

CREATIVE APPROACH TO IMPROVE QUALITY OF CARE FOR FAMILY AND CHILDREN'S SERVICES

SUMMARY

The Family and Children's Services (FCS) Division of Mendocino County's Department of Social Services (DSS) continues to be challenged to fulfill its mission and to perform the responsibilities under the State of California Department of Social Services requirements for responding to reports of actual or potential neglect and/or abuse of children.

This situation is **not** new. It has been described and documented in two previous Mendocino County Civil Grand Jury (GJ) reports in the past eight years. The FCS and DSS as a whole continue to experience a high employee turnover and remain significantly understaffed. Even though management has made efforts to expand and maintain a skilled, engaged and committed workforce, these efforts have not come close to achieving the desired results.

Understaffing has increased the demands on existing staff, requiring frequent overtime work, and making it a challenge to complete required documentation, court reports and other duties in a timely manner. This situation rarely offers a sense of job satisfaction. The resulting work atmosphere has been described as stressful and "toxic" or "hostile" by staff who leave DSS to seek employment elsewhere.

While the causes and effects of the situation are complex and may involve factors beyond the control of department management or the Board of Supervisors (BOS), it is evident that prior attempts to remedy the situation have not worked. At the time of this report, staff have begun to explore new approaches.

The FCS has numerous barriers to providing services. Some challenges are: The reduction of foster care resources, mandated reports, on-call requirements, mandated time responses and the lack of master's degree level staff as required by CDSS regulations. This report focuses primarily on staffing issues and their impacts.

Currently, children at-risk in the County may not be protected in a timely manner. The cost to the community will only increase as long as this persists. As a result of understaffing, the current staff works hard to keep up due to insufficient resources. The department management is doing everything it can to cope with the challenges. This situation is not sustainable.

GLOSSARY

CCWIP: University of California at Berkeley's California Child Welfare Indicators Project

CDSS: State of California Department of Social Services

EO: Evaluate Out Referrals (Does not meet criteria for investigation)

FCS: Mendocino County Family and Children's Services (*formerly known as Child Protective Services aka CPS*)

FCS-specific abbreviations:

10-day: Ten-day referrals. (Those cases which contain allegations requiring in-person contact with the family within 10 days/240 hours.)

IMM: Immediate Referrals to be responded to within 2-24 hours, because of greater risk of harm to child

SDM: Structured Decision Making - Risk Assessment Instrument for CA

HR: Mendocino County Department of Human Resources

LCSW: Licensed Clinical Social Worker

MSW: Master's degree in social work

METHODOLOGY

The 2022-2023 Mendocino County Civil Grand Jury (GJ) chose to investigate Mendocino County Family and Children's Services (FCS), a division within the Department of Social Services (Social Services) after receiving expressions of concern from various sources regarding challenges facing the department. In the course of this investigation, the GJ interviewed division directors, unit managers and supervisors. The GJ reviewed the following:

- The Department of Social Services - Family and Children's Services Organizational Chart, dated February 2023
- Mendocino County Social Services Staff News March 2023
- Mendocino County Social Services Staff News February 2023
- Mendocino County Social Services Staff News January 2023
- The Department of Social Services - Staff Resources New Interview Process March 2023 (The Staff Resources Tracking Sheet)
- The 2016-2017 Mendocino County Civil Grand Jury Report titled, "Another Look at Family And Children's Services:"
<https://www.mendocinocounty.org/home/showpublisheddocument/9387/63634157274%203%20300000>
- The 2014-2015 Mendocino County Civil Grand Jury Report titled, "Family and Children's Services – Children At-Risk":
<https://www.mendocinocounty.org/home/showpublisheddocument/3166/63623446996%203%20930000>
- California State Department of Social Services website
- Mendocino County Department of Social Services website
- California Welfare and Institutions Code, California Family Code (relevant provisions)
- California-DSS-Manual-CWS (relevant sections)
- California Child Welfare Indicators Project (CCWIP) University of California and California Department of Social Services, Research and Data Insights Branch
<https://ccwip.berkeley.edu/>
- California Legislative Analyst's Office website <https://lao.ca.gov>

BACKGROUND

In 1982, a California state law was passed that requires the state, through CDSS and county welfare departments, to establish and support a public system of statewide Child Welfare Services. Each county welfare department is required to maintain four specialized components: Emergency Response, Family Maintenance, Family Reunification and Permanent Placement.

(Source: *California Welfare and Institution Code*) Mendocino County Department of Social Services fulfills this requirement through its Family and Children's Services (FCS) Division. One of the objectives of the FCS is to intervene when children are in danger or in crisis. FCS staff are tasked with following up on referrals or reports of child abuse or neglect.

The State of California defines Child Abuse/Neglect as:

- A. Physical Abuse: the non-accidental physical injury of a child by another person or other harms caused by the parent, guardian, or member of their household.
- B. Neglect: a pattern of failure to protect or provide for the necessary care and protection of a child under one's care or the inability of a parent or guardian to provide regular care for the child due to the parent/guardian's mental illness, developmental disability or substance abuse.
- C. Emotional Abuse: the nonphysical mistreatment of the child, the results of which may be characterized by disturbed behavior on the part of the child and by which the child is suffering or at substantial risk of suffering serious emotional damage.
- D. Sexual Abuse/Exploitation: the victimization of a child for sexual activities, including, but not limited to, molestation, indecent exposure, fondling, rape and incest.

The two mission statements below outline requirements for safety of children:

"The mission of the California Department of Social Services is to serve, aid, and protect needy and vulnerable children and adults in ways that strengthen and preserve families, encourage personal responsibility, and foster independence."
(Source: *CDSS website*)

The Mission of the Mendocino County Family and Children's Services (FCS)
(formerly known as *Child Protective Services or CPS*):

"We are committed to excellence in the delivery of child welfare services in a child-focused, family centered and culturally competent manner. We investigate reports of suspected child abuse and neglect and intervene with families who are unable to ensure the health and safety of their child. Investigations are conducted in a thorough and professional manner and family interventions are completed in the least intrusive manner necessary for the protection of the child. It is our goal to work with families to help keep children safe at home. However, when that is not possible, we work to find safe, permanent homes for children." (Source: *FCS website*)

Many requirements applicable to county child welfare departments are found in state law, (California Welfare and Institutions and Family Codes), in regulations adopted by the State of California Department of Social Services (CDSS), and the CDSS Manual of Policies and Procedures, Child Welfare Services which governs the work of social services departments throughout the state including as to their delivery of child welfare services. Specific sections of the Manual referred to in the following discussion can be found in the Appendix.

DISCUSSION

The Challenge to Meet Requirements for Protecting Children Continues

The CDSS Manual of Policies and Procedures, Child Welfare Services (hereinafter "Manual") provides precise guidelines for how an FCS Social Worker must respond to referrals for service which allege that a child is endangered by child abuse or neglect: Staff must use the specific Emergency Response Protocol to determine if an in-person investigation is necessary and if it needs to be done immediately (such as when the Protocol indicates the existence of a situation in which imminent danger to a child, such as physical pain, injury, disability, severe emotional harm or death, is likely) or if it can be done within 10-days. (Selected provisions from these detailed response requirements can be found in the Appendix.)

Workflow/Process

When a Referral is received by FCS, the first step is for the supervisor and staff to evaluate what level of response is required.

Immediate Referrals (IR) must be responded to immediately considering the seriousness of the allegations. The investigation must be in-person.

Ten-day Referrals (10-day) contain allegations on which FCS must make in-person contact with the family. This timeline starts the hour the referral is received resulting in a deadline of 10-days (*i.e.*, 240 hours).

Evaluate Out Referrals (EO) do not meet the criteria for investigation. This includes when there is no allegation of child abuse or neglect or the allegation may be best served by another community agency, *e.g.*, no child victim or the child is late to school.

The GJ reviewed two prior Mendocino County Civil Grand Jury reports: 2014-2015 and 2016-2017. Each noted issues in meeting requirements for some functions of child protection. Metrics related to departmental processes are tracked by the California Child Welfare Indicators Project (CCWIP). A review of the most recent data available from CCWIP reveals that Mendocino County continues to have timely completion rates below statewide averages on a number of child welfare process measures. For example:

- On the measure of timely response to referrals for immediate investigation for October–December 2022, Mendocino County had a timely completion rate of 80.3% compared to the California statewide average of 95%.
- On the "completion of contacts" measure related to investigations, Mendocino County's percentage of timely completion was 73.8%, while the statewide average was 89.1%.
- On another measure, timely completion of monthly home visits, Mendocino County's case workers completed 77.5 % of visits in January–December 2022; while this represents an improvement from previous years, it is still below the statewide average of 86.3%.

As noted in prior GJ reports, understaffing is a key factor in the inability of staff to meet the state requirements for timely investigation, home visits, and other processes and outcome measures. The understaffing does not appear to be related to funding issues. Ninety-five percent

(95%) of the funding for the department's program comes from federal grants and state sales tax revenues. The remaining five percent (5%) is from the County.

CCWIP data also shows that Mendocino County has a higher incidence of child neglect/abuse investigations than the California state-wide average. For calendar year 2022, the Mendocino County rate of such investigations was 56.2 per 1000 children aged 0-17. California-wide, the rate was 34.5 per 1000 children. The volume of referrals and investigations adds to the challenges for the understaffed FCS in carrying out its work.

Difficulties with Recruitment and Retention of Staff are the Causes of Understaffing

According to the County Department of Social Services, Family and Children's Services Organizational Chart dated February 28, 2023, a Deputy Director manages FCS with five Senior Program Managers, supervising 19 different units. At that time, there were 59 total vacancies in allocated positions, 92 positions filled by permanent staff, and 4 being filled with Extra Help employees.

Recruitment

The hiring process (from the time County Human Resources Department (HR) receives an application for a social worker position, to the time that the County Department of Social Services (Department) hires the social worker) can take up to six months. This time lapse has been cited by those interviewed as a factor in losing interested and qualified candidates for social work positions. The GJ interviews disclosed that there must be at least two applicants for HR to forward to the Department for consideration. The Department may need time to arrange time to do the interview. County HR has often reported to the Department that there have been applicants that do not meet the qualifications and at other times there are no applications for social worker positions.

The GJ research confirmed that HR utilizes standard recruitment methods, including ads in local newspapers throughout the County for the positions of Social Worker I through Social Worker IV. It is not uncommon for the FCS to have a booth at countywide local events to recruit social workers. FCS also encourages applicants to begin their employment in Extra Help status as it shortens the timeframe to hire. Both County departments (HR and Social Services) are both attempting to fill these vacancies. They continue to have difficulties filling Social Worker positions, especially those requiring a master's degree of Social Work (MSW).

The California-DSS-Manual-CWS, in Section 31-070, specifies staffing requirements for county staff who provide emergency response and family maintenance services. At least 50% of the social workers providing emergency response and family maintenance services and 100% of supervisors of staff providing these services, must possess an MSW. (See detail in Appendix). FCS does not have sufficient percentages of staff with these qualifications and has not had them for the past several years.

The County continues to request waivers of the State of California requirements to fill these percentages of social work positions with staff possessing a master's degree, due to insufficient numbers of qualified candidates. These requests for waivers are also referenced in prior GJ reports. There is no local college program offering a course of study for this credential.

One way FCS could increase the percentages of staff with Master's level qualifications would be to establish an internship program. Some universities currently offering MSW programs include UC Davis, Sacramento State University, San Francisco State, and Cal Poly Humboldt. A student working on an MSW needs to have a field placement to graduate. Upon graduation, those students working towards licenses, such as a Licensed Clinical Social Worker (LCSW), will need to be supervised by a licensed staff employee. Both field placement and internships can be paid positions.

Retention

Managers interviewed in this investigation indicated that on the whole, FCS loses and needs to replace approximately one-third of its staff each year. At this turnover rate, it is exceedingly difficult to build the knowledge and skill levels of existing staff through training and mentoring by more experienced staff. The most difficult cases are assigned to staff with master's degrees and greater experience, who are then less available to share insight and support newer staff.

The long-term understaffing itself contributes to a more stressful work environment. Many workers regularly work overtime to try to keep up with investigation and reporting requirements and to meet deadlines. Another circumstance that has created added difficulty and frequently requires overtime, is the shortage of foster care placement facilities when it is necessary to remove an endangered child from their home. Not infrequently, social workers and other staff must spend the night at the office or the family center to care for the child when no immediate temporary placement is available. The frequency of overtime, after-hours, and weekend "on-call" duty has also increased for managers due to a long-term vacancy among such management.

The GJ interviews with Social Services division directors, FCS unit managers, and supervisors revealed that caseworkers were tired/overwhelmed, and openly described the working environment as "toxic" or "hostile." Some report that social workers are concerned for their physical safety when some investigations or home visits involve going to homes where there are firearms or drugs on the premises.

According to those interviewed by the GJ, the stressful environment influences the high turnover rate, perpetuating a cycle of recruitment, hiring, training and then losing the newly trained staff to another County department or another employer.

Effects of Understaffing Put Children At-risk

The staffing shortages appear to lead to challenges in timely investigating referrals of child abuse/neglect.

Management Efforts to Address Issues

There have been ongoing efforts by FCS to address the challenges of staffing through a variety of innovative approaches such as increased recruiting through job fairs, booths at community events, media blitz, including multiple social media platforms, T-shirts promoting job applications, and more. Another option for extending recruitment efforts would be to place ads in professional journals, such as the National Association of Social Workers.

FCS management has implemented work environment changes with the intent to encourage positive morale and aid in the retention of employees. These measures include establishing regular all-staff meetings, training and mentoring, employee appreciation and acknowledgement, and keeping staff informed and involved through a monthly department newsletter.

In an effort to decrease the time from application to hiring, FCS management has examined its internal process for review and approval of qualified candidates referred from HR following interviews. At the time of this report, FCS has expanded recruitment efforts.

CONCLUSION

While the FCS staff are dedicated, the ability of FCS to deliver on its mission is currently seriously challenged. In interviews, staff report they are experiencing a difficult workplace environment as a result of insufficient staffing. The FCS has insufficient staff with master's level qualifications, and they are experiencing a difficult workplace environment. As a result, employee turnover is high, and the remaining staff work many hours overtime attempting to meet required deadlines.

The GJ acknowledges efforts on the part of DSS management to correct the issues of recruitment and retention that contribute to understaffing. At the time of this report, there has been a reduction in unfilled positions. However, understaffing still exists. Filling FCS positions needs to be a continuing priority for DSS and HR departments, and new approaches must be developed so that children are safe, families stay intact and for Mendocino County to be a healthy and vibrant environment for all of its citizens.

FINDINGS

- F1.** FCS is chronically understaffed and struggles to fulfill its responsibilities in an effective manner.
- F2.** Due to the lack of an effective hiring process, FCS and HR have difficulty in the timely recruiting of staff.
- F3.** FCS staff is consistently challenged to complete required tasks in a timely manner.
- F4.** FCS is experiencing significant staff turnover. This results in management not having adequate time to manage, mentor, train, and coach their employees effectively.
- F5.** Retention of existing FCS staff is a critical need that requires attention. If understaffing is not corrected, the functioning of FCS will be further impaired.
- F6.** There is a positive trend in recent FCS recruitment and hiring success.
- F7.** FCS staff have positive attitudes, job dedication, and commitment to their clients.

RECOMMENDATIONS

The Civil Grand Jury recommends that the FCS set definite time frames for the following Recommendations.

- R1.** FCS management implement a more effective recruiting program as soon as possible. (F1, F2, F3, F5, F6)
- R2.** FCS management make substantial efforts to retain existing staff. (F4, F5, F6)
- R3.** FCS create internships. (F4, F6, F7)
- R4.** FCS continue to develop and encourage a positive workplace environment. (F1, F5, F6, F8)

REQUESTED RESPONSES

Pursuant to Penal Code § 933.05, responses are requested from the following governing body:

Mendocino County Department of Social Services Director

(All Findings) and (All Recommendations)

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

APPENDIX

California-DSS-Manual-CWS, selections from **Chapter 31-100 INTAKE:**

31-101 GENERAL

- .1 The county shall respond to all referrals for service which allege that a child is endangered by abuse, neglect, or exploitation.
- .2 The social worker responding to a referral shall be skilled in emergency response.
- .3 The social worker shall respond to a referral by completing the emergency response protocol described in Section 31-105.
- .4 The social worker shall respond to all referrals received from a law enforcement agency which allege abuse, neglect, or exploitation by completing the emergency response protocol.
- .5 Within 30 calendar days of the initial removal of the child or the required in-person investigation, or by the date of the dispositional hearing, whichever comes first, the social worker shall:
 - .51 Determine whether child welfare services beyond the investigation are necessary. . .

31-110 IN-PERSON INVESTIGATIONS

- .1 If the social worker determines from the Emergency Response Protocol that an in-person investigation is not necessary, the social worker shall document the determination in the case record.
- .2 If the social worker determines, from the Emergency Response Protocol, that an in-person investigation is not necessary, but that the services of another community agency are appropriate, the social worker shall refer the reporter or child and family to that agency.
- .3 If the social worker determines, from the Emergency Response Protocol, that an in-person investigation is necessary, the social worker shall make the in-person investigation immediately or within 10 calendar days, as appropriate.
- .4 The social worker shall conduct an in-person investigation for all law enforcement referrals either immediately or within 10 calendar days after receipt of a referral, as appropriate.

31-115 IN-PERSON IMMEDIATE INVESTIGATION

- .1 The social worker shall conduct an in-person immediate investigation when:
 - .11 The Emergency Response Protocol indicates the existence of a situation in which imminent danger to a child, such as physical pain, injury, disability, severe emotional harm or death, is likely; or
 - .12 The law enforcement agency making the referral states that the child is at immediate risk of abuse, neglect or exploitation; or
 - .13 The social worker determines that the child is at immediate risk of abuse, neglect, or exploitation.

31-120 IN-PERSON INVESTIGATION WITHIN 10 CALENDAR DAYS

.1 The social worker shall conduct an in-person investigation of the allegation of abuse, neglect, or exploitation within 10 calendar days after receipt of a referral when:

.11 The Emergency Response Protocol, or other information indicates that an in-person investigation is appropriate and the social worker has determined that an in-person immediate investigation is not appropriate.

.12 The law enforcement agency making the referral states that the child is not at immediate risk of abuse, neglect, or exploitation and the social worker determines than an in-person immediate investigation is not appropriate.

California-DSS-Manual-CWS Section **31-070** on **STAFF REQUIREMENTS**:

Section 31-070.11-.13 provides, in pertinent part:

“At least 50 percent of the professional staff providing emergency response services, and at least 50 percent of the professional staff providing family maintenance services shall possess a master’s degree in social work, or its equivalent in education and/or experience,” and

“One hundred (100) percent of the supervisors of staff providing emergency response and family maintenance services shall possess a master’s degree in social work or its equivalent in education and experience. Remaining emergency response and family maintenance services professional staff shall possess a bachelor’s degree in social work or its equivalent in education and/or experience.”

Section 31-070.2-.221, provides in pertinent part:

“At the beginning of the calendar year, the county shall determine if it meets *[the above staff education]* requirements unless the county has an approved plan *[as follows:]*

If the County is unable to meet the [above requirements], the county shall document the reason(s) for such inability in a written statement to [CDSS].

Submit to [CDSS] for approval a plan specifying the means by which the county plans to meet the [above requirements], and the time frame by which the county expects to obtain compliance. Upon plan approval, [CDSS] shall have the authority to defer the [above requirements] for a period up to three years.

At the end of the time frame specified in the county’s plan, but no more than three years from the date the county submits its plan to [CDSS], the county shall notify CDSS, in writing, of its progress in obtaining compliance.”