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POLICY 411 – Considered Removal Team Decision Making (TDM) Meeting

A. POLICY

Family Services values the strength and ability of caregivers and family members to ensure the safety of their children. Team Decision Making is a family engagement tool that structures the safety planning process.

B. PROCEDURES

Family Engagement is a key principle driving successful outcomes for children and families. A Team Decision Making (TDM) Meeting is a key strategy in family engagement and embodies the essential elements of a trauma informed system. It attempts to minimize disruptions of relationships and separation from attachment figures. TDM is based on the belief that parents, their children and their extended family network have strengths, are experts on their own needs, are capable of change and can contribute to improved decisions by being an active part of the decision making process. The consistent and effective use of TDM promotes family engagement and can restore safety, social and emotional well-being and permanency for the child.

A Considered Removal TDM is a mandatory, facilitated, point in time family meeting convened in order to make a “live” decision regarding custody and placement of children for whom the Division of Family Services is considering removal from the home into out of home placement under DFS custody due to safety factors.

Purpose:

- To articulate to the family, the primary safety concerns that warrant consideration of out of home placement;
- To mitigate safety factors in order to prevent removal from the home by identifying and utilizing the family’s natural informal supports;
- To address risk factors that impact child safety;
- To identify roles and responsibilities of participants to help the family keep the children safe;
- To engage family and other supports to develop strategies and reduce barriers;
- To identify family strengths, resources and protective capacities and how they can be used to establish safety;
- To enhance existing safety interventions when the safety plan is not providing adequate protection;
- To explore/identify extended family and non-relative supports as potential placement resources for the child should removal be necessary.

Key Practice Elements:

- Meetings are held prior to removal of a child from the home into DFS custody, unless the family situation requires an emergency removal to ensure child safety.
- Focuses on child safety and making a “live” decision regarding removal.
- Given the limited time and the often emergent circumstances of the meeting, in-depth case planning is not the focus or goal of the meeting.
- A dedicated TDM Facilitator leads the team meeting
- Involves parents, child/youth, extended family members and interested community members together with professionals (DFS Workers/Supervisors) in safety planning and placement related decision-making.
- Custodial parent or legal guardian participation is essential to the TDM
- The voice of the child/youth is represented at the table.

TDM Requirements:

1. A TDM meeting shall focus on the direct impact of maltreatment on the child considering risk and current safety threats. The process shall identify individual and family strengths that can be used as protective factors in addressing the specific harm and danger to the child.
2. A TDM Meeting must occur when the DFS Caseworker is considering removing a child from the home into DFS custody and for any child who has been removed from the home into DFS custody due to safety factors. Some examples include:
 - a. Prior to removing a child from the home into DFS custody
 - b. The child went to a relative/non-relative under a safety agreement which is time-limited with placement being imminent
 - c. Court mandates DFS Custody
 - d. The caseworker is concerned the family has not made progress toward addressing safety issues and is considering out-of-home-removal into DFS custody
 - e. A situation in which a safety agreement was not able to be developed and the child has been removed from the home to DFS custody due to a safety related emergency
3. Attempts will be made to have a TDM prior (Pre-TDM) to the child entering out-of-home care into DFS custody. In the event that a child enters DFS custody before a TDM is held the caseworker will document in the TDM Referral the reason for a Post TDM request. In this case a Post TDM will be held as soon as possible but within 2 working days and always prior to the initial court hearing (PPH). Attempts to have a Pre-TDM include but are not limited to the following:
 - a. Develop a short term safety agreement with the family.
 - b. Request a same day TDM
4. The TDM process is parent driven (custodial and non-custodial). The meeting should include the child/youth, legal guardian(s), extended family members, other family supports, and interested community members together with professionals in safety planning and placement related decision making.
 - a. Parents/Guardians determine who they want to participate in the TDM. Parents should be encouraged to include community providers that are serving their family.

CASEWORKER AND SUPERVISOR RESPONSIBILITIES

1. Once a decision is made by the DFS caseworker and supervisor that a child needs to be removed from the home into DFS custody for safety reasons, the caseworker will discuss the following with the family
 - a. The safety concern leading to the need for a TDM;
 - b. Purpose of the meeting and the range of possible outcomes, including placing the child in out-of-home care;
 - c. Dates/times they are available to participate in the TDM;
 - d. Encourage the parents to invite relatives and supports;
 - e. How the child/children will participate.

The caseworker may also give the family the TDM brochure to help them think about what they may want to discuss at the meeting.

2. The Caseworker will complete the referral form in FOCUS and submit the referral to the supervisor for approval. The caseworker will include the following on the TDM Referral:
 - a. Dates and times the worker is available for the TDM (with consideration of dates and times the family is available.) Availability must be within 72 hours of the referral date.
 - b. Reason for TDM
 - c. Type of TDM (pre, post, or court initiated)
 - d. Child(ren) being discussed
 - e. Invitees (including mother, father, guardians, informal supports, etc.) including contact information
 - f. Indicate if there are substance use concerns
 - g. Indicate if there are safety concerns
 - h. Reason for Post-TDM if applicable
 - i. Indicate if a translator is needed
3. The supervisor will review the referral and enter dates/times he/she is available for the TDM. Availability must be within 72 hours of the referral date. The supervisor will approve the referral within 24 hours.
4. Prior to scheduling the TDM the caseworker/supervisor will participate in a Pre-Meeting with the TDM Facilitator. The caseworker will advise the TDM Facilitator of the following, but not limited to:
 - a. Any safety issues that need to be addressed;
 - b. Special Accommodations needed;
 - c. Any restrictions to attendance among the participants, for example, PFA's or No Contact Orders;
 - d. If additional DFS staff need to participate in the TDM;
 - e. How the child's voice will be represented during the TDM;
 - f. Discuss non-negotiable issues regarding ensuring the safety of the child/youth.
5. The Caseworker and Supervisor will discuss how the child's voice will be represented in the TDM. It is not a question of whether a child will participate in the process, but how the child will participate in the meeting. The following questions will help determine how the child should be involved:
 - a. How old is the child/youth?
 - b. How does the child/youth want to participate?
 - c. What are the child/youth's special needs?

- d. Does the child/youth have developmental and cognitive disabilities?
- e. How is the child/youth's emotional development?
- f. Does the child/youth have a mental health need that makes it difficult to manage in group settings?
- g. What does the family think about the child/youth participating in person?
- h. What does the child/youth's therapist or others who know the child well think about the child's readiness and ability to attend?
- i. Is there potential for the process to be therapeutic for the child/youth?
- j. What family members will be present?
- k. What kind of support will the child/youth have before, during, and after the TDM?
- l. Who will be the child/youth's designated support person?
- m. How can the youth be shielded from the conflict, have a safe space to share feelings and be a part of what is happening in the family?

The decision on whether and how to include the child/youth should be customized to each child/youth and family situation rather than based on an arbitrary marker such as age. The DFS Caseworker will help prepare the child/youth to participate or develop strategies with the child and/or adults regarding how the child's perspective will be shared in the meeting.

- 6. Both the caseworker and supervisor must attend the TDM. If the supervisor is not available, he/she may designate another supervisor or an administrator to attend in his/her place to ensure the TDM is held timely. The supervisor's designee must have a good understanding of the case, safety concerns, and be able to actively participate in the TDM. The DFS Caseworker/Supervisors will be prepared to discuss the following:
 - a. Summarize the current situation;
 - b. Explain how the safety concerns impact the child/youth;
 - c. Articulate why DFS is considering removal of the child/youth from the home;
 - d. Describe risk factors that may be impacting child safety;
 - e. Present relevant case history as it relates to the current situation and safety planning. Identify trends/patterns of behavior;
 - f. Discuss family strengths and protective factors that may address safety issues;
 - g. Be open and receptive to the ideas and opinions of others;
 - h. Discuss the non-negotiable issues related to child safety and parameters around safety planning;
 - i. Bring existing safety agreement and discuss why the plan is not working well to ensure child safety;
 - j. Determine whether proposed safety interventions identified through the TDM can sufficiently protect the child;
 - k. Document the safety agreement and have all identified resources sign the safety plan and required consents;
 - l. Identify steps to monitor the safety agreement;
 - m. Discuss options if interventions are not possible;
 - n. Explore relative/kin placements resources for the child/youth if the recommendation is that the child/youth will be placed out of the home;
 - o. Sets a date for the next Family Team Meeting.

- 7. After the TDM the Caseworker will follow up with the family and others to ensure interventions are implemented immediately. The Caseworker is responsible for monitoring

the plan and assessing whether it is effective in mitigating the safety factors. The Caseworker will also follow up on any concerns/risks that arise during the meeting.

8. If the TDM result is a decision that the child will be removed from the home to DFS custody, then the caseworker will meet with the family to discuss placement and follow the policy and procedures for obtaining custody and locating a placement resource.
9. Prior to approving an initial Level of Care for placement, the supervisor must verify from the requesting worker that a TDM was conducted or referred.

TDM FACILITATOR RESPONSIBILITIES

1. Once the referral is approved by the supervisor a TDM summary will be generated and worklisted to the TDM Facilitators who will begin the process of scheduling the TDM meeting.
2. The TDM Facilitators and their supervisors will manage the rotation and assignment of TDM Referrals.
3. The TDM Facilitator is responsible for scheduling the TDM at the earliest availability of the family and caseworker/supervisor. Pre-Custody TDM's will be scheduled immediately but within 24 hours of the referral unless the child is not in need of immediate removal (ex. child placed in YRS/PBH placement, time limited safety agreement).
4. The TDM Facilitator communicates with the family/participants and facilitates the meeting.
5. The TDM Facilitator will encourage and support the family in inviting kin and extended family members who can inform and support the decision making process.
6. The TDM Facilitator will schedule a Pre-Meeting with the caseworker/supervisor to discuss, but not limited to the following:
 - a. Any safety issues that need to be addressed;
 - b. Special Accommodations needed;
 - c. Any restrictions to attendance among the participants, for example, PFA's or No Contact Orders;
 - d. If additional DFS staff need to participate in the TDM;
 - e. How the child's voice will be represented during the TDM;
 - f. Discuss non-negotiable issues regarding ensuring the safety of the child/youth.
7. The TDM Facilitator will discuss with the Caseworker the plan for including the child/youth in the TDM.
8. The TDM Facilitator will resolve any special accommodations needed that may create a barrier to the family participating in the TDM. For example, scheduling an interpreter.
9. Prior to the TDM the TDM Facilitator will meet briefly with the parents/child/youth individually to determine safety concerns or worries and what can be done to keep them safe.

10. The TDM Facilitator will ensure that the required confidentiality and release of information documents are discussed and signed by all meeting participants in the beginning of the meeting.
 - a. Complete confidentiality of information shared at the TDM meeting is not guaranteed. Privacy and respect are emphasized, but parents are informed that information from the meeting may be used for case planning, in subsequent court proceedings, and in the investigation of new allegations of abuse or neglect should such information arise.

11. The TDM Facilitator will facilitate the discussion between the participants throughout the meeting. This includes but is not limited to the following:
 - a. Engage the family in discussion of the problem and possible solutions;
 - b. Ensure the family voice is heard;
 - c. Ensure the child/youth's voice is heard and/or represented;
 - d. Engage the family and their supports in safety planning and identification of risk factors that impact child safety;
 - e. Creates a safe environment for participants to express ideas and concerns;
 - f. Assist the group in balancing the physical and psychological safety needs of the child/youth and the need for continuity in family relationships;
 - g. Guide the team toward consensus;
 - h. Keep the meeting focused and moving;
 - i. Manage conflict and emotions through check-ins and breaks;
 - j. Assure the Caseworker/Supervisor provide a thorough discussion of the safety concerns and risk factors that impact child safety;
 - k. Assist meeting participants in assessing and addressing safety concerns;
 - l. Explore placement resources within the family should removal be recommended;
 - m. Make inquiries into family members and document who may not be present but who can contribute to future planning with the family;
 - n. If removal is the outcome of the meeting, facilitate a discussion around how the child will be informed.

12. The TDM Facilitator is responsible for completing the TDM Summary Report and will provide a copy of the report to all TDM participants. All information will be added into the TDM Summary Report in FOCUS within 48 hours of completion of the TDM.

13. The TDM Facilitator will provide participants with a follow-up survey and will collect the survey at the end of the TDM or provide participants with instructions about how to return the survey.

14. The TDM Facilitator will conduct a post meeting debrief after the meeting with the Caseworker/Supervisor.

TDM MEETING PARTICIPANTS

1. It is both the caseworker and TDM facilitator's responsibility to encourage and support the family in inviting kin and extended family members to the TDM who can inform and support the decision making process.

2. TDM participants should include, but not limited to the following:
 - a. **Parents/Caregivers**: Parents/Caregivers are recognized as the expert on their family's needs and strengths. Their presence and involvement is integral to the

- meeting. However, absence or non-participation of the parent/caregiver or legal custodian is not a cause for cancellation of the meeting. A decision can be made in their absence and planning with the person present.
- b. **Children and Youth:** It is critical to capture the perspectives of the child/youth. Attempts should be made to include the youth in person when appropriate. A child/youth's physical absence does not mean that they are not involved in the meeting. Some ways to ensure the child/youth's voice is present at the meeting include but are not limited to the following:
 - i. Appoint a designated spokesperson;
 - ii. Ask the parent, caregiver, or caseworker to bring a picture of the child or child and family to the meeting
 - iii. Bring 3 Houses or Safety House tools completed with the child
 - iv. Have the child draw a picture of their feelings or message
 - v. Video or audio recording of the child stating their feelings or message
 - vi. Include the child by conference call
 - vii. Have the child attend a portion of the meeting to share their thoughts and feelings
 - viii. Have the child make a message card or write a letter to the team
 - ix. Use an empty chair to signify the child. Add a piece of the child's clothing or favorite toy.
 - x. Give the child a name card
 - xi. Complete the worksheet "I Want to Say Something!"
 - c. **Extended Family and Non-Relative Supports:** These participants are invited by parents as emotional support, thinking partners, to provide concrete assistance and/or become a resource for placement.
 - d. **Caseworker and Supervisor:** The Caseworker and Supervisor are the conveners of the meeting, content experts, and lead the discussions. They are responsible for making the decision on the absence of consensus.
 - e. **Formal Supports:** These participants are invited with the consent of the family and may include service providers, Substance Abuse Liaisons, Domestic Violence Liaisons, and may be past or current providers.
 - f. **TDM Facilitator:** The TDM Facilitator is a trained process expert who works with the caseworker to lead the group through the meeting. The TDM Facilitator provides a summary report to participants outlining the decision and action steps.

TDM DECISIONS

1. The TDM will result in a Team Decision regarding placement and custody of each child.
2. The TDM focuses on child safety and makes a "live" decision regarding removal and child custody. Given the limited time and often emergent circumstances of the meeting, in-depth case planning is not the focus or goal of the meeting.
3. The goal of the meeting is to reach consensus about what steps should be taken to ensure child safety. If consensus cannot be reached, it is the responsibility for the caseworker and supervisor to make the final decision/recommendation.
4. If the TDM Facilitator believes the decision on the table puts the child at risk of serious harm or violates law or policy, the TDM Facilitator's supervisor should be consulted. If clarification and consensus still cannot be reached after the TDM Facilitator consults with

his/her supervisor; the ARA who owns the case has the final decision. The decision of the ARA becomes the agency's official position.

SPECIAL CONSIDERATIONS

1. Domestic Violence
 - a. Ensuring safety for all participants is of paramount concern.
 - b. TDM meetings must not violate court orders or any condition of probation or parole that restricts contact or communication of the offender with the non-offender.
 - c. Prior to the meeting, the caseworker should alert the TDM Facilitator to any known concerns regarding family violence or other potentially dangerous issues.
 - d. When family violence is suspected or indicated during the TDM screening, a pre-meeting check-in is held with each parent separately and includes the TDM Facilitator and the DV liaison when possible.
 - e. The safety check-in conversations will inform the TDM Facilitator as to the provisions that need to be made to ensure safety during the meeting. This may include but is not limited to the following:
 - Determining whether or not a TDM can be safely held;
 - The need for on-site security by the Special Investigator;
 - Identifying a safety word or signal the non-offending parent can use if the conversation is heading in a direction that would make the situation potentially dangerous;
 - Identifying the need for separate meetings;
 - Excluding a particularly dangerous person from participating in the meeting all together.
 - f. The Domestic Violence Liaison will be invited to the TDM.
 - g. The TDM Facilitator, in consultation with the DFS worker and non-offending parent, shall determine whether the non-offending parent feels comfortable having the offending parent present for the meeting.
 - h. If the outcome of the meeting is dependent on the non-offending parent's safety plan, a separate meeting is recommended. If separate meetings are necessary or recommended the first meeting should be held with the non-offending parent to gain a better understanding of the level of violence.
 - i. The plan developed with the non-offending parent as a result of the meeting should ultimately guide the decision.
 - j. The meeting with the offending parent is a first step toward engaging this parent in planning on behalf of his/her children.
 - k. The DFS Caseworker will have a post meeting with the non-offending parent after the TDM to check in with the non-offending parent about safety, concerns, needed support, etc. Additionally, the DFS Caseworker and TDM Facilitator will make arrangements for the non-offending parent to leave the meeting safely.
2. Parents Who Are Incarcerated
 - a. When a Parent/Guardian is incarcerated by the Department of Corrections efforts will be made for their participation in the TDM.
 - b. The TDM Facilitator will contact the prison to discuss the need for the TDM and request the incarcerated parent's participation in the TDM via telephone.
 - c. If arrangements cannot be made for timely participation by telephone the TDM Facilitator will attempt to obtain basic information from the incarcerated parent following DOC procedures that includes, but not limited to, names and contact information from relatives.

3. Criminal Investigations
 - a. In the event of an open/active criminal investigation, the worker should consult with the assigned detective prior to the TDM meeting. The detective may advise the worker regarding areas of discussion that should be avoided during the meeting.
 - b. It is the responsibility of the parent to notify their attorney (if represented) of the scheduled TDM.
 - c. If the parent chooses not to participate, they should still be asked to provide relative information.

4. Safety Concerns Including Physical Violence
 - a. The caseworker/supervisor will immediately notify the TDM Facilitator that there is a known or suspected safety concern.
 - b. The TDM Facilitator will discuss with the TDM Supervisor to determine the safest way to hold the TDM. Consideration can be given to allowing the parent to participate by telephone.
 - c. The TDM Facilitator will notify the Regional/Assistant Regional Administrator of the referral region.
 - d. The TDM Facilitator will notify the Special Investigator of the need for assistance.
 - e. All precautions will be taken to ensure the TDM is held safely.

5. The family wants to invite their attorney to the TDM
 - a. The family attorney will not be excluded from participation.
 - b. The DFS Caseworker will consult the agency DAG and give them the option to attend the TDM.
 - c. The TDM Facilitator will stress that the TDM is not a legal proceeding and will invite participation in the same way as any other participant.

EXCEPTIONS TO TDM

1. All attempts should be made to have a TDM, however, there may be a time where a TDM may not be appropriate. For example:
 - a. There is no one to participate in the TDM except the caseworker and supervisor.
 - i. The TDM Facilitator reached out to parents/guardian to discuss the TDM process and the parents/guardian declined the TDM Meeting.
 - ii. The parent's whereabouts are unknown and the DFS Caseworker has not been able to identify any other supports or family members after a conversation with the child or Family Search and Engagement activities. Documentation for the exception should include attempts made.
 - iii. If there is at least one participant (youth or relative) willing to participate the TDM should be held
 - b. The child has come into custody but there is no change in placement outside the home or there was no removal.
 - i. The court initiated custody and after further discussion with the family the child is determined to be safe in the home and there is no intention to remove the child from the home.
 - c. The child had a TDM within the last 30 days and the developed plan fails causing the child to enter out of home placement in DFS custody. There are no new safety threats or risk factors and there are no other resources identified after talking to the family or Family Search and Engagement activities.

- i. If there are new safety threats or risk factors identified, then another TDM is needed.
- 2. All requests for exception require an explanation.
- 3. A request for exception can be made by the caseworker/supervisor on the TDM Referral or by the TDM Facilitator on the TDM Summary Report.
- 4. All TDM exception requests are considered, approved, or denied by the RA of the region from which the referral was made. The approval or denial will be documented in FOCUS.
- 5. TDM exceptions should be rare and all attempts should be made to have a TDM.**

C. FOCUS

- 1. The Caseworker initiates a TDM by completing a TDM Referral in FOCUS.
- 2. The Caseworker submits the referral to the supervisor for approval.
- 3. The Supervisor reviews the referral and either sends back to the caseworker for edits, approves, or rejects the referral.
 - a. Rejecting the referral will end the TDM process
- 4. Once the Supervisor approves the referral a TDM Summary Report is generated to the TDM Facilitators.
- 5. The TDM Facilitator completes the TDM Summary report upon completion of the TDM.

D. FORMS Use the DFS policy website to access any forms:
<https://kids.delaware.gov/policies/dfs-policies>

- Participant Sign-In Sheet
- Confidentiality Notice
- Release of Information
- TDM Brochure
- Survey