

Solano County Health & Social Services Department



Mental Health Services
Public Health Services
Substance Abuse Services
Older & Disabled Adult Services

Eligibility Services
Employment Services
Children's Services
Administrative Services

Patrick O. Duterte, Director

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October 4, 2004

Honorable Peter B. Foor, Presiding Judge of the Superior Court
C/O Superior Court Executive Officer/Clerk of the Court
600 Union Avenue
Fairfield, CA 94533

Dear Judge Foor:

Attached are the responses to Solano County Grand Jury 2003/2004 Final Report from the Health and Social Services Department concerning Child Protective Services and In-Home Supportive Services. If you have additional questions, please contact me at (707) 784-8400.

Sincerely,



Patrick O. Duterte, Director
Health and Social Services Department

POD/pk

Attachment 1: Responses to 2003/2004 Grand Jury Final Report
C: Michael Johnson, County Administrator, Solano County
Solano County Board of Supervisors

Response to 2003-2004 Grand Jury Report

Solano County Department of Health and Social Services

Introduction

The Department of Health and Social Services wishes to recognize the valuable input provided by the Grand Jury in their evaluation of Child Protective Services. Virtually every member of the Department's leadership and Child Protective Services (CPS) staff believe this to be the most critical service the County provides. Further, we believe that the understanding and involvement of the community is crucial to our success in our mission to protect children.

We have reviewed carefully each of the findings and recommendations issued by the Grand Jury. In several areas, the findings have helped identify areas that need to be addressed. In other areas, improvement is underway and the Report provides sharper focus. In a few instances, clarification is necessary to improve the Grand Jury and public's understanding of the operations of CPS.

Finding 1: *The Grand Jury uncovered a series of systemic roadblocks that prevent optimal operation of the CPS program, thereby endangering children in Solano County. Although there have been internal and external attempts to correct these deficiencies, CPS has continued to demonstrate an inability to self-correct. The organizational culture is subverting the achievement of the CPS mission.*

Response: Agree in part with the finding. The Grand Jury correctly notes that there have been both internal and external improvements to correct these deficiencies. These include implementing improved training programs and more effective protocols among agencies that are involved in protecting children. Specific issues will be addressed in this report on an issue-by-issue basis, as raised by the Grand Jury.

Note: In making this finding, the Grand Jury referenced the tragic death of a four-year-old as an example of the possible outcome of systemic failure in these areas. Subsequent interviews with the Grand Jury assure us that there was no complaint or specific issue to connect this case with the Department's policies. The child death referenced came after an anonymous report of abuse that provided an invalid address that could not be traced, despite the Social Worker's efforts to locate the family.

Recommendation #1: *The Grand Jury recommends that the Board of Supervisors direct the formation of a Blue Ribbon Committee independent of HSS (modeled after the 2003 San Mateo County Blue Ribbon Committee) consisting of former judges, non-Solano County social workers, academics, concerned citizens and union officials to review the entire CPS program and recommend changes.*

Response: Recommendation will be implemented in concept within 90 days. We believe the insight and observations of an independent, outside body would be valuable in

helping identify specific areas of weakness and specific strategies for improvement. However, it is important that the model we apply is one that best suits the needs and issues of Solano County's program, rather than those of another county where the issues are very different.

The Child Welfare League of America (CWLA) conducted a thorough audit of Solano County's Child Protective Services in 1999, leading to 72 recommendations that were implemented or partially implemented. The guidance provided by CWLA was critical in helping make major improvements throughout the program, many of which were identified by a previous Grand Jury. In responding to the findings of the CWLA audit, the Department recognized that it was confronting a long-term guide for change, and that there was great potential for a revisit and progress review a few years later.

Since CWLA offers the advantages of in-depth experience in Solano County's CPS issues and foremost expertise in the field, we believe it to be an excellent choice to conduct this review in the shortest timeline, including evaluation of concerns as identified by the Grand Jury. As of this writing, negotiations are underway with CWLA to conduct this review.

Finding #2: Social workers are not receiving the practical training needed for them to conduct proper investigations and interviews in order to make appropriate decisions for the children of Solano County.

Response: Agree in part with the finding. Disagree in part, or clarification required (see below).

Recommendation #2: Employees should be given performance-based training for them to conduct proper investigations and interviews in order to make appropriate decisions for the children of Solano County.

Response: New caseworkers hired by CPS must meet strong training requirements and hiring criteria necessary for this very difficult work. Most new caseworkers come to the job with a master's degree in social work and often, with field experience gained in pursuit of that master's degree. Caseworkers are given an initial orientation to the work as a Child Welfare Worker. The Staff Development Supervisor develops a training plan for each new worker after conducting an individual assessment of the worker's experience. The plan consists of in-house training, other training opportunities as appropriate, and attendance at core training offered by the Regional Training Academies. In addition, workers receive supervision and training by their supervisors within their assigned units. One challenge in CPS is to provide training to workers so that they may be put to work as quickly as possible addressing the ever-growing caseload of children needing protection.

We agree that the enhanced training program implemented by the department in response to the original CWLA audit is good but not sufficient. We agree that the Department must commit to a full and adequate orientation program while balancing our critical need to get

caseworkers in the field, visiting families, as quickly as possible. The Department has identified this as a first priority to begin improving staff's ability to do the job at the field level. We will have our outside consultant (CWLA) address this issue as one of its top areas to review and make recommendations.

Additional Findings and Responses

While the Grand Jury's report cites only two official findings and recommendations, following are specific observations, allegations, and findings found within the narrative of their report, and our comments in response.

GJ I. *The Grand Jury received a complaint of lack of accountability at each level within the Child Protective Services program of Solano County H&SS from social workers to managers and the Deputy Director.*

Comments: The charge is sweeping and vague, and we are currently reviewing policies, procedures, and working relationships within the staff structure to determine where problems may exist. Some specific instances later in Section III are cited by the Report and responses follow. Others will be addressed as problems are more clearly defined.

The HSS Director brought a policy of holding open, candid discussions with staff at all levels when he assumed his post in 2001. He encourages field staff and managers to bring concerns to his attention. A new Deputy Director of CPS has been appointed. A clear track record and commitment to open communications and accountability were critical factors in evaluating candidates for the position and in selecting the new deputy director.

GJ III2. *According to testimony, three of four current managers are not helpful in providing guidance and direction to either first-line supervisors and/or social workers when guidance is sought concerning case management. It was alleged that there was a general failure of all but one of the four to make critical decisions.*

Comments: We are persuaded at this point that the Grand Jury's report reflects valid reports of weaknesses in the understanding of the respective roles of social workers, supervisors, and managers. We recognize that we must review protocols and policies to ensure effective management practices, and identify strategies to improve the partnerships between caseworkers and supervisors, with the involvement of managers as needed, to confront together the difficult cases we handle. The new deputy director and CWLA will address this area as a priority area of needed change.

GJ III2 (cont'd). *Managers were unwilling to sign documents that would indicate managerial review, decisions, and/or approval. When social workers prepared their court reports based on their observations in the field, the content of the reports were sometimes altered by the supervisors and/or managers.*

Comments: The comment fails to recognize the responsibility of the Department and CPS in submitting reports on behalf of the County of Solano. The reports filed with the

Court on child abuse/neglect cases are a joint responsibility shared by representatives of the County. They are required to reflect the input and oversight of case workers, supervisors and managers. Amendments, edits, and additional input from a supervisor or manager are an entirely appropriate and routine part of these reports. Social Workers' reports represent the Department's position and, as such, must have input from managerial staff.

GJ III3. *Interviews revealed conflicting testimony regarding the training of social workers... The Grand Jury reviewed the in-house training materials offered by CPS. The materials appeared to be adequate. However, testimony from the recipients of the training revealed problems in three areas: Structure of training, content of training, and outcome of training.*

Comments: See response to Finding/Recommendation #2. In addition, we appreciate the Grand Jury's recognition that training materials appear to be adequate. We practice a policy of continuous evaluation of training and improvement based on those evaluations. We ask each participant to provide an assessment of training received and suggestions for improvement.

Of course, it is highly unlikely that we can provide any training program in which the participants will unanimously agree on its effectiveness.

GJ III4. *According to testimony, CPS does not have adequate working relationships with law enforcement agencies in all local jurisdictions. The Grand Jury notes that there is a very positive working relationship with the Vacaville Police Department.*

Comments: The Department appreciates the Grand Jury's recognition of the strong partnership we have established with Vacaville Police Department and consider it a model for developing similar partnerships with other city police departments.

However, we want to establish protocols and strategies to continue to foster similar cooperation between CPS managers and police department management personnel in all of our cities. The Director is scheduling a meeting at the "earliest possible opportunity" with all Solano police chiefs to discuss this issue.

GJ III5: *Further testimony stated that CPS lacks leadership, proper structure, and accountability.*

Comments: This section addresses broad areas of leadership that will be raised with the CWLA audit team for further investigation and a request for recommendations. While the recently retired Director of CPS assumed the position as the CWLA audit of 1999 was released and implemented major progressive corrections and reforms, we recognize that work remains to be done. The 1999 audit became the framework for long-term organizational change while at the same time it provided dozens of specific recommendations, which have been implemented.

The Director of HSS is enthusiastic about the appointment of a new Deputy Director of CPS with the leadership skills, experience and talent to continue improving the program, and the commitment to do so.

***GJ III8:** The Grand Jury made a series of on-site visits to CPS to review computerized caseloads. The case reviews revealed ... Cases were not closed in 30 days as required. Most were closed in 6 to 10 months due to a variety of reasons, including referrals to other organizations and on availability of treatment programs for parents (drug, alcohol, etc.).*

Comments: The Grand Jury recognized key factors that contribute to a lag in closing some cases. We appreciate the Grand Jury's other findings that CPS generally meets time limits in responding to investigations, sexual abuse cases, and reports of abuse and neglect. These findings reflect significant improvements made (under the direction of the previous director) since the CWLA audit of 1999.

We share the Grand Jury's frustration with time lags in closing other cases. It is an issue that frustrates CPS programs statewide and reflects our ongoing effort to balance the obligation to close files with the desperate need to put workers in the field to respond to new complaints. Better than any other, this balancing act underscores the growing gap between the number of children needing our protection and the shortage of stable, loving homes to care for them.

An important additional note is that California's child welfare program has never been funded sufficiently to comply with federal and state mandates. A legislatively mandated study released in 2000 from the California Department of Social Services confirmed this when it found that approximately twice as many social workers were needed in California to implement all the state and federally required mandates. Despite this knowledge new state and federal requirements have continued to assign additional responsibilities to the child welfare system with little new funding to accomplish these requirements. It has been with the additional fiscal support by the Solano County Board of Supervisors that the Child Welfare Programs has met its state mandates. Nevertheless, we take these issues cited by the Grand Jury very seriously and will make every effort to address them.

In-Home Support Services (IHSS)

Introduction

The Department of Health and Social Services wish to recognize the valuable input provided by the Grand Jury in their evaluation of In-Home Support Services (IHSS) Program. We have reviewed carefully each of the findings and recommendations issued by the Grand Jury. Our response follows.

Finding 1: *With the growth of the older adult population in California, the funding for this program must grow correspondingly.*

Recommendation #1 Solano County Board of Supervisors pursue all avenues and sources of funding to support this important program.

Response: We agree with the Grand Jury that the older population is growing. Though there is a small county match in the IHSS Program, this is a predominately "State" program. The funding for growth of these services needs to come from the State. The county will continue to meet its match requirements. The H&SS Director will pursue additional revenues through legislative means and if additional local revenue becomes available, determine if the Board of Supervisors want to use those dollars for additional services.

Finding 2: *There are no funds allotted to train care providers. In addition to those areas previously reported, training is needed in the following; special-disease care, dietary needs, care for minor children, care for individuals with mental impairments, CPR, lifting basics, nutrition, universal precautions and mandated reporting.*

Recommendation #2: Solano County Board of Supervisors provide funds, and in addition arrange collaborations with community organizations, to provide training to care providers.

Response #2: While there are training funds designated in the 2004-2005 IHSS Public Authority budget, there are no funds that can be used to offer stipends to providers for attending training. Providers tell us that coming to training is difficult because not only do they lose a day of pay, and often they have to pay more than what they would earn to have someone take their place in caring for the consumer.

Last year training was offered in First Aid/CPR, Universal Precautions, Health & Safety, Communications, Problem Solving/Conflict Resolution, Living with Dementia, Employer/Employee Relationships and Durable Medical Equipment. Currently, Public Authority staff is negotiating with the American Red Cross to expand the training offerings. The arrangement with Fairfield Suisun Adult School will continue and possibly expand as well.

Finding 3: *Social Workers are only required to visit the clients once per year. As a result, feedback from clients is normally obtained once per year.*

Recommendation #3: Although it is not required by regulation, one home visit per quarter is recommended. Feedback from clients should be sought at least twice a year to provide a more timely assessment of client service.

Response #3: The department concurs that, in some circumstances, more frequent social worker contacts with IHSS recipients would result in better services for clients. Some clients have very strong support systems and/or are able to make contact with their social worker when program assistance is needed. For those who are isolated and/or limited in their ability to seek assistance, more frequent contacts are highly desirable. Legislation passed as part of the 2004-2005 California Budget process includes language that establishes the concept of variable assessments for IHSS recipients.

However, given the current number of IHSS recipients in Solano County and the number of new requests for IHSS services that are received monthly, staffing levels prohibit more frequent contacts in situations other than those with very significant changes in recipient's circumstance. At this time it is not possible for all clients to be seen within the required twelve-month period based on the staffing levels in the program. More frequent contacts would necessitate significantly increased staffing in the program.

In conclusion, we applaud the Grand Jury for recognizing In-Home Support Services as an important service to our most vulnerable citizens. Currently, resources are limited for this program that is mostly State funded. We will seek direction from the Board of Supervisors on their priority for allocating scarce discretionary revenue.