

# **Ventura County Grand Jury 2016 - 2017**



## **Ventura County Children and Family Services**

**May 18, 2017**

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## **Ventura County Children and Family Services**

### **Summary**

The Ventura County Human Services Agency, Child Protective Services website states, "Children & Family Services strives to partner with children and families to empower them to be active participants in their case planning, as they are experts in what solutions may work best for them."

As the result of complaints, the 2016-2017 Ventura County Grand Jury (Grand Jury) initiated an investigation to determine if County of Ventura Children & Family Services (CFS) has been successful in fostering communication that develops effective partnerships with the families they serve.

Child welfare social work is a very stressful and emotionally demanding job. The Grand Jury concluded child welfare social workers (social worker) are committed to providing the best possible case management services to these families. However, caseloads are too heavy which affects a social worker's ability to do a thorough and comprehensive job. The social worker cannot devote the time each child requires, nor can they effectively establish a partnership with the families.

The Grand Jury recommends CFS establish a reasonable limit to the number of cases assigned to social workers, in particular the Emergency Response Social Workers.

The Grand Jury recommends CFS establish a standardized and consistent protocol to ensure social workers and supervisors return phone calls in a timely manner.

The Grand Jury recommends CFS take additional steps to improve communications including development of a simple written form for families to document any grievances regarding the performance of case management services.

The Grand Jury recommends CFS enhance opportunities for families to provide feedback on case management services, both positive and negative, once their case has been closed.

Both CFS staff and management report there are insufficient services available in Ventura County for parents and families affected by substance abuse or mental illness. The Grand Jury recommends CFS prepare recommendations to the Ventura County Board of Supervisors to fund additional substance abuse treatment programs.

## **Background**

Federal and state laws establish the legal, regulatory, and fiscal frameworks governing the roles and responsibilities of agencies and organizations for children and families in the child welfare [protective] system. The Department of Health and Human Services (DHHS) is the primary federal agency that regulates and partially funds services to these children and their families. The Adoption Assistance and Child Welfare Act of 1980 created today’s goal-oriented child welfare case management system. This legislation calls for reasonable efforts to maintain children in their homes and establishes specific permanency goals for children who must be removed. The Federal Adoptions and Safe Families Act (ASFA) of 1997 refined these goals and services establishing an outcomes-oriented approach. Currently, as a condition of federal funding, states must meet child welfare outcome and performance standards in 14 areas. The DHHS conducts a Child and Family Services Review (CFSR) to confirm these standards are being met. (Ref-01, Ref-02, Ref-03)

The California (State) Department of Social Services (CDSS) is the primary entity responsible for the State’s child welfare program. California is one of 11 states using a state-administered, county-implemented model of governance. Children and Family Services (CFS) and Community Care Licensing are the two divisions within CDSS responsible for providing child welfare services. The CFS develops policy and practice for prevention of child abuse. (Ref-01)

The CDSS regulations state one of the purposes of the social worker’s contact with the parents and guardians named in the case plan is to “establish and maintain a helping relationship between the social worker and the parent(s) or guardian(s)”. (Ref-04)

In 2001, California’s Child Welfare System Outcomes and Accountability Act established an outcomes-based California Child and Family Services Review process (C-CFSR), containing three reports:

- Peer Quality Case Review
- County Self-Assessment
- System Improvement Plan

These reports address, in part:

- Are children safely maintained in their homes whenever possible and appropriate?
- Is the continuity of family relationships and connections for children preserved?
- How is the families’ capacity to provide for their children’s needs enhanced?

(Ref-05, Ref-06)

The Ventura County Human Services Agency (VCHSA) administers and provides local child welfare and foster care services through CFS which is authorized to:

- Investigate allegations of child abuse and neglect
- Provide services to children involved in the child welfare system
- License, approve, train, and provide case management to foster/caregiver homes in Ventura County (County)

There are four CFS program offices: two in Ventura, one in Oxnard and one in East County. The department has approximately 370 employees. There are 164 allocations for Child Welfare Social Workers. Approximately 100 social workers were hired in the last two years.

## **Methodology**

The Grand Jury conducted this investigation by reviewing the following:

- California Department of Social Services Manual
- Welfare and Institutions Code
- California Child and Family Services Review
- Child Protective Services Guide for Caseworkers
- California Child Welfare Indicators Project
- Family’s Guide to the Child Welfare System, Women’s Justice Center
- Child Welfare Continuum of Care Reform in Ventura County
- Memorandum of Agreement (MOA) between Ventura County and (SEIU), Local 721
- Federal and State legislation
- Other relevant websites

The Grand Jury also interviewed past and current County personnel and a client of the child welfare system.

## **Facts**

**FA-01.** In 2015, there were over 10,000 calls made to the County CFS Hotline alleging child abuse or neglect. State law mandates the Hotline worker must determine if an in-person investigation needs to occur. The investigation would begin immediately (within 24 hours) or within 10 calendar days. When a case has been opened, the family may be assigned three different social workers within the first 45 days:

- Emergency response social worker (ER)
- Court unit social worker
- Ongoing unit social worker

**FA-02.** The ER social workers are responsible for investigating referrals of child abuse and neglect. Their duties include:

- Interviewing the child, parents, siblings, and family either individually or as part of a multi-disciplinary team, which may include law enforcement or a public health nurse
- Reviewing drug records, birth records, health records, and photographs

- Writing comprehensive reports
- Referring families to counseling, parenting classes, and substance abuse testing and treatment when the situation does not require removal of the child
- Removing the child from the home when the situation warrants:
  - Placing the child in protective custody for up to 48 hours pending a court hearing or placement in alternative housing
  - Assessing whether the child can safely be returned home with supportive services or whether intervention of the juvenile dependency court is needed
  - Preparing and filing a petition with the court within two working days after the child is removed, once it is determined the case will proceed to court
- Closing out the referral or promoting it to a case within 30 days
- Developing case plans within 30 to 60 days and conducting case plan meetings
- Working a standby 12-hour shift once or twice a quarter

(Ref-07, Ref-08)

**FA-03.** The court unit social worker receives cases from the ER social worker and is responsible for:

- Preparing the documents for cases within the Juvenile Dependency Court
- Continuing the investigation to assess preferred custody
- Assessing available appropriate services
- Interviewing parents, children, and other family members

**FA-04.** Subject to court disposition, the case is transferred from the court unit social worker to the ongoing unit social worker. This process takes place within 35 to 40 days, but in some cases it may take as long as 90 days. The ongoing unit social worker’s duties include:

- Continuing case management
- Monitoring families’ compliance with their case plan
- Providing referrals to community services
- Meeting with families and children once or twice each month
- Developing a status review report for the court six months after receiving the case

**FA-05.** If children have been removed from the home and supervised visits are required, the ongoing social worker schedules and often supervises these visitations. The average length of time the ongoing social worker may be

on a specific case is 12 months for children over three years, and six months for children under three years.

- FA-06.** An ER social worker, at any one time, may have as many as 38 cases, involving up to 80 children. Such workers may be assigned as many as six to seven new cases a week. Court unit social workers may average 17 cases at one time. Ongoing unit social workers may average 18 to 20 cases. The consensus among caseworkers and management is an ideal caseload would be 20 or fewer. This would allow for more time to engage with families. Staff and management uniformly report that current caseloads can exceed the optimum by 50% or more.
- FA-07.** The 2016-2019 MOA between the County and SEIU Local 721 states, “No worker will be required to carry a caseload more than ten percent (10%) in excess of the average caseload.” The MOA goes on, “The current Human Services Agency workload/caseload standards are obsolete, based upon programs that no longer exist or that have changed over time. As has been the intent to define more relevant and equitable standards, it is recognized that with present uncertainties for social service funding and program design, it is not optimal to establish standards that will be irrelevant in the short term. The county continues to work toward realistic workload standards that best represent the work that is expected by each stakeholder.” (Ref-09)
- FA-08.** ER social workers, court unit social workers, and ongoing unit social workers all have access to support staff. In addition to clerical duties, support staff responsibilities include:
- Performing background research for placement
  - Answering phone calls, taking messages for social workers, and referring calls to the designated Officer of the Day
  - Providing contact information for a supervisor when a family requests that information
- FA-09.** There is no policy specifying when social workers should return phone calls. Some return calls within 24 hours, some within 48 hours, and still others take longer.
- FA-10.** When a social worker meets the family for the first time, they are given a business card containing the social worker’s name, phone number, email address, and the Hotline number. Social workers do not routinely provide families contact information for a supervisor or the Custodian of Records. Additionally, families are not informed how to file a grievance regarding the case management services of their social worker.
- FA-11.** If the family wants to contact a social worker’s supervisor they must call the Hotline. Hotline calls are referred to the Officer of the Day who will connect them with the relevant supervisor. If a voice message is left, the call may or may not be returned.

**FA-12.** If a parent or family member has an unresolved question or grievance regarding their social worker, the social worker’s supervisor is the appropriate person to address the matter. If the issue is still unresolved, it moves up the chain of command. Commonly, families are not told about this procedure, nor provided with the CFS document entitled “Client Services Concerns & Inquiries”, which includes:

- The chain of command when assistance is needed (social worker, supervisor, regional manager, Director of CFS)
- Information on issues of perceived discrimination
- Procedures for grievance regarding child removal
- Information on requesting a fair hearing
- Adherence to confidentiality

Not all social workers are familiar with this document. (Att-01)

**FA-13.** Social workers are required to provide records to the families including:

- court reports
- case plans
- proposed findings and orders
- police reports

Families can access records through their social workers or from the Custodian of Records. However, families are not always told about the Custodian of Records.

**FA-14.** During 2015:

- There were 10,212 referrals called into the CFS Hotline alleging child abuse or neglect.
- 5,442 referrals were assigned for an in-person response.
- 514 new cases were opened because intervention was required.
- Most referrals were related to poverty, domestic violence, and/or substance abuse.

**FA-15.** As of September 2016, there were 1,120 children under dependency court jurisdiction.

**FA-16.** Child Protective Services: A Guide for Caseworkers states, “CPS efforts are most likely to succeed when clients are involved and actively participate in the process.” It further states, “The success of intervention is directly related to the CPS worker’s ability to develop a partnership with the family.” However, the most common family complaint is social workers, or their supervisors, don’t return phone calls in a timely manner and in some cases not at all. (Ref-10)

**FA-17.** Child Protective Services: A Guide for Caseworkers also states “Providing child protective services is a complex, demanding and emotionally draining

job. Making decisions that affect the lives of children and families takes a toll on caseworkers. In order to maximize performance and minimize burnout, support systems must be developed within the CPS unit to provide caseworkers with opportunities to discuss and deal with feelings that may range from frustration and helplessness to anger and incompetence. Opportunities to discuss these feelings openly in the unit [in debriefing groups] are essential. In addition, whenever crises occur in cases (e.g. a child is reinjured or a child must be removed from his or her family) the caseworker involved needs extra support and guidance.” (Ref-10)

- FA-18.** Currently there are no regularly scheduled debriefing groups. Social workers may choose to attend a program which is conducted on an as needed basis. No data is available as to how often these groups meet or which social workers attend.
- FA-19.** The County Wellness Program is available to social workers. However, CFS does not track usage or seek feedback on the effectiveness of the program for its staff.
- FA-20.** Child Protective Services: A Guide for Caseworkers states, “CPS supervisors are responsible for ensuring that the agency mission and goals are accomplished and that positive outcomes for children and families are achieved through the delivery of competent, sensitive and timely services. ... [The supervisor is responsible for] creating a psychological and physical climate that enables staff to feel positive, satisfied, and comfortable about the job so that clients may be better served.” (Ref-10)
- FA-21.** Some social workers do not always feel supported by their supervisors. Supervisors may not be accessible at critical times to authorize required procedures or to ensure the safety of social workers.
- FA-22.** Family satisfaction surveys have been used in the past, but they were conducted while cases were still open. Some families reported feeling coerced to provide positive feedback, fearing critical answers might lead to retaliation. The surveys have been discontinued.
- FA-23.** Parental substance abuse is the most common reason that children need to be removed from the home. It is also the main cause of recidivism. Personnel of CFS report:
  - There are not enough substance abuse treatment programs to accommodate parents and treatment centers often have long waiting lists.
  - There are limited services for parents with long-term addiction and mental illness.
  - There are not enough drug counselors to go into the field with the social workers.
  - There are not enough ongoing parenting classes available for families after their cases have been closed.

- There is not a comprehensive list of treatment programs and parenting classes provided to CFS staff to utilize as a resource for families.
- Social workers use electronic devices in the field to access internet information about available resources for families.

**FA-24.** The CFS has become a defacto social welfare system without adequate resources to support the whole family.

## **Conclusions**

- C-01.** The caseloads of the child welfare social workers, in particular the ER social workers, are excessive and currently have no defined limit. A lower case load would allow social workers to spend more time with families. This would foster the team approach essential for optimal case management. (FA-01, FA-02, FA-03, FA-04, FA-05, FA-06, FA-07, FA-08, FA-13, FA-14, FA-15, FA-16,)
- C-02.** Time constraints and lack of specific procedures, have resulted in the inability of social workers to communicate effectively with families. Critical information may not always be provided and therefore does not allow for the development of a partnership with families. (FA-09, FA-10, FA-11, FA-12, FA-13, FA-16)
- C-03.** There is no standardized protocol for social workers to follow when returning phone calls. (FA-9, FA-11, FA-16)
- C-04.** Families are not provided a standardized written grievance procedure to follow if they are dissatisfied with how their social workers are performing case management services. (FA-10, FA-12, FA-13)
- C-05.** Social workers are not given the time or the opportunity to attend scheduled weekly meetings to discuss personal and professional job-related challenges with their peers. This is essential in a stressful and demanding job. (FA-17, FA-18, FA-19)
- C-06.** Some supervisors appear to have difficulty managing heavy caseloads. Social workers report some supervisors may be unavailable at critical times when a supervisor’s authorization may be required. Families report supervisors may fail to return phone calls. (FA-11, FA-12, FA-20, FA-21,)
- C-07.** Families are not given an opportunity to provide written feedback which can be analyzed to improve case management services. (FA-22)
- C-08.** Social workers do not have a comprehensive written list of resources and are unable to provide information on available programs to families. Dependency on electronic access in the field may not be as effective as maintaining a comprehensive list which can be easily distributed to families. (FA-23)

- C-09.** There are not adequate substance abuse treatment programs in the County to accommodate the families involved in the Child Welfare System. (FA-24, FA-24)

## **Recommendations**

- R-01.** The Grand Jury recommends CFS establish a reasonable limit to the number of cases assigned to child welfare social workers, in particular the ER social workers. (C-01)
- R-02.** The Grand Jury recommends, early in the process, families be provided with the contact information for the social worker’s supervisor, contact information for the Custodian of Records, and the procedure to follow if there is a grievance about how the social worker is providing case management services. (C-02)
- R-03.** The Grand Jury recommends CFS establish a standardized and consistent protocol to ensure social workers and supervisors return phone calls in a timely manner. (C-03)
- R-04.** The Grand Jury recommends CFS develop a simple, written form for families to document any grievances regarding the performance of case management services. All staff should be informed of the procedure and families provided with a copy. The procedure should include a protocol to follow until grievances are resolved. (C-04)
- R-05.** The Grand Jury recommends CFS schedule weekly meetings for social workers to discuss the demanding and stressful aspects of their jobs and to provide mutual support. (C-05)
- R-06.** The Grand Jury recommends CFS establish new procedures to ensure supervisors are more readily available to social workers in the field. (C-06)
- R-07.** The Grand Jury recommends CFS enhance opportunities for families to provide feedback on case management services, both positive and negative, once their case has been closed. Findings should be evaluated to improve future services. (C-07)
- R-08.** The Grand Jury recommends CFS prepare and maintain a comprehensive written list of all programs and resources available to families in the child welfare system. All CFS staff in contact with clients should have copies of this list to use as a reference and to provide to families. (C-08)
- R-09.** The Grand Jury recommends CFS prepare recommendations to the Ventura County Board of Supervisors to fund additional substance abuse treatment programs. (C-09)

## Responses

### Responses Requested From:

County of Ventura Human Services Agency, Children and Family Services (C-01, C-02, C-03, C-04, C-05, C-06, C-07, C-08, C-09, R-01, R-02, R-03, R-04, R-05, R-06, R-07, R-08, R-09)

## Commendations

The Grand Jury commends CFS social workers for their dedication to a difficult and emotionally challenging job, and for their compassion and care while working with children and families.

The Grand Jury commends the highly-qualified County child welfare social workers. The Grand Jury noted 86% of the social workers have a Masters in Social Work or equivalent in education and experience. This significantly exceeds CDSS requirements that at least 50% of the professional staff have advanced degrees or equivalent experience.

## References

- Ref-01.** Reed, Diane F.; Karpilow, Kate; "Understanding the Child Welfare System in California, A Primer for Service Providers and Policymakers" 2<sup>nd</sup> edition, June 2009, <http://www.phi.org/uploads/application/files/h31ef4xly0mtt9oa4lsv07ok048r6kg19g6fisd62qmymwbs5.pdf> (accessed April 19, 2017).
- Ref-02.** Social Security Administration, "The Adoption Assistance and Child Welfare Act of 1980", (P.L. 96-272), [https://www.ssa.gov/OP\\_Home/comp2/F096-272.html](https://www.ssa.gov/OP_Home/comp2/F096-272.html) (accessed April 18, 2017).
- Ref-03.** National Indian Child Welfare Association, "Adoption and Safe Families Act", (P.L. 105-89), <http://www.nicwa.org/law/asfa/> (accessed April 18, 2017).
- Ref-04.** State of California Health and Human Services Agency, Department of Social Services, "Manual of Policies and Procedures", Division 31, Regulations 31-325.1.11.113, <http://www.cdss.ca.gov/ord/entres/getinfo/pdf/cws3.PDF> (accessed April 20, 2017).
- Ref-05.** Department of Health and Human Services, California Child and Family Services Review, <http://www.dhhs.saccounty.net/CPS/Pages/Data-and-Outcomes/GI-California-Child-and-Family-Services-Review.aspx> (accessed April 20, 2017).

- Ref-06.** Child Welfare System Improvement and Accountability Act (AB 636), 2001, <http://www.cdss.ca.gov/cdssweb/entres/pdf/AB636.pdf> (accessed April 23, 2017)
- Ref-07.** California Welfare and Institutions Code Section 300, [http://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=WIC&sectionNum=300](http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=WIC&sectionNum=300) (accessed April 20, 2017)
- Ref-08.** California Welfare and Institutions Code, Section 16501.1(e)(1) [http://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=WIC&sectionNum=16501.1](http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=WIC&sectionNum=16501.1). (accessed April 23, 2017).
- Ref-09.** County of Ventura and the Service Employees International Union (Local 721), 2016-2019, "Memorandum of Agreement", Article 32, January 10, 2017, [http://vcportal.ventura.org/CEO/HR/MOA/docs/SEIU721\\_MOA\\_2016-2019-ocr.pdf](http://vcportal.ventura.org/CEO/HR/MOA/docs/SEIU721_MOA_2016-2019-ocr.pdf) (accessed April 19, 2017).
- Ref-10.** DePanfilis, Diane; Salus, Marsha K.; U.S. Department of Health and Human Services, Administration for Children and Families, Office on Child Abuse and Neglect, "Child Protective Services: A Guide for Caseworkers", 2003, <https://www.childwelfare.gov/pubPDFs/cps.pdf> (accessed April 20, 2017)

## **Attachments**

- Att-01.** County of Ventura, Human Services Agency, Children & Family Services Administrative Manual, Client Services Concerns & Inquiries

**Glossary**

**TERM**

**DEFINITION**

ASFA	Adoptions and Safe Families Act
CDSS	California Department of Social Services
CFS	County of Ventura Children & Family Services
CFSR	Child and Family Services Review
C-CFSR	California Child and Family Services Review
County	County of Ventura
CPS	Child Protective Services
DHHS	Department of Health and Human Services
ER	Emergency Response
Grand Jury	2016-2017 Ventura County Grand Jury
HSA	Human Services Agency
MOA	Memorandum of Agreement
SEIU	Service Employees International Union
VCHSA	Ventura County Human Services Agency

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**Attachment 01**

**County of Ventura  
Human Services Agency  
Children and Family Services Administrative Manual  
Client Services Concerns & Inquiries**

COUNTY OF VENTURA  
 HUMAN SERVICES AGENCY  
 CHILDREN & FAMILY SERVICES ADMINISTRATIVE MANUAL

**Client Services Concerns & Inquiries**

<b>Purpose</b>	<p>Human Services Agency, Children and Family Services is dedicated to providing appropriate child welfare service as legally mandated. All persons are to be treated with courtesy, consideration and respect.</p> <p>It is the expectation that concerns be addressed at the lowest possible level following the chain of command if satisfaction is not reached. Often, this results in swift resolution due to the case knowledge of those most directly involved. Although most case management issues are handled through the chain of command, clients and foster/relative caregivers have additional avenues related to civil rights and child welfare service provision rights.</p>
<b>Chain of Command</b>	<p>If the issue is not resolved by speaking with the assigned Social Worker, the Social Worker's supervisor is the appropriate person to address the matter. Should additional assistance or resolution be needed, the person who is responsible to respond to the concern is the Regional Manager. The Director of Children and Family Services is available if the concern needs further attention.</p>
<b>Client or Employee Civil Rights Complaints</b>	<p>Clients and employees who feel they have been discriminated against due to race, color, religion, sex, national origin, political affiliation, disability, marital status or age may:</p> <ol style="list-style-type: none"> <li>1. Speak to the HSA Civil Rights Officer to request an investigation or</li> <li>2. Request a State Hearing. [See the State Pamphlet titled Your Rights Under California Welfare PUB 13]</li> </ol>
<b>Client &amp; Caregiver Grievance Matters</b>	<p>Grievance procedures are available to clients for complaints related to relative approval status, child placement or the Department's referral to the Child Support Agency for foster care reimbursement. Potential Relative foster caregivers may grieve Relative Approval determinations. Parents, children and Foster/Relative caregivers may grieve foster child placement issues.[See policy on Grievances (Placement, Adoption &amp; Relative Approval) and the policy on Child Support Best Interest Determination]</p>
<b>Fair Hearing</b>	<p>Clients may also request a Fair Hearing regarding provision of services. These proceedings are presided over by an Administrative Law Judge. Juvenile Court orders cannot be altered by these proceedings.</p>
<b>Complaints or Inquiries from Interested Parties</b>	<p>Complaints or questions from interested parties regarding how a case/referral was handled are addressed via chain of command with adherence to <u>confidentiality</u> laws and regulations.</p>
<b>Inquiries by the Media</b>	<p>The agency media policy is followed. Case information and whether or not there is a case is confidential.</p>

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