

COUNTY OF SACRAMENTO
CALIFORNIA

APPROVED
BOARD OF SUPERVISORS

For the Agenda of:
June 16, 2009

JUN 16 2009

By *Cyril Lee*
Clerk of the Board

To: Board of Supervisors

From: Department of Health and Human Services

Subject: Response to 2008-2009 Sacramento County Grand Jury Special Report on Child Protective Services

Supervisor District: All

Contact: Ann Edwards-Buckley, Acting Director, Health and Human Services, 875-2002
Laura Coulthard, Deputy Director, Children Protective Services, 875-0123

Overview

The 2008-2009 Final Grand Jury report focused on a review of Child Protective Services. The report identified issues within Child Protective Services and contained several recommendations pertaining to Child Protective Services. This report will respond to the findings and recommendations of the Grand Jury.

Recommendations

1. Adopt this report as the Board of Supervisors response to the Sacramento County Grand Jury Special Report on Child Protective Services; and
2. Direct the Clerk of the Board to transmit a copy of this report to the Presiding Judge of the Superior Court and the Grand Jury Foreman.

Measures/Evaluation

Successful implementation of the recommendations will contribute to the County Strategic Objective to protect families from violence.

Fiscal Impact

The cost of responding to this report is approximately \$4,441.25. Staff from the County Executive's Office and the Department of Health and Human Services contributed to this effort. These costs were absorbed by each entity.

BACKGROUND

Each year the Sacramento County Grand Jury prepares and releases its final report, which is typically a review of the functioning of a particular government entity. The report can address a variety of areas and usually contains findings and recommendations. The law requires that the impacted agency respond to each finding and recommendation directed to the Presiding Judge of the Superior Court. The response to the findings and recommendations are contained within this report. This response is required by July 14, 2009.

DISCUSSION

The 2008-2009 Grand Jury focused on Child Protective Services (CPS) and in particular, circumstances surrounding the death of a young child in July of 2008, which raised concerns regarding the ability of CPS to protect children from abuse and neglect. The report identified what are considered systemic problems within CPS.

Particular areas of concerns include:

- No capability to record hotline calls;
- Lack of technology;
- Lack of proper follow-up with cases;
- Lack of consistent evaluations for employees;
- Lack of support provided to social workers and supervisors; and
- Confusing and outdated policy manuals.

The following are the findings and recommendations of the 2008–2009 Sacramento County Grand Jury Report and the Department's response and progress toward implementation of the recommendations.

Management and Leadership

Finding 1: There is a longstanding absence on the part of Health and Human Services (HHS) and CPS management to accept responsibility and accountability for the role of CPS in meeting its community responsibilities. This is a recurring criticism found for over a decade of many published reports.

Response to Finding 1: Concur in Principle. Over the years, CPS management has implemented many changes to social work practice to improve outcomes. Despite these efforts, persistent problems exist as noted in published reports. The Division has focused on strengthening existing partnerships and developing new ones in order to improve collaborative efforts for both investigation and service provision to families. In retrospect, a model of continuous quality improvement throughout the organization would have supported tracking, monitoring and sustaining change within the organization.

CPS is now launching a continuous quality improvement effort which will help the Division track the effectiveness and efficiency of all practices implemented. Moreover, CPS Management is partnering with Child Welfare League of America (CWLA) to assist in developing a vision, a change management plan, and the accountability mechanisms necessary to ensure both short- and long-term progress in targeted areas.

Recommendation 1.1: The Board of Supervisors conduct a thorough assessment of the performance of HHS and CPS management. These administrators must demonstrate more than subject matter expertise. They must demonstrate an ability to ignite the enthusiasm of CPS supervisory and rank and file professionals and exhibit the creative energy and management skill necessary to lead CPS in the challenges ahead.

Response to Recommendation 1.1: Concur. The vision and planning work with CWLA will provide leadership with the tools and training needed to involve the entire department in the change management process and create the energy and enthusiasm needed to make and maintain the needed organizational changes. As the work evolves, it will require senior leadership to become more visible to all staff, thereby increasing effective communication with staff throughout the CPS Division.

Recommendation 1.2: The Board of Supervisors direct HHS and CPS management to publicly adopt the Grand Jury's findings and recommendations, prioritize the achievement of suggested improvements, including their own "Areas of Concern", and develop a project planning strategy for meeting these goals.

Response to Recommendation 1.2: Concur in principle. HHS and CPS will confirm, with CWLA, the priorities for action, and to develop comprehensive work plans for each targeted area. These work plans will include target goals, strategies, timelines, people responsible, and evaluation methods.

In anticipation of a work plan with CWLA, which will include the Grand Jury recommendations, the Department has begun work in the following areas:

- A. Ability to record hotline calls. The system is to be fully functional by July 2009;
- B. All social workers and supervisors will have remote access to Child Welfare Services (CWS)/Case Management System (CMS), Structured Decision Making, and Safe measures tools by June 2009, and it is our intent that mini laptops will be secured for all field social workers by September 2009;
- C. A Workforce Investment Workgroup began work in March of 2009 to recommend improvements in the areas of retention, recognition, hiring, and performance evaluation;
- D. A new performance enhancement program is targeted to begin in September of 2009; and
- E. CPS has initiated a complete revision of the policies and procedures, and the first revised policy, the Emergency Response Investigation Policy, will be approved and available to staff by July 1, 2009.

Recommendation 1.3: Request that HHS and CPS invite the 2009-2010 Grand Jury to return in six months to observe what progress has been made toward the improvement of CPS operations.

Response to Recommendation 1.3: Concur. CPS management will involve members of the Grand Jury in the organizational change process and will keep the Grand Jury apprised of progress in all targeted areas through frequent progress reports and meetings with CWLA consultants. CWLA has also committed to speaking directly with the Grand Jury Foreman and any other members of the Grand Jury on a regular basis. The first call between CWLA and the Grand Jury Foreman occurred on April 28, 2009.

Recommendation 1.4: The County Board of Supervisors require that a public report be made in six months as to progress made.

Response to Recommendation 1.4: Concur. CPS will be providing a written progress report to the Board of Supervisors every 30 days. Also, CWLA is planning an intensive six-month intervention and will file a public final report outlining both activities and progress made during that time period.

Finding 2: A shield of privacy and secrecy that surrounds much of the operations of CPS is unwarranted. This lack of transparency serves to raise questions and leads to inaccurate conclusions being made regarding what takes place in CPS. The acknowledged need to protect the confidentiality of case information can be accomplished without adopting a "closed door" attitude.

Response to Finding 2: Concur in principle. CPS management agrees that the Division must be transparent in regards to its operation and processes. However, case information regarding specific children and families served by CPS is confidential by law and can only be released to third parties via a court order.

Recommendation 2: Greater transparency of CPS operations must be exhibited on the part of CPS management. They should do more to aggressively open the doors of CPS activities to the eyes of the public, the County Board of Supervisors, non-profit organizations, K-12 schools and universities, the Legislature, the medical community, and the media. Transparency does not prevent possible negative publicity, but does mean that questions can be asked and answered in an atmosphere of openness and honesty.

Response to Recommendation 2: Concur. CPS management will strengthen efforts to increase transparency and access to department operations and decision making. We will continue with current practices that include media ride-alongs and observation, community presentations, outreach and education through various media, broad community participation in work groups, the CPS Citizen's Academy, participatory development of our System Improvement Plan and Self-Assessment, the use of multidisciplinary teams and Team Decision Making. We look forward to additional opportunities including the Sacramento County Criminal Justice Cabinet – Child Protective Services Response and Intervention Committee.

In addition to the above efforts, on April 16, 2009, there was a meeting between CPS, the District Attorney and the Sheriff's Department for the purpose of ensuring a coordinated and effective response and intervention to child abuse reports and investigations in Sacramento County. The workgroup will be a collaborative effort, chaired by all three departments and the first meeting of the larger group will be June 3, 2009 and the focus will be on coordination and training between the departments.

Evaluations

Finding 3.1: CPS personnel have rarely had performance evaluations.

Response to Finding 3.1: Concur. Performance evaluations are not completed on a consistent basis.

Finding 3.2: CPS management acknowledged they have failed in this area despite their agreement that yearly evaluations are critical. They tend to fall back on the excuse of “competing priorities” which were never explained to the satisfaction of the Grand Jury.

Response to Finding 3.2: Concur. Performance evaluations are important and have not been completed on a consistent basis.

Finding 3.3: Personnel have been promoted without a current evaluation.

Response to Finding 3.3: Concur. Some personnel have been promoted based on their educational background, skills and experience, the competitive examination and ranking process, program interview process and reference checks without the benefit of a current performance evaluation.

Recommendation 3: The completion of yearly evaluations on all employees must be recognized as a critical, high priority activity required of supervisors and managers.

Response to Recommendation 3: Concur. CPS management recognizes the importance of regular performance evaluations for all employees. In September 2008, a work group comprised of CPS and Human Resources (HR) managers began work to identify a better, user friendly performance tool. Management and CPS supervisors attended a demonstration of the web-based Performance Enhancement Program (PEP) tool currently used by other County departments. The tool received positive reviews, along with an endorsement from other departments that have already implemented the PEP. The work group continues to oversee the development and implementation plan for the Division. The new performance evaluation tool will be phased in beginning for management classes first, and the initial cycle will be completed in September 2010. The evaluation cycle for other job classifications will conclude March 2011. Probationary evaluations will continue to be a priority.

Finding 4: The County’s Department of HR disseminated annual evaluation reminders to CPS management. However no follow-up action was done to see if such evaluations actually took place.

Response to Finding 4: Concur. Performance evaluations have not been completed for CPS staff on a consistent basis.

Recommendation 4: HR must accept its responsibility for ensuring the completion of annual performance appraisals as part of their fundamental personnel oversight responsibilities.

Response to Recommendation 4: Concur. The new PEP tool generates usage reports. These reports will be distributed quarterly to managers and supervisors for follow up. Additionally, maintaining current performance evaluations for subordinates is a performance goal on the PEP tool for all management and supervisory classes.

Finding 5: HR has neglected to train supervisory personnel in the proper method of personnel evaluation.

Response to Finding 5: Concur. All supervisory personnel must be trained in employee evaluation.

Recommendation 5: CPS supervisory personnel must attend a training course specifically focused on employee performance evaluations.

Response to Recommendation 5: Concur. All supervisors and managers will be trained on performance evaluations and the PEP tool prior to implementation in August - September 2009.

Finding 6: Substantial finger pointing exists between CPS and HR personnel regarding quality of service.

Response to Finding 6: Concur. In the past there has been tension between CPS and HR. Both CPS and HR management have a strong commitment to work together to increase the quality of services provided.

Recommendation 6: Greater interdepartmental cooperation must exist between CPS and the HR Department. CPS management must do more to demand and improve the delivery of services from the HR Department. Management attention and involvement must be brought to the table to reconcile this festering issue.

Response to Recommendation 6: Concur. In the last six months efforts by both CPS and HR have been taken to improve interdepartmental cooperation. HR added an additional personnel position to assist CPS. HR representatives are involved in a number of CPS workgroups focused on improved workforce recruitment and retention, stability, recognition and performance evaluations. The HR Manager now attends the weekly Department of Health and Human Services (DHHS) Executive Management Team meeting. The HR Director, DHHS Director and CPS Deputy Director will meet quarterly to monitor progress and keep communication lines open. Furthermore, the Acting Agency Administrator and the Administrator of the Internal Services Agency will meet quarterly, or as needed, to resolve issues if satisfactory progress isn't made.

Discipline Procedures

Finding 7: Disciplinary proceedings are compromised by the absence of evaluations of all employees.

Response to Finding 7.1: Concur. CPS management agrees that the absence of performance evaluations has compromised disciplinary proceedings. It is important to note that an employee evaluation is a performance management tool to be used jointly by supervisors and employees to plan, assess, reinforce expectations, identify deficiencies and recognize individual performance and contributions toward established goals for the organization and for the individual's own development. It is part of an on-going process of communication to an employee on his/her progress toward these goals and is entirely separate from the disciplinary process.

Recommendation 7.1: CPS management should work with the HR Department to immediately complete employee evaluations on all CPS personnel.

Response to Recommendation 7.1: Concur. The new performance tool will be phased in beginning with management classes and as evaluations come due beginning September 2009.

Recommendation 7.2: CPS supervisors and managers should be held accountable for ensuring that employee evaluations are completed in a timely manner.

Response to Recommendation 7.2: Concur. The PEP tool generates an email reminder that the evaluation is due 45 days in advance of the due date. Additionally, maintaining current performance evaluations for subordinates is a performance goal on the PEP tool for all management and supervisory classes. Managers and supervisors can access the PEP program to identify overdue evaluations for follow-up.

Recommendation 7.3: Formal disciplinary action should be mandated in instances where evaluation timetables are not met.

Response to Recommendation 7.3: Concur. Opportunities for improving performance prior to formal disciplinary action include additional training, coaching and counseling. CPS management agrees to immediately act to improve performance when timeframes are not met and will follow through with formal discipline as indicated.

Finding 8: There is an average time of one year from the start of paid administrative leave to resolution. This contributes to the caseload of other employees and decreases staff morale.

Response to Finding 8: Concur. Anytime an employee is on leave the employees who are working have to cover their caseloads and staff morale suffers.

Recommendation 8.1: Given the number of cases referred for discipline and the lengthy time until resolution, the Grand Jury recommends that more of the current HR staff be reallocated to CPS.

Response to Recommendation 8.1: Concur. HR allocated an additional personnel analyst position to work on CPS matters. Personnel actions will be tracked and monitored and additional HR resources will be redirected as needed.

Recommendation 8.2: The length of time that employees are on paid administrative leave must be reduced.

Response to Recommendation 8.2: Concur. HR will review criteria for Administrative Leaves countywide. DHHS will require Director approval for all Administrative Leaves effective immediately.

Recommendation 8.3: Supervisors should be held accountable for keeping an active up-to-date file on employees as mandated in the County Discipline Manual.

Response to Recommendation 8.3: Concur. Maintenance of a desk file for each subordinate will be included as a goal on supervisory and management PEP performance evaluations.

Finding 9: According to sworn testimony, the recent HR reorganization increased the ratio of CPS disciplinary cases per HR analyst.

Response to Finding 9: Do not concur. The HR reorganization did not increase the ratio of CPS disciplinary cases per HR analyst. In actuality, the HR reorganization enabled HR to provide better service to CPS than when the HR staff were assigned to work for one department exclusively. With the consolidation of HR services into the Department of Personnel Services, analysts and managers in other non-DHHS service teams have been called upon to conduct investigations, respond to employee grievances, serve as Skelly hearing officers, which frees up time for the analysts to write and investigate employee disciplinary matters. Additionally, as of October 2008, two analysts were assigned to assist CPS exclusively, when prior to that, only one analyst was assigned to CPS. Also, other analysts on the DHHS service team are used on as needed basis to assist with CPS based on the workload needs.

Recommendation 9: An alternative organizational structure, which would provide more efficient HR disciplinary support to CPS, should be considered.

Response to Recommendation 9: Do not concur. The current organizational structure for the Department of Personnel Services is appropriate to support CPS. Quarterly meetings between the department directors will enable HR to redirect resources as needed.

Finding 10: Poor communication between HR and CPS contributes to lengthy disposition of discipline cases.

Response to Finding 10: Concur. Communication can always be improved. Effective May 11, 2009, the lead HR manager for the DHHS Service team will begin attending the weekly DHHS Leadership team meeting with the Director of DHHS, which will improve the communication between HR and CPS (and the other divisions in DHHS).

Recommendation 10: HR should develop effective training seminars for all supervisors and managers of CPS to promote greater understanding of the requirements needed for a rapid adjudication of cases.

Response to Recommendation 10: Concur. A special training on the discipline process will be scheduled for this summer exclusively for CPS managers and supervisors to improve their understanding of the progressive discipline process.

Recruitment and Retention

Finding 11: A 22 percent annual turnover rate in CPS social workers is a major impediment to program efficiency and effectiveness.

Response to Finding 11: Concur. Sacramento County agrees that a high turnover rate is detrimental to our ability to effectively run our programs and carry out the mission of the agency. While we must acknowledge that some turnover is unavoidable, as is in the case of promotion or retirement, some turnover is avoidable and Sacramento County agrees with the need to reduce this turnover.

Recommendation 11: CPS management should prepare an analysis of this turnover problem and implement a recommendation plan.

Response to Recommendation 11: Concur. In March of 2009, CPS Management convened a Workforce Investment Workgroup to look at issues impacting our hiring, retention, recognition, training and support of staff. The workgroup, comprised of CPS Management, Training and Staff Development, DHHS HR, Labor organizations representing social workers, supervisors, clerical and family service workers, California State University, Sacramento and the University of California, Davis Training Academy, are working to analyze the circumstances impacting hiring and retention, create a work plan to begin to address the issues and make recommendations for impact related to the focus areas.

CPS management firmly believes excessive caseloads contribute greatly to the high turnover rate. Since FY 2001/02, the State of California's Child Welfare Services (CWS) allocation Unit Cost has remained unchanged and the county has been forced to provide increased levels of service with insufficient funds. The funding shortage amounts to \$24 million dollars, even with the current CWS Augmentation Funding provided by the State. This calculation is based on the minimum caseload standards associated with SB2030. If the state were to increase its current allocation to meet minimum SB2030 standards, the Division would be able to hire 122 additional social workers. To operate at optimum levels, in accordance with SB2030, the county would need additional funding in the amount of \$62 million dollars in order to hire 314 additional social workers.

Finding 12: Skilled social workers who do not want to be supervisors have no way to be promoted.

Response to Finding 12: Concur. Social work is a profession and many social workers choose to remain in direct practice with families instead of taking on supervision or other duties. Sacramento County employs social workers at a Bachelor and Masters level and, as an agency, we encourage and support our Bachelor level social workers to go back to school and obtain their masters degree so they may promote to the Master's level social worker classification. Sacramento County works with these social workers to provide tuition reimbursement and flexible schedules to accommodate a rigorous course of study. In addition, CPS has implemented a training model whereby social workers demonstrating excellence in knowledge and practice, are assigned to provide peer mentoring to new hires. Social workers designated as peer mentors receive a 5% pay differential. The Division is now in the process of enhancing the peer mentor model to include, among other things, a year-long service commitment by the peer mentors.

Recommendation 12: Establish a "specialist" classification in CPS available to social workers that are able to take on unique and complex cases.

Response to Recommendation 12: Concur. Sacramento County currently has a Peer Mentor program for new social workers to be paired with a more senior social worker for in-program training. The Workforce Investment Workgroup is looking at formally establishing criteria, assignment time frame and pay differential for Peer Mentors. Over the years Sacramento County has also implemented jobs that offer staff opportunities to take on different and unique work assignments, such as, Emergency Response Positive Tox Social Workers, Emergency Response Medical Neglect unit, Parenting Instructors, Family Group Decision Making Coordinator, Team Decision Making Facilitators and Court Officers, to name a few.

Training

Finding 13.1: Except for the first year of employment, employees are not compliant with the 30-hour training requirement. In a sample review of 60 employee records, 50 were not in compliance.

Response to Finding 13.1: Concur. It should be noted that although Finding 13.1 states "employees" the 30-hour training requirement applies to social workers and social worker supervisors.

Recommendation 13.1: Program managers and supervisors must ensure that their employees attend classes and satisfy the 30-hour annual requirement.

Response to Recommendation 13.1: Concur. In August and September of 2008, training requirements for social workers were presented at supervisor meetings in each program. Forms have been developed to assist supervisors keep track of employee training. Training records will be distributed to supervisors and managers quarterly, to be maintained in the desk file and reviewed in individual supervision.

Finding 13.2: Program managers receive employee training records twice a year.

Response to Finding 13.2: Concur. To improve compliance with the 30 hour training requirement, training records will be distributed quarterly to program managers and supervisors to be reviewed in individual supervision with subordinate staff and maintained in the employee desk file starting July 1, 2009.

Recommendation 13.2: Program managers and supervisors use the training records in conducting annual employee evaluations.

Response to Recommendation 13.2: Concur. Training and required training hours is specifically noted in the performance evaluation tool goals and will be part of annual employee evaluations.

Recommendation 13.3: Supervisors should recommend beneficial training and should maintain an attendance log in their desk file.

Response to Recommendation 13.3: Concur. As stated in Response to Recommendation 13.1, supervisors will receive, review and maintain training records in the desk file.

Finding 14: Training entries for new employees do not show the correct total number of training hours those employees actually took.

Response to Finding 14: Concur. Recently, the Training and Staff Development unit (they oversee the training database) discovered that because employee numbers of past employees were being used for new employees, training records were being combined. This has been corrected by extracting all erroneous records with an employee number that had been reassigned to a newer employee, removing any records with an employee number that is not currently in use to avoid any future problems and not reusing old numbers. The Training and Staff Development unit continually reviews records in the database and makes any needed corrections.

Recommendation 14: CPS should review the training log for accuracy and corrects erroneous entries

Response to Recommendation 14: Concur. The supervisor and social worker will review the training record quarterly for accuracy. Errors will be reported to the Training and Staff Development unit for correction.

Caseload

Finding 15.1: A caseload is not defined.

Response to Finding 15.1: Concur. While it is true that the definition of caseload as it relates to caseload size is not defined in county policy, Sacramento County, like most other California counties, defines caseload by program and type of case within the program and attempts to

maintain equity amongst the staff in program. Most jurisdictions in California likely agree in theory with the CWLA caseload standards as follows:

- CWLA recommends that workers investigating allegations of abuse and neglect carry at most 12 active cases per month;
- Workers carrying ongoing in-home protective services cases should carry no more than 15-17 families, while those providing intensive family preservation services should serve between 2 and 6 families at a given time; and
- CWLA suggests at most 12-15 children in family foster care (out-of-home services) per worker.

Sacramento County agrees that currently our caseloads well exceed the above standards for most staff which creates a situation of overwhelming workload. As it pertains to caseload size, Sacramento County CPS is a county driven, state administered system and the state does not provide funding to support the above caseload standards.

Recommendation 15.1 CPS should define a case and establish caseload and workload criteria.

Response to Recommendation 15.1: Concur. CPS has a public mandate under the Welfare and Institutions Code to respond to any and all reports of child abuse and neglect within our county and to open cases as necessary. There is no provision in the law or state policy that enables us to create a caseload standard that would create a caseload cap.

Sacramento County has worked to form partnerships with the labor groups representing social workers, supervisors, family service workers and clerical staff and we have participated and supported joint labor management workgroups for the sole purpose of positively impacting workload. These joint labor and management workgroups called Program Specific Workgroups exist within each program in CPS with a focus on implementing workload relief. These groups meet a minimum of one time a month and are comprised of all levels of staff including management.

While we cannot institute a caseload cap, Sacramento County has gone further than most by instituting a Leveling plan which triggers certain workload priorities to be in place when a caseload in a program hits a certain number. When the number is reached in program, certain agreed upon activities are put on hold as to alleviate the workload amongst staff in program while caseloads are at the recognized level.

Sacramento County realizes this is just one strategy that can have an impact on workload versus caseload and through the joint labor management work groups; we will continue to adjust the levels as needed.

Finding 15.2: Cases are allowed to remain open unnecessarily.

Response to Finding 15.2: Concur. It is likely in some instances that social workers and supervisors have made a decision to close a case, but due to workload issues case closure may not get done in a timely manner.

Recommendation 15.2 Case supervisors should monitor and ensure that cases no longer needing services are closed in a timely manner.

Response to Recommendation 15.2: Concur. Sacramento County sees the use of Structured Decision Making (SDM) and Safe Measures (SM) tools as crucial to our success in this area, as well as to have a continuum of services within the community to safely transition families to support. During the months of March and April 2009, we had mandatory training for all supervisors and program managers regarding the use of Safe Measures and each program has developed a safe measures plan which incorporates a review of the length of time cases are open. In addition, risk level is reviewed to determine if any low or moderate cases can safely be closed and linked with community services.

Finding 16: Social workers do work that could be done by support staff.

Response to Finding 16: Concur. Case management continues to be a large part of a social worker's day to day activities, whether paperwork or computer driven. It is true that a clerk or other staff member may be able to complete some of this work, such as filling out a form or entering information into the computer, and Sacramento does provide as much support staff for these activities as possible. Despite the staff provided, some of the activities that might be more efficiently completed by support staff still require social worker knowledge of the family or social worker practice to adequately complete the activity. Sacramento County believes we employ a great number of support staff who have taken on increasingly complex duties to support social workers and we agree resources need to be looked at on an ongoing basis to get the best utilization of all resources.

Recommendation 16: Tasks not needing the skills of a social worker should be turned over to support staff.

Response to Recommendation 16: Concur. Sacramento County agrees that any activity that can be, should be turned over to support staff. As was stated in Response to Recommendation 15.1, Sacramento County management participates with labor in each program in a Program Specific Workgroup (PSW). These groups are designed to address any workload issue within the program and to make recommendations toward and/or implement workload relief. Within each PSW there is opportunity to review tasks by classification and make recommendations to management and labor.

Information Technology

Finding 17: Management has not required personnel to take full advantage of their available software. CPS management acknowledges its failures to fully use these systems.

Response to Finding 17: Concur. The use of SafeMeasures and SDM software by employees has been inconsistent across the Division. Social workers, supervisors and program managers use CWS/CMS on a daily basis.

Recommendation 17.1: All CPS personnel should be required to pass software proficiency examinations.

Response to Recommendation 17.1: Concur in principle. Personnel are hired and trained for the systems they will use on the job. Training for the systems to be used is provided as needed and updated as required by supervisor or program manager. Proficiency in the use of required software will be assessed throughout the probationary period for new employees and during annual performance evaluations.

Recommendation 17.2: Proper software utilization by all personnel should be assessed monthly.

Response to Recommendation 17.2: Concur in principle. Presently, software training is available for employees upon hire and on an as needed basis. Supervisors and program managers monitor use of computer systems through monthly Safe Measures usage reports, review of IRIS and CWS/CMS, as well as through case reviews and staffing with social workers. Technical support and training will be provided by Chapin Hall in June 2009, to assist with developing a data driven Continuous Quality Improvement process.

Finding 18: The Grand Jury found that supervisory personnel and upper management were not adequately using IRIS. The current design of the software changes each case entry information to a red font when the case exceeds certain limits. This is helpful but does not provide enough information about the urgency of the case.

Response to Finding 18: Concur. Oversight is critical to ensure that referrals receive a timely response. In retrospect, the IRIS system was limited in its design and has been expanded. In October of 2008, all supervisors, program planners, program managers, division managers and the deputy director were granted access to IRIS and received additional training. There is no current usage report related to the IRIS system. The department requested that IT determine if a usage report could be developed. IT responded that the current system does not support this, however if a one time report including log in information for specific users within a specified date range is needed, an "ad hoc query" on the database could be provided. Beyond the ad hoc query, IT would need to further explore building a permanent report which could be run at anytime for information to be viewed upon need.

Recommendation 18.1: Division Managers should provide additional IRIS training and demand greater use of the software by program managers and supervisors. Program Information Notice 08-12, which provides detailed instructions of the use of IRIS, should be strictly followed.

Response to Recommendation 18.1: Concur. The Program Information Notice was updated on October 30, 2008 and training for all supervisors occurred in November and December of 2008. Supervisors are required to update all of their unit's IR assignments. Division managers require

program managers to check IRIS daily and follow up with supervisors whenever a referral appears on IRIS. Random reviews are conducted to identify that oversight is in place. Follow up with program managers' takes place immediately if operational issues are identified.

Recommendation 18.2: The Grand Jury recommends that the cases be shown in a color code (e.g., green for good, yellow for cautionary, red for urgent and flashing red for immediate attention.)

Response to Recommendation 18.2: Concur in principle. All referrals that appear on IRIS are urgent and require immediate attention. Managers provide continuous oversight by checking the system daily and following up with staff immediately when referrals are open to their programs. In addition, per the IRIS PIN, it is the supervisor's primary responsibility to follow up with the social worker until the IR is stabilized, and to update IRIS immediately following any social worker updates regarding the IR.

Recommendation 18.3: The IRIS program should be modified to automatically send emails to the appropriate program manager, the division manager and the CPS director and when any case is red or flashing red.

Response to Recommendation 18.3: Concur in principle. The department will review with IT to determine if this is possible. In addition to the above activities, program managers provide status reports during weekly executive management safety conference calls. The discussion includes the number of immediate response referrals in each program, time to response and strategies for improving performance when indicated. As a result of these efforts, timely response to immediate referrals has increased from 82.5 % during January 1 – March 31, 2008 to 95.3% during January 1 – March 31, 2009 (Safe Measures: extract date 4/2/2009). In addition, the timely completion of the SDM Safety Tool has gone from 16.8% in April of 2008 to 84.3% in April of 2009 (Safe Measures extract date of 5/7/09).

Finding 19: The CWS/CMS software package is provided and controlled by the State and cannot be modified by CPS IT personnel. These personnel can recommend appropriate change through statewide user-councils to improve the software.

Response to Finding 19: Concur. Changes can only be made after review and approval by a statewide governance process. State priorities for CWS/CMS changes have been legislative and/or outcome related.

Recommendation 19.1: Changes should be made that will not allow deleting, but will require strikeouts and additional comments.

Response to Recommendation 19.1: Concur in principle. Additional guidelines in this area would be helpful. Current editing capabilities are useful to correct erroneous data. The County will forward the Grand Jury recommendation to the State CWS/CMS Project for consideration.

Recommendation 19.2: Create an identifying log that records author and date of any changes.

Response to Recommendation 19.2: Concur in principle. The County does not have the ability to create a record or log related to changes made within text fields in CWS/CMS. The State has made a change recently to the CWS/CMS referral drop down menu in which an allegation conclusion can be changed, and details about the change are recorded. The County will forward the Grand Jury recommendation to the State CWS/CMS Project for consideration.

Finding 20: There is a lack of management control of SDM usage. It was reported to the Grand Jury that at most 60 percent of the social workers adequately use SDM. The Self Assessment Report states: “. . . its use remains inconsistent and inaccurate.”

Response to Finding 20: Concur. The use of SDM is inconsistent throughout CPS.

Recommendation 20: Social workers should be required to use SDM 100 percent of the time.

Response to Recommendation 20: Concur. To ensure 100% utilization of the SDM tools, program managers and supervisors are required to use Safe Measures SDM Data reports designed to measure the timely completion and use of SDM tools. These reports will be reviewed during individual supervision to ensure timely completion. Children’s Research Center (CRC) will provide additional technical assistance in July – August 2009 to increase accuracy. CRC will assist in the development of quality assurance measures including case readings and focused reviews to ensure sustained efforts and accurate use of the tools. The results of these reviews will be provided to the staff for ongoing improvement.

Finding 21: The SafeMeasures program has not been used adequately by many of the supervisors and managers. Usage is reportedly less than 20 percent.

Response to Finding 21: Concur. The use of Safe Measures by supervisors and managers was not consistent across the Division. It is the expectation of the Department that supervisors and program managers review Safe Measures at least weekly and usage reports will be reviewed. For the months of April and May, the use of Safe Measures by supervisors and managers was 93%.

Recommendation 21.1: All supervisors and management should receive additional training in the use of SafeMeasures.

Response to Recommendation 21.1: Concur. Between March 25, 2009 and April 9, 2009 supervisors and managers received Advanced Safe Measures training from the Northern California Training Academy. The training was program specific and each program manager attended with their program supervisors. During the training each program developed a program specific data plan to review Safe Measures and to utilize this as a tool to track outcomes.

Recommendation 21.2: SafeMeasures results should be used in staff meetings and as a means of tracking employee performance.

Response to Recommendation 21.2: Concur. At this time Safe Measures results are presented during management and staff meetings. Every CPS program has developed a usage plan for the SafeMeasures data and reports. This information will be reviewed during individual supervision at all levels of the organization. Each program is developing data highlight sheets to distribute to all staff to report each program's specific outcomes.

Finding 22: Quality Assurance (QA) personnel are not knowledgeable in the use of all the software and were not using the SafeMeasures software to assess the quality of services provided.

Response to Finding 22: Do not concur. The QA Unit is knowledgeable in the use of software as demonstrated by their regular use of Microsoft Products (Access, Excel, Power Point and Word). They also utilize CWS/CMS and Safe Measures on a regular basis.

Recommendation 22: QA personnel should receive training in the use of all CPS software and be required to use SafeMeasures in their assessment of CPS programs.

Response to Recommendation 22: Concur. QA unit staff attend training as needs are identified. QA reviews utilize Structured Decision Making, CWS/CMS and Safe Measures as tools when assessing CPS programs and the quality of services provided. The QA unit completed Advanced Safe Measures training in April 2009, that will further their Safe Measures abilities.

Finding 23: The CPS in-take phone lines currently do not have recording capability. CPS personnel have investigated this issue and found that other counties have this capability and it did not interfere with reporting.

Response to Finding 23: Concur. At the time of the Grand Jury report, CPS Intake did not have any recording capabilities.

Recommendation 23: High priority should be given to purchasing and installing the voice recorder system as soon as possible.

Response to Recommendation 23: Concur. As of May 1, 2009, Sacramento CPS has purchased a telephone recording system for Intake and installation is scheduled for the week of May 25th, 2009. Training of staff will be completed by June 2009 and we anticipate having the system fully functional by July 2009.

Finding 24: Testimony from CPS management indicates that social workers do not have electronic devices to record information while they are in the field.

Response to Finding 24: Concur. Social workers do not currently have access to electronic devices to record information in the field.

Recommendation 24: CPS should investigate electronic devices that could improve social worker efficiency. Factors such as worker safety and client confidentiality should be considered.

Response to Recommendation 24: Concur. CPS will provide a solution for social workers so that case notes and information can be entered directly into CWS/CMS from the field using a mini-laptop computer. Access will be via the County SSL (Secure Sockets Layer) VPN. SSL is a secure protocol developed for sending information securely over the Internet.

Finding 25: Currently social workers, with password generation devices called "Tokens" (a secure means of handling sensitive data) can access the CWS/CMS computer system from home. CPS has issued about 80 of these "Tokens."

Response to Finding 25: Concur. The State Department of Social Services (CDSS) has provided the server based computer (SBC) tokens to Counties to facilitate offsite access to CWS/CMS. The tokens are used by staff that work after-hours and on-call so they can appropriately respond to after-hours emergencies without the need to go into their office computer.

Recommendation 25: This system should continue but annual reassessments should be conducted to evaluate its value, safety and security.

Response to Recommendation 25: Concur. With the ability to access CWS/CMS and SDM remotely using VPN, the County may no longer need to use the Tokens. The safety and security of social worker access to CWS/CMS offsite can be monitored in the same way it is monitored when accessing CWS/CMS on site. Access to CWS/CMS and SDM is through a specific username and password.

Structured Decision Making and Risk Assessment Tools

Finding 26: Flaws in the SDM may result in children being exposed to dangerous and abusive conditions. The Risk Assessment process requires that CPS respond within 24 hours if a child is under age two. If the child is over two, the response time may be extended to ten days.

Response to Finding 26: Do not concur. It is the Hotline Response Priority Tool, Physical Abuse Tree, not the Risk Assessment Tool that addresses responding within 24 hours if the child is under the age of 2 years. The SDM Hotline Response Priority Tool, Physical Abuse Tree provided by the Children's Research Center is research based and validated for California on a regular basis. At this point in time, there is not evidence that the tool is flawed.

Recommendation 26: The County should expand this age group to five and under. With this change in place any child who is not of school age would require 24-hour response.

Response to Recommendation 26: Concur in principle. While it may seem that children 5 years and under should receive a 24 hour response all the time, the practice does not meet criteria for the SDM Response Priority Tool itself. As part of quality assurance the vendor for SDM, Children's Research Center (CRC), evaluates California's SDM tools for the efficacy of the response priority system, and determine if changes need to be made to any of the Hotline tools. At this time there is no indication from the researchers at CRC that a change in the age range on the physical abuse tree would increase safety with children under 5 years of age.

It should be noted that the physical abuse tree goes on to ask 3 additional questions to aid the social worker in determining the response time, and the social worker can also use a discretionary override to change the response time if they and their supervisor feel a quicker response is needed.

Finding 27: SDM is not been utilized as envisioned. Testimony indicated that this valuable risk assessment tool was frequently completed after the fact and viewed simply as an administrative "requirement" by social workers.

Response to Finding 27: Concur. The completion of the risk assessment tool has been inconsistently completed throughout the CPS programs.

Recommendation 27: Social workers should use the SDM tool as designed to adequately assess risk.

Response to Recommendation 27: Concur. The use of the risk assessment tool drives the social worker to open the family's case for on-going CPS services or to close the case with community services or referrals. In this way the use of the Risk Assessment properly is critical to define service needs to families. Use of the Risk Assessment tool is reported through Safe Measures. Each Program Manager shall use this data report to review compliance with Risk Assessment use.

Finding 28: SDM allows a response of ten days even when there is a history of "physical abuse, domestic violence, caregiver mental health, or substance abuse concerns" if there is a "responsible" adult on the premises. Experts in domestic violence state that if there is domestic violence in the home there is a 50 percent chance that the children will also be abused. When these circumstances exist, no adult on the premises should be considered "responsible."

Response to Finding 28: Concur in principle. The SDM Response Priority tree for Physical abuse does lead to a 10 day response, but only if there is a "protective" adult in the home. The definition in the SDM policy and procedure indicates an adult is protective if they are not the perpetrator, and there is information that they will prevent further abuse incidents. The Intake social worker ascertains information from the caller concerning protective capacities of adults in the home to make the determination of "protective adult". It should be noted that the Intake social worker and their supervisor could still override the response time in SDM to create a 24-hour response if they feel the information warrants doing so.

Recommendation 28: Whenever there is prior history of physical abuse or domestic violence, the response should be 24 hours or less.

Response to Recommendation 28: Concur in principle. As stated in recommendation 26 the vendor, CRC does researched based evaluations of the response priority trees to best address safety and risk to the children and families addressed by the tool. The Physical Abuse Response Priority Tree, which addresses physical abuse and domestic violence, does give the intake social

worker the ability to choose a 24-hour response time if the definitions for the tool are considered. If the social worker feels that the evidence gathered is not sufficient to determine a 10 day response, the social worker and the supervisor can use a discretionary override to up-grade the response time to 24 hours.

Finding 29: The California Family Risk Assessment Tool can fail to adequately determine the level of risk to which a child may be exposed.

Response to Finding 29: Do not concur. According to research from the Children's Research Center, The Risk Assessment Tool does adequately determine the level of risk to a child when completed accurately. The Risk Assessment tool was designed based on research, it was last validated by the Children's Research Center 2 years ago and will be re-validated 2 years from now.

Recommendation 29: CPS should reexamine this tool and find ways to improve its usage.

Response to Recommendation 29: Concur. Use of the Risk Assessment tool is reported through Safe Measures. Each Program Manager shall use this data report to review compliance with Risk Assessment use.

Policies and Procedures Manual

Finding 30.1: The CPS Policies and Procedures Manual is an exercise in redundancy and fails in its purpose to provide concise and useable direction.

Response to Finding 30.1: Concur. CPS management agrees that existing policies and procedures are largely out of date and need to be revised and made more user friendly.

Finding 30.2: The CPS manual does not have a usable table of contents, index, or electronic search engine capability.

Response to Finding 30.2: Concur. CPS management agrees that the existing manual is not user friendly.

Recommendation 30: The CPS policy manual should be completely rewritten to include an index and expanded table of contents and be in digital form with electronic search capability.

Response to Recommendation 30: Concur. CPS has initiated a complete revision of the policy manual under the direction of a program manager.

A workgroup has met 8 times since January 2009. They have developed a work plan and formulated a new approach to the manual:

- Policy, process, procedure, and practice are clearly separated.

- The manual is designed for the computer age by taking advantage of links, automated search functions, and a detailed table of contents.
- The manual uses Information Mapping, a presentation format that emphasizes scanability, conciseness, and information presentation organized by what the reader needs to know.

Five staff have been selected as Structural Experts who will be the manual guardians. They will insure the new approach is implemented, write the new material with Division subject area experts, integrate new material into the manual, and routinely review the manual. The Structural Experts will be trained in Information Mapping in May and June 2009.

The Emergency Response Investigation and the Medical Examination Policy and Procedures are nearing completion. Policy and Procedures for critical incidents, non-detaining warrants, and protective custody warrants will be the next to be redrafted. The newly trained Structural Experts will write these along with content specialists. Fall is the target for implementation.

Legislative Needs

Finding 31: The law governing reporting does not require that the Mandated Reporter hold or detain a child suspected of being abused. It only requires that he or she report the suspected abuse to the proper authorities.

Response to Finding 31: Concur. The law does require that mandated reporters report suspected child abuse to the proper authorities and does not require them to hold or detain children.

Recommendation 31.1: The County Board of Supervisors should request the State Legislature amend the appropriate sections of the Penal Code to authorize such detention.

Response to Recommendation 31.1: Do not concur. We do not believe that the recommended legislation is appropriate nor is it feasible. However, it will be referred to the CPS Response and Intervention committee established by the Sacramento County Criminal Justice Cabinet for review and recommendation.

Recommendation 31.2: Sacramento County should be designated as a pilot project county to establish and evaluate the efficacy of detaining children at possible risk.

Response to Recommendation 31.2: Do not concur. While we disagree with the proposed legislation, it will be referred to the CPS Response and Intervention committee established by the Sacramento County Criminal Justice Cabinet for review and recommendation.

Finding 32: The Grand Jury does not have full access to unredacted reports for legitimate investigative purposes.

Response to Finding 32: Concur. The law is clear in regards to who has access and the Grand Jury does not have full access to un-redacted reports.

Recommendation 32.1: The County Board of Supervisors should request the State Legislature amend Welfare and Institutions Code 827 to include the Grand Jury in the list of "Persons Authorized to View Juvenile Records without a Petition or Court Order."

Response to Recommendation 32.1: Concur in principle. This recommendation will be considered as the county develops the 2010 legislative platform.

Recommendation 32.2: Access to the case records in CWS/CSM of children who died, or were subject to a near-death situation, should be restricted to persons who demonstrate a legitimate need to see the case record.

Response to Recommendation 32.2: Concur. CPS has taken steps internally to restrict access to cases involving critical incidents by making the case sensitive and requiring approval to gain access.

MEASURES/EVALUATION

Successful implementation of the recommendations should result in consistent employee evaluations, user friendly and updated policies and procedures, support for social workers, consistent use of the SDM tools, technology that will help social workers in the field and the capability to record hotline calls.

FINANCIAL ANALYSIS

The cost of responding to this report is approximately \$4,441.25. Staff from the County Executive's Office and the Department of Health and Human Services contributed to this effort. These costs were absorbed by each entity.

Respectfully submitted,

APPROVED:
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By: _____
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