



## Youth Ombudsman Office ~ Frequently Asked Questions

### 1. What are you asking for?

A Youth Ombudsman Office that exists independently of ODJFS for the purpose of independently investigating complaints regarding youth experiencing abuse in biological, kinship, foster, respite, adoptive, residential and group home placements.

### 2. Why are existing resources not working to address the need?

Ohio youth have reported being placed in unsafe placements and worrying if their current situation might lead to loss of life. When child or teen does lose their life in foster care, this case is reviewed by a Child Fatality Board, results are reported confidentially to the Agency Director and Board. These findings are often exempt from public records requests.

Ohio youth have experienced trauma due to prolonged abuse, despite their repeated efforts to share concerns with adults who did not take them seriously. This includes difficulties in contacting their caseworker or GAL, lengthy wait times when reaching out local child abuse crisis lines, and lack of follow through on reports made directly by youth.

They have witnessed a repeated lack of compliance with the *Preventing Sex Trafficking and Strengthening Families Act*, a federal law that requires agencies to provide a counseling session after youth ran away in order to find out why they went AWOL.

- *What is especially concerning is that this young person knew the service she received was unacceptable; however, her attempt to complain and have her voice heard in a manner that allowed her to feel the issue had been properly dealt with was thwarted. In the end the child just gives up. (Diaz, C. Barriers children face complaining about social work practice. Child & Family Social Work. May 2020, Vol. 25 Issue 2, p460-468. 9p.)*

### 3. Why does this Office need to be autonomous and able to operate independently of ODJFS?

Lessons learned from other states, including this example from California:

- *California's foster care ombudsman is under the administrative control of the Department of Social Services, the very department responsible for the state's foster care program. This structure creates direct conflicts of interest because the department director controls all aspects of the program's operation and allocation of resources.*

- *The ombudsman has no independent authority to recommend policy or program improvements. The Ombudsman reports directly to the Department of Social Services director. While this arrangement may limit internal conflicts, it is incompatible with the ombudsman’s responsibility to ensure compliance with administrative actions, statutes, rules, and policies related to foster care services and the treatment of children under the state’s care.*

The **United States Ombudsman Association** has outlined essential characteristics for this office, including independence, impartiality and fairness, credibility of the review process and confidentiality. International research highlights the need for accessibility, transparency and accountability:

- *Care should be taken in the use of the term ‘ombudsman.’ This term has come to be associated with accessible, independent and impartial review. If the word is used to describe systems that do not meet these basic criteria, there is a danger that the term will lose credibility. If used loosely, the term "ombudsman" could mislead the public, rather than protect them. (Dolan, N. What Is an Ombudsperson? Global Diffusion, International Standardization, and Institutional Diversification. Political Studies Review; Nov2019, Vol. 17 Issue 4, p370-390, 21p.)*

**4. Why does this Office need to be youth-specific, and not trying to serve the needs of youth and adults at the same time?**

Trying to serve both youth and foster parents creates an insurmountable conflict of interest in cases when a child or teen reports being abused by their foster parent. Lessons learned from other states indicate that when an Ombudsman office attempts to serve adults and youth, it ends up serving primarily adults. This includes websites geared toward adult professionals and complicated complaint forms - some of which need to be printed, filled out, and then scanned or faxed. In contrast, the Texas Ombudsman for Children and Youth in Foster Care specifically informs youth of their rights and lets them know how to submit concerns.

**5. Why does this Office need to be designed by those with lived experience?**

Consumer movements are based on the premise that consumers of a service should be involved in its design and delivery and evaluation. Please see also: *Bastian, C. The child in child protection: Invisible and unheard. Child & Family Social Work. Feb2020, Vol. 25 Issue 1, p135-143. 9p)*

Youth Serving Agencies	Empowering the Voices of Those With “Lived Experience”
Youth are viewed as the recipients of programs, services, tools and resources.	Consumers of a service deserve to have a voice in its design, delivery and evaluation