleged clear licensing or registration violations.

Non-reportable Complaints involved issues not mandated to be reported to SRS, and which do not involve licensing violations. They may include complaints about child care practices, philosophical issues, nutrition, curriculum, or may be related to business practices of a provider such as payment policies, vacation time, hours of operation, etc.

Recurring Complaints involve any of the above categories, when complaints from more than one source or on more than one occasion are received by a CCR&R agency within a twelve-month period.

Complaint procedures

- 1) Staff will document all complaints from parents, providers, or other sources.

- 2) Staff will routinely educate all clients at the point of intake regarding complaint procedures and investigations.
- 3) Complainants will be informed about complaint procedures whether their complaint is required to be reported by law or not.
- 4) Staff will advise complainant on how to report to Child Care Services Division or SRS and encourage the complainant to make the report. R&R staff will inform the complainant that the R&R will report on the complaint if the complainant will not/cannot. (Refer to Vermont State Licensing regulations).
- 5) If the R&R agency has knowledge of a pending investigation, referrals to the provider in question will be temporarily discontinued until resolution of the complaint.
- 6) R&R informs Child Care Services Division or SRS of complaint and requests results of investigation. In cases requiring immediate action R&R calls CCSD or SRS, then sends a completed complaint form confirming call and requesting results of investigation.
- 7) When CCSD or SRS reports that a provider is cleared of a complaint the provider's name may be returned to the CCR&R's referral file.

Non-Reportable Complaints

- 1) Staff will document all complaints from parents, providers or other sources.
- 2) Complainant will be informed about complaint procedures whether the complaint is required to be reported by law or not.
- 3) The R&R staff person will urge the parent or other complainant to discuss the issue with the provider and also will discuss ways in which the problem might be resolved. The staff person will document the complaint and his or her advice.

Recurring Reportable Complaints

- 1) If two reportable complaints have been confirmed by CCSD/SRS within a twelve month period, the provider's name may be removed from the referral file.
- 2) At the time of removal a letter shall be sent to the provider describing the appeals process and conditions for reinstatement in the referral file. The provider shall obtain a letter from CCSD/SRS stating that the provider is currently in compliance, that there have been no additional reportable complaints, that the provider's license or registration has not been revoked or suspended before the provider can be reinstated in the referral file.

Recurring complaints – Non reportable

- 1) When three complaints have been made about a provider to a CCR&R agency, the agency trainer may offer an on-site visit.
- 2) The CCR&R shall determine whether or not to remove the provider's name from the referral file.
- 3) A letter shall be sent to the provider notifying him/her of removal and corrections necessary for reinstatement in the referral file.

Appeals

- 1) Any provider suspended from a referral list may appeal the decision in writing to the CCR&R involved.
- 2) The CCR&R shall form a committee on a case by case basis to hear appeals. The committee may include a parent, an Advisory Board member, other Vermont agencies R&R personnel.
- 3) This committee shall hold a hearing to consider the appeal no fewer than twenty working (20) days from the date the appeal is received, at a time and place convenient for all parties.
- 4) The provider, the complainant (where appropriate) and the committee shall be notified of the hearing at least five (5) working days in advance. All people notified shall have the right to attend the hearing, to present evidence including witnesses, and to submit a written statement in addition to or instead of attending the hearing.
- 5) The committee shall issue a written decision no later than thirty working (30) days from the hearing date which shall be copied to the provider, the complainant (where appropriate) and the CCR&R agency staff. The decision of the committee is final.

VACCRRRA Complaint Reporting & Follow up Form

Reporting Agency _____ Date

Provider in Question _____ License or
registration # _____

Person alleging licensing/registration violation and relationship to provider

Address & Phone (day and evening of complainant)

Directions to provider's
location _____

Complaint _____

Specific regulatory
violations/concerns _____

Specific child abuse

concerns _____

Is the complainant willing to report to the state? _____ yes

_____ no

_____ openly

_____ Anonymously

_____ Confidentially

If not, was the complainant willing to document the complaint with the R&R?

_____ yes _____ no

Action taken by the R&R Staff

Additional contact or follow-up

Was the complaint phoned in to CCSD/SRS?

_____ By R&R; date _____

_____ By complainant; date _____

Name of R&R staff reporting the complaint:

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Follow up form

(to be completed by licenser/SRS investigator and sent back the R&R agency)

Date _____

Licenser/SRS investigator name _____

The report of alleged licensing/registration violation against:

_____ has been investigated.

The complaint has been assessed as:

_____ Unfounded

_____ Founded:

Resolved _____

Not Resolved _____

Licensed suspended _____

Licensed revoked _____

Comments:
