

ANOTHER LOOK AT FAMILY AND CHILDREN'S SERVICES

SUMMARY

The Mendocino County Health and Human Service Agency's Family and Children's Service Department is working to correct the problems described in the previous Mendocino County 2014-15 Grand Jury Report with new innovative ideas and with recognition of the hard-working staff that keep children safe in this County.

The Grand Jury recognizes the new management of Mendocino County Health and Human Services Agency reforms that focus on employee retention, a more employee-supportive management style, and the development of a training unit, which addresses the lack of required staff with Master of Social Work degrees. Family and Children's Services utilizes a California State Waiver of Professional Services because they are unable to fill open social worker positions in the Department. The waiver needs to be renewed on or before January 6, 2018.

Family and Children's Services management is promoting the utilization of community non-profits and Native American Tribal agencies to provide services to strengthen families and prevent the need for detainment of children. According to the nation-wide data collection bank, the County continues to have a higher rate of problems that require detainment of children. The County also has a higher rate of children who have been detained. Family and Children's Service is facing new requirements and new programs by the State of California without increased funding for staffing that these programs require. The County does not have a competitive salary scale, which exacerbates this problem.

GLOSSARY

Detainment: Removal of a child from their family

Differential Response: New program utilizing Community Non-Profit Agencies and Tribes to investigate potential child abuse situations and modify the situations that led to child abuse

Exigent: Immediate

FCS: Family and Children's Services, formerly named Child Protective Services (CPS)

BACKGROUND

The Mendocino County 2014-15 Grand Jury published a comprehensive and critical report of Mendocino County's Health and Human Service Agency's (HHSA) Family and Children's Services Department (FCS) entitled, *Family and Children's Services Children at Risk* (2014-15 Report). The Mendocino County 2016-17 Grand Jury (Grand Jury) received a complaint on a decision by FCS. As part of a preliminary investigation of this complaint, the Grand Jury reviewed the 2014-15 Report. The Grand Jury chose to see if the 2014-15 Report had affected any change in the Department's functions, and if the problems reported had been corrected.

APPROACH

To understand policies and procedures, the Grand Jury interviewed FCS's current and former staff, managers and supervisors, law enforcement personnel, and reviewed responses to the 2014-15 Report. Three Grand Jurors were recused from participation in the investigation and issuance in this report. In addition, the following documents were examined:

- The Grand Jury Report of 2014-15, *Family and Children's Services, Children At Risk*
- Federal Children and Welfare Reform Act
- Redwood Community Services, descriptions of contracted services for HHSA
- California - Child and Family Services Reviewed, Annual Systems Improvement Progress Report (SIP), May 2014 and April 2016
- FCS Budget
- FCS Organization Charts
- HHSA Organization Charts
- Pertinent Sections of the California Welfare and Institutions Code
- UC Berkeley Data Bank - California Child Welfare Indicators Project
http://cssr.berkeley.edu/ucb_childwelfare/default.aspx
- Mendocino County Family and Children's Services Organizational Assessment by Northern California Training Academy, University of California at Davis
- A recent First Five of Mendocino County White Paper
- April 18, 2017 materials presented to the Mendocino County Board of Supervisors
- California Department of Social Services Request for Exemption of Staff Regulatory Educational and Experience Requirements (waiver)

- Structured Decision Making Model Form – a required approach to CPS that uses clearly defined and consistently applied decision-making criteria for screening investigation and determining risk and safety of a child.

DISCUSSION

The Grand Jury found that many of the problems discussed in the 2014-15 Report intended for the Board of Supervisors (BOS), concerning the Health and Human Service Agency Family and Children's Services, continue to exist. The report listed nine out of eighteen recommendations requiring the BOS take action to correct concerns. The critical content of the 2014-15 Report, intended for the BOS, inadvertently devastated staff and resulted in loss of morale in the Department.

Following are the areas in which Mendocino County statistics are worse than most other California counties when compared to the National/State standards:

- Response time and data entry
- Number of reported incidents of child abuse
- Child abuse reports taking more than 10 days to investigate
- Number of times children in foster care have their placements changed
- The number of children returned to foster care after being returned to their family
- Number of abuses in foster care
- Structured Decision Making (SDM) risk assessment instrument - State Reports not filed in a timely manner

What is different since the 2014-15 Report is the change in senior management of HHSA. Some employees reported the new style of leadership is more open and respectful of employees. Current managers followed the suggestions of the UC Davis report and convinced FCS supervisors to be more open and respectful of the employees they supervise. Managers stated they are willing to face problems and find solutions for the lack of staff and to question the validity of long followed procedures. The Department is utilizing community resources more fully to help prevent childhood abuse.

The Grand Jury was concerned during their interviews that neither the Deputy Director of FCS nor the new Supervisor of Training knew the respective budget amounts for their units. The HHSA Director, in the Spring of 2017, stated to the Grand Jury that they plan to share budget and financial information with unit supervisors in the near future.

The HHSA Deputy Director manages FCS with five Program Managers supervising 21 different units. In the January 2017 organizational chart, there is only one “Hot Line Emergency Response Unit” to investigate reports of child abuse and one court unit to report to the Superior Court on detainments of children.

The 2014-15 Report commented that asking social workers to both investigate and make Superior Court referrals was “...hampering the work necessary for the safety of children”.

Emergency Response Workers investigate referrals of child abuse and endangerment and detain children when necessary. The Emergency Response Court Unit reports these incidents to the Superior Court and defends the Department’s recommendations to the Court for the safe detainment of children. Following the initial assessment:

- Workers in the other units, guided by the Judge’s instruction, work to enable the re-integration of families
- Workers provide opportunities for educating families on better parenting
- Workers make referrals to addiction treatment programs
- Workers maintain the physical and mental health of the children as directed by the Court
- Workers also assist young people transitioning from foster care into the adult world

At the time of Grand Jury interview, the supervisor of Ukiah’s “hot line” stated the unit had only one experienced worker and two new employees available to investigate complaints of child abuse.

The Willits and Fort Bragg units respond to emergency and non-emergency referrals. The Grand Jury was informed that the Fort Bragg unit, in spite of being understaffed, responds to exigent cases promptly.

On the Coast and in Ukiah, responses may be delayed for cases requiring a 10-day response due to lack of staff.

In the case of domestic violence, when children are present, the Grand Jury found that delayed response time from FCS investigators contributed to the difficulty for law enforcement officers to respond to other emergencies because officers must wait until FCS investigators arrive.

The FCS is responsible for placing detained children with approved family members or friends, and foster families when necessary. They supervise and provide for the children's physical and mental health care as needed. Considerable staff and resources are spent in rehabilitating children and families. There are limited facilities for adult drug treatment in the County and none for teenage drug users.

The programs are funded through Federal grants and State sales tax revenue. The Department's annual budget for the 2016-17 year was \$17,570,544. Initial County funding is reimbursed through State sales tax. Payments to foster parents are funded separately by the State.

The April 2017 service statistics for Mendocino County include:

- 18,620 total children in the County
- 1,844 referrals received (multiple referrals may be received for each child)
- 329 cases substantiated
- 149 cases entered into the system
- 259 children in care

These and other indicators and updates are to be found at the UC Berkeley website:

http://cssr.berkeley.edu/ucb_childwelfare/default.aspx

The State of California has recently raised standards for foster homes. Foster families are now required to attend monthly training sessions and meet the standards for adoption. The State ordered the closure of group homes and created new programs for emotionally disturbed and physiologically impaired children. These changes require staff with advanced certification and degrees. The State did not provide additional financial resources to meet these requirements. Considering FCS's existing shortage of staff with MSW degrees, FCS assigned trained staff to the new programs and filled their prior positions with new workers

with less training and experience. Management stated, “There is insufficient time to study the best way to implement changes, and create strategic plans.”

All persons interviewed agreed that since 2011, FCS has lost staff, especially those with extensive background with CPS experience. Human Resources has not been successful recruiting Social Workers with a MSW degree. Since the County changed from the State Merit System to Civil Service, the Department has been able to promote long-term CPS workers without the MSW degree to supervisorial positions.

Mendocino County currently has a State waiver until January 2018 releasing the County from the required number of licensed MSW’s on staff as long as FCS gives staff every opportunity to continue their professional training. This waiver will need to be renewed next year.

Human Resources is hiring people with Bachelor of Arts degrees and/or Associate of Arts degrees who have some experience working with children, or with human services, to fill the staff vacancies. This requires extensive on-the-job training. Current staff stated that it takes new social workers two years of mentoring and working in the Department to become competent.

In interviewing FCS staff, it was difficult to determine an employee’s responsibilities and level of expertise. Job titles are limited to Social Worker, Social Worker Assistant, or Supervisor. The level and complexity of work performed in these positions is not clear.

The HHSA has established a training location and unit for FCS. New hires will be trained and mentored, and there will be opportunities for experienced workers to take specific classes. UC Davis is providing the curriculum for new workers and Core Training for Supervisors.

Some supervisors reported they feel frustrated about leaving their units for training sessions because of the lost time and the amount of work left on their desks. Others stated they received new insight about their jobs from the training.

Many of the new hires do not choose to stay in FCS, even after receiving advanced training through

County programs. Current social workers report the work is difficult and emotionally draining. Many trained FCS employees transfer to Adult Services, or seek employment in other counties with higher wages, affordable housing, and educational opportunities.

The Grand Jury was informed that supervisors assign fewer and less difficult cases to new hires. Some supervisors expressed concern that these new social workers do not have sufficient training in ethics, knowledge of personality disorders, clinical background, and computer skills. Supervisors found not all staff use the required State SDM forms to determine child safety and risk. Some veteran Social Workers make intuitive decisions about children's safety and fill out State forms later or do not enter this information into the State data bank.

To increase efficiency, there are eight Human Resource positions, paid out of Social Service funds, performing the processing, hiring, and other personnel functions for HHSA. The FCS has increased funding to the County Counsel's Office to make available 2.5 full time equivalent lawyers to do legal work to meet the needs of FCS.

Management of HHSA does not have a say in salaries of line staff. Salaries are negotiated between the BOS and the Service Employees International Union (SEIU).

In the UC Davis study of FCS, losses of salaries and benefits were not the only causes of the exodus from the Department. The study suggested past management and supervisory policies at all levels contributed to the problem. They suggested that a more open respectful form of supervision and management was needed to regain the trust of staff and assist in retaining employees. The study made concrete suggestions of pay differentials for the Fort Bragg area due to the lack of affordable housing and insufficient staff. Because of the shortage of staff in Fort Bragg, inland Social Workers are scheduled to cover the Coast on weekends and are housed in local motels so they are available for emergencies. The study also suggested returning to a five-day workweek from the present four-day workweek.

Current upper management has addressed many of the issues in the 2014-15 Report and the UC Davis Study. Staff is now provided with laptops and cell phones to utilize time efficiently and record data promptly into electronic files to better meet State requirements. The Grand Jury observed a new open and

transparent attitude from management. Management now regularly meets with staff at four different locations. They created ways to recognize individual achievement and are now offering programs to relieve stress.

Some long-term employees continue to communicate to new hires their discontent that salary levels are lower than they were in 2009. The employees expressed their concerns and insecurities about the organizational, procedural, and programmatic changes in the Department. Several long-term employees have spoken despairingly of frequent reorganization of staff to meet new State demands. There have been two major reorganizations of units and staff since May of 2016.

The UC Davis study stated, "...instead of focusing on the loss of staff, management needs to focus on retention". The reality in Mendocino County is similar to other rural northern California counties. The study noted that the lack of trained social workers is the new reality for most rural counties without a local university offering a MSW degree.

Redwood Community Services provides Emergency Service Assistants (ESS) to meet with investigators from FCS to remove children to safety while the Social Worker collects data and analyzes the situation. The FCS investigators have reported ESS services are a great help. These assistants, stationed in Willits, meet investigators at emergencies both inland and on the Coast.

Social work staff has been encouraged to refer families to community groups that provide training for parents of young children and teens. In March 2017, the County issued a \$500,000 Request for Proposal (RFP) for new programs for community organizations and Native American Tribes to take on non-immediate referrals to FCS. Community workers would investigate complaints that do not meet the State guidelines for CPS investigation and see if they can have a positive effect on relieving family stressors. If the emergency becomes exigent they refer the situation back to FCS.

There are plans for developing a Visiting Community Worker Program under the supervision of a trained visiting nurse to assist families that may need help in daily management or care of infants. First Five has found that a weekly visit to families with very young children results in healthier children that are more likely to succeed in school. However, Human Resources has not been able to hire a qualified Public

Health Nurse to manage the program. Mendocino County salary scales are not competitive for this position.

Many interviewees reported that Mendocino County's performance inadequacies, such as the higher number of referrals to FCS and the high need to detain children, is caused by the lack of staff to work with problem families before the situation becomes exigent. The County's pervasive drug culture, insufficient mental health and drug treatment services are contributing factors. The use of drugs, which often results in police action, has created difficulties for the Department in finding approved family members able to take in detained children. The availability of drugs is considered to be one of the causes of parents relapsing into drug use and children going back into care.

FINDINGS

- F1. The loss of significant numbers of experienced staff since 2011 and the inability of the County to attract trained social workers with CPS experience has resulted in the hiring of inexperienced workers with a higher than normal turnover rate and a need for on-the-job training.
- F2. Mendocino County has a higher rate than the State average for removal of children from their families due to of lack of early intervention in troubled families, the drug culture, high unemployment, lack of housing, and the lack of teenage drug treatment programs.
- F3. Without more investigators and a five-day workweek, it will be impossible to meet the County's mandated response time for non-emergency ten-day investigation requests. This results in unnecessary risks for children.
- F4. The new State eligibility requirements and training requirements for foster homes may reduce the rate of abuse and changes in foster care placements, but make it even harder for Mendocino County agencies to recruit foster families.
- F5. Experienced workers are carrying a much higher caseload than inexperienced workers creating resentment and job dissatisfaction. This has contributed to staff leaving the Department.

- F6. State forms for evaluating safety and risk factors may be filed considerably after determinations are made, if at all, creating unnecessary risk for children.
- F7. The contract with RCS for ESS workers stationed at the RCS facility in Willits, serving the entire County, is proving extremely valuable in removing children to safety while investigators make a determination on the removal of a child.
- F8. The Grand Jury supports the Deputy Director of FCS' efforts to implement a more supportive and trusting management style, and the Department's recognition of individual accomplishments.
- F9. The change from the Merit System to Civil Service Employment practices allows promotion of experienced people without an MSW degree to supervisorial positions and this may attract new staff from neighboring counties.
- F10. The use of the term *Social Worker* as a job title in the Department is too broad. It does not properly define the education or responsibility of the various workers' assignments.
- F11. The California State Waiver for staffing levels through 2018 will need to be renewed. Mendocino County is unable to maintain sufficient State mandated MSW staff levels.
- F12. The Differential Response RFP is part of developing community based programs that will lessen the stress on the available staff of FCS by assisting families before problems become exigent and require removal of children.
- F13. The disparity between Mendocino County's salary scale and adjacent counties' pay scales has made recruitment of workers with a MSW degree or years of CPS experience nearly impossible.
- F14. The Grand Jury notes management is seeking outside help to analyze and correct the Departmental issues. However, the problems noted in the 2014-15 Report still need corrective action.
- F15. The Board of Supervisors agreed to many of the recommendations in the UC Davis report. The BOS

increased salaries and awarded a 5% differential payment to Coastal and Covelo staff. The BOS also took action to reward long-term County service with longevity pay. The Grand Jury commends these changes and hopes the BOS will continue to support those committed to County service.

RECOMMENDATIONS

The Grand Jury recommends that:

- R1. The County require a commitment of continued employment for a fixed period of time for those participating in the County subsidized Master's Degree program. (F1, F5, F9, F11, F13)
- R2. The County request another State Waiver for FCS to operate with less than the mandatory number of staff with MSW degrees. (F1, F3, F5, F11)
- R3. The County continue to develop and utilize community-based non-profits to locate and assist families before exigent situations develop. (F1-F3, F7, F12, F14)
- R4. The Board of Supervisors direct the County to offer competitive salaries to hire and retain quality Department staff. (F1-F3, F5, F11, F13, F15)
- R5. The Board of Supervisors provide a side letter agreement to the SEIU contract authorizing additional pay for Emergency Response work. (F1-F3, F11, F13-F15)
- R6. The prevention and investigation of childhood abuses receive the most resources and attention of the Department management. (F2, F3, F14)
- R7. The Department ensure that staff utilize the Structured Decision Making risk assessment instrument forms prior to decision making, allowing for prompt data input into the State information bank. (F6, F14)

RESPONSES

Pursuant to Penal Code §933.05, responses are *required* from the following individuals:

- Mendocino County Chief Executive Officer (F1-F4, F7, F9-F12, F14, F15) and (R1-R5)
- Mendocino County Health and Human Services Agency Director (All Findings) and (All Recommendations)
- Mendocino County Human Resources/Civil Service Director (F1, F3, F5, F9-F11, F13, F15) and (R1, R4, R5)

Pursuant to Penal Code §933.05, responses are *required* from the following body:

- Mendocino County Board of Supervisors (F1-F4, F9-F15) and (R1-R5)

Pursuant to Penal Code §933.05, responses are *requested* from the following individuals:

- Mendocino County Health and Human Services Agency Operations Officer (All Findings) and (All Recommendations)
- Mendocino County Health and Human Services Agency Deputy Director (All Findings) and (All Recommendations)

APPENDIX

Appendix 4-1: Segment of 2016-17 Grand Jury Salary Study Summary

Reports issued by the Civil Grand Jury do not identify individuals interviewed. Penal Code §929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Civil Grand Jury.

Appendix 4-1

Salary Comparisons by Salary and Position
Step One (starting) Salaries

*See Note	SWI (S30A)	SWIII (S33A)	SW IV (S36A)	SW Supervisor I (S36A)
Appropriately Equivalent Counties				
Mendocino	\$37,460	\$43,409	\$45,572	\$50,252
Humboldt	\$36,144	\$44,345	\$46,613	\$57,762
Lake	\$41,220	\$50,100	\$55,236	\$58,008
Glenn	\$34,257	\$40,747	\$43,929	\$50,024
Colusa	\$34,860	\$42,552	\$44,712	\$46,980
Shasta	n/a	\$39,804	\$44,964	\$44,100
High End Neighbors				
Marin	\$68,182	\$71,968	\$75,837	\$93,538
Napa	\$55,723	\$66,248	\$67,496	\$73,299
Sonoma	\$47,920	\$56,978	\$63,761	\$67,956

*Note: These are Mendocino County Pay Grades

Sources: Respective County Human Resources Web Sites