

Response To Mendocino County Grand Jury Report

Grand Jury Report Title: Another Look at Family and Children's Services

Report Dated: June 27, 2017

Response by: Tammy Moss Chandler, MPH, MBA, Director, Health & Human Services Agency
Anne Molgaard, JD, Chief Operations Officer, Health & Human Services Agency
Jena Conner, MSW, Deputy Director, Family and Children's Services, HHSA

Findings:

We agree with the findings numbered: F6, F7, F8, F11, F12, F13, F15

We disagree partially with the findings numbered: F1, F2, F3, F4, F5, F9, F10, F14
Attach a statement specifying the findings or portions of the findings that are disputed, and include an explanation of the reasons therefor.

We disagree wholly with NONE of the findings.

Recommendations:


Recommendation numbered R3 has been implemented.
Attach a statement describing the implement actions.

Recommendations numbered R2, R6, R7 have not yet been implemented, but will be in the future.
Attach a statement with the schedule for implementation(s).

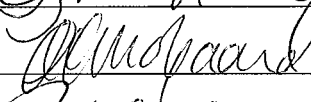
Recommendations numbered R1, R4, R5 requires further analysis.
Attach an explanation, and the scope and parameters of the analyses or studies, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.

Recommendations numbered NONE will not be implemented because they are not warranted or are not reasonable.
Attach an explanation.

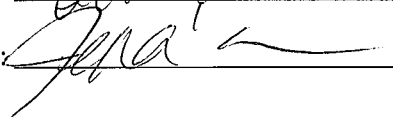
Respectfully submitted,

Signature: 

Date: August 25, 2017

Signature: 

Date: August 25, 2017

Signature: 

Date: August 25, 2017

Total number of pages including attachments: 9

We have reviewed the report and submit our responses to the FINDINGS portion of the report as follows:

■ We agree with the Findings numbered:

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.

Agree. Due to the volume of referral investigations and insufficient experienced investigators, mandated response times have not been met. As noted elsewhere, Family and Children's Services (FCS) is improving those response times through short term interventions and a longer term, multi-pronged approach including the implementation of the UC Davis Organizational Improvement Initiative; the County's System Improvement Plan; and, the launch of Differential Response contracts with community partners.

F7. The contract with Redwood Children's Services (RCS) for Emergency Support Staff (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.

Agree. To clarify, the Emergency Support Service (ESS) workers receive children from the FCS Social Worker after a determination has already been made to remove the child. By having the ESS worker take care of and attend to the immediate needs of the child, the FCS Social Worker is able to focus on contacting and evaluating placement resources for the child such as a non-custodial parent, relatives and non relative extended family members and complete paperwork and reports regarding the detention.

F8. The Grand Jury supports the Deputy Director of Family and Children's Services (FCS) efforts to implement a more supportive and trusting management style, and the Department's recognition of individual accomplishments.

Agree. The FCS Deputy Director works with her management and supervisory teams using team decision making/collaborative processes to address strengths, challenges, vacancies and program planning. In addition, the FCS Deputy Director implemented Deputy Director Awards to recognize and acknowledge staff on a monthly basis for going above and beyond in their critical work.

F11. The California State Waiver for staffing levels through 2018 will need to be renewed. Mendocino County is unable to maintain sufficient State mandated Master of Social Work (MSW) staff levels.

Agree. Even considering the improvements made in filling vacant positions, FCS does not currently meet the rigorous staffing requirements specified in the California Department of Social Services as described in further detail in the response to F1 below.

F12. The Differential Response Request for Proposal (RFP) is part of developing community based programs that will lessen the stress on the available staff at FCS by assisting families before problems become exigent and require removal of children.

Agree. Partnerships with the Differential Response contractors provide important community-based services to improve prevention and early intervention. Contracts are signed and implementation has begun with Action Network Family Resource Center (South Coast), The ARC Family Resource Center (Ukiah and Anderson Valley), Safe Passage Family Resource Center (North Coast) and Redwood Community Services (North County).

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 Child Protective Services (CPS) experience nearly impossible.

Agree. Mendocino County's pay scale for social workers with master's degrees in social work is currently lower than all surrounding counties. HHSA is working with the Human Resources Department to review the Social Worker job series and determine how far out of market these as well as other positions are in order to establish equitable and competitive pay for Mendocino County employees.

F15. The Board of Supervisors (BOS) 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.

Agree. The 2017 labor negotiations resulting in a salary increase, pay differential, and longevity pay will all improve our ability to attract qualified Social Workers.

■ We partially disagree with the Findings numbered below, and have attached, as required, a statement specifying any portion of the Finding that are disputed with an explanation of the reasons therefore.

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 hiring of inexperienced workers with a higher than normal turnover rate and a need for on-the-job training.

Partially Disagree. Although HHSA is making headway, more Family and Children's Services (FCS) Social Workers are needed to meet the rigorous staffing requirements specified in the California Department of Social Services Manual of Policies and Procedures Division 31-070.2. However, HHSA's inability to meet these state standards and require a state waiver pre-dates 2011; albeit exacerbated by increased vacancies since 2011.

For much of 2016, HHSA had between 16-18 Social Worker vacancies, a 35-40% vacancy rate. Although HHSA conducted continuous recruitments through Human Resources for Social Worker I through Social Worker V, the majority of applicants who followed through with interviewing and then accepting positions were at the entry level Social Worker I with varied educational backgrounds and little to no child welfare experience. As of August 5, 2017 there are 8 Social Worker vacancies and ideally these would all be filled at the most experienced level. In addition, HHSA suffered from an agency wide vacancy rate of approximately 25% in FY 2016-17, including the high level leadership position of Assistant

Director of Health & Human Services that serves as the Director of Social Services. In the absence of that key management position, the HHSA Chief Operations Officer and Director have been providing more direct leadership and supervision.

- 1) California Department of Social Services Manual of Policies and Procedures Division 31-070.2 delineates the staffing requirements, which are paraphrased below:
- 2) 50% of the professional staff providing emergency response and family maintenance services shall possess a master's degree in social work or its equivalent in education and/or experience;
- 3) 100% 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/or experience;
- 4) The 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.

F2. Mendocino County has a higher rate than the State average for removal of children from their families due to lack of early intervention in troubled families, the drug culture, high unemployment, lack of housing, and the lack of teenage drug treatment programs.

Partially Disagree. For clarification, the law only allows FCS to remove children from their families when they are in immediate danger from abuse or neglect or with a court order. Family hardships are factors that may contribute to circumstances in the family that result in child abuse or neglect and therefore necessitate removal. Every family is different and difficulties such as unemployment, lack of housing and lack of drug treatment programs do not in and of themselves cause abuse or neglect and are not reasons for removing a child.

F3. Without more investigators and a five-day work week, 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.

Partially disagree. More experienced investigators are needed in order to respond within the mandated response time to the volume of non-immediate referrals received on a daily, weekly and monthly basis. Although the office is closed to the public on Fridays, some Social Workers do work on Fridays and emergency response services are provided everyday. Because most Social Workers work 10 hour days they have greater flexibility in trying to locate and meet families to investigate referrals outside the standard work day. HHSA recognizes that the public is accustomed to county offices being open 5 days a week. When adequately staffed, HHSA will consider how to meet that expectation and continue to improve public office hours.

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.

Partially Disagree. Yes, the implementation of Resource Family Approval (RFA) may impact child placements and foster family recruitments. Indeed, since beginning January 2, 2017, RFA has significantly slowed down the approval process of relative and non relative extended family members who are providing care for foster children. However, it is too

early in the implementation process to draw conclusions about the impacts on recruitment and/or placement in the long-term.

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 .

Partially disagree. Unfortunately, salaries are still below the 2009 level while housing costs are more expensive than they have ever been in Mendocino County. The result is an inability to attract the qualified or experienced staff needed. This leads to hiring some staff who require training and time to gain experience, and carry a different case load than more experienced workers while they are developing greater experience. However, the high caseloads of more experienced employees is most specifically caused by the inability to hire enough experienced Social Workers to meet the caseload requirements in Mendocino County. This results in higher caseloads and increased work, stress and burnout for both experienced and new employees.

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 his may attract new staff from neighboring counties.

Partially disagree. The change from Merit System to Civil Service provided the ability for non master level Social Workers to promote to Social Worker IV and V based on their education and/or experience instead of being topped out at the Social Worker III level. However, the requirements for Social Worker Supervisors were not changed. The Social Worker Supervisor II classification requires a masters degree, whereas the Social Worker Supervisor I classification does not require a master degree, nor did it under the Merit System.

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.

Partially disagree. While the job title of Social Worker is used very broadly, the escalating breadth of experience, responsibility and education required from a Social Worker I to Social Worker V is clearly delineated in each job level classification. This job title issue was studied during a recent analysis of the Social Worker grade series to see if our employees or the Agency would be better served by re-naming the Social Worker career path. The majority of comparable counties use the Social Worker job title across these different job classifications. The education and responsibilities are clearly defined despite the similarities of job title, and this approach is standard across comparable California counties.

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.

Partially disagree. The progress is not satisfactory, however, it is worth noting the focused and intentional efforts to improve the problems noted the 2014-15 Grand Jury report. For example:

- Recruitment: the vacancy rate is less than half what it was in 2014. HHSA has worked closely with Human Resources to conduct continuous recruitments for Social Workers. This has helped us fill critical Social Worker positions in a more expedient manner.
- Pay: the pay scale in Mendocino County continues to be below surrounding counties. The Board of Supervisors recently gave a 3% salary increase to county employees and provided for a differential pay for employees assigned to areas of the county that have been particularly difficult to fill positions.
- Staffing: Additional focus on training, supporting and retaining quality Social Workers is now in place.
- Morale and collegial atmosphere: Family and Children's Services staff have worked very hard to foster a collegial atmosphere among employees at all levels. Focused trainings and facilitated meetings have been provided for supervisors and managers on team building, working together respectfully and collaboratively, utilizing a coaching method of supervision and leadership skill building. When a critical need arises, the team comes together to discuss the need and determine how the need will be met, even if it means the completion of other work is delayed. Trainings to address secondary traumatic stress as a result of the difficult and stressful work done on a daily basis have been provided and continue to be provided based on employee input and feedback. In addition, in FY 2017-18, workshops to help FCS employees reduce stress and bring balance to their worklife are being offered at the Ukiah, Willits and Fort Bragg office, as well as trainings by UC Davis on managing secondary traumatic stress.
- Response times are improving through additional training and technology. HHSA issued Surface Pro tablet computers and smart phones to each Social Worker to assist them in timely completion, even while in the field, and response times are improving.

We have reviewed the report and submit our responses to the RECOMMENDATIONS portion of the report as follows:

■ The following Recommendation(s) have have been implemented and attached, as required, is a summary describing the implemented actions:

R3. The County continue to develop and utilize community-based non-profits to locate and assist families before exigent situations develop.

Differential Response contracts have been signed with four community-based non-profit providers. The Differential Response providers are participating with the County in an organized implementation roll-out and the first referrals were made in July 2017 to assist families who voluntarily accept help and support before serious situations develop. In addition, FCS contracts with Family Resource Centers and with FIRST 5 Mendocino to provide Triple P Positive Parenting Program classes throughout the county have been implemented.

■ The following Recommendation(s) have not yet been implemented, but will be implemented in the future, **attached, as required**, is a time frame for implementation:

R2. The County request another State Waiver for FCS to operate with less than the mandatory number of staff with MSW degrees.

California Department of Social Services Child Welfare Regulations, Section 31-070.2 specifies, that at the beginning of the calendar year, the county shall determine if it meets the staffing requirements unless the county has an approved plan. If the county is unable to meet the requirements, a written statement and a plan with a time frame for meeting the requirements must be submitted to the California Department of Social Services. It is anticipated that on January 1, 2018, FCS will not have the required number of Social Worker IVs and Vs and Social Worker Supervisor IIs and will be submitting a new waiver request.

R6. The prevention and investigation of childhood abuses receive the most resources and attention of the Department management.

HHSA leadership is dedicated to supporting FCS and sees its improvement as a critical Agency priority. FCS is actively working to reduce the caseloads of our investigators by increasing the number of experienced employees, modernizing their technology tools, and implementing work flow efficiencies. In addition, the Public Health Branch is launching its new Healthy Families America Home Visiting Program in FY 2017-18. Home visiting is an evidence-based practice that supports new parents and decreases their risk for involvement in the child welfare system. Home visiting along with Differential Response and Family Resource Centers, will help prevent child abuse and neglect over the longer term.

R7. The Department ensure that staff utilize the Structured Decision Making (SDM) risk assessment instrument forms prior to decision making, allowing for prompt data input into the State information bank.

While it is required of Social Workers to complete the SDM tools in accordance with the SDM timeframes, FCS employees have not been consistently held accountable for completing the tools in a timely manner in light of competing priorities and workloads. FCS will create a formal procedure adopting the SDM timeline requirements for completion of each tool as applicable and implement by October 1, 2017. Follow up by supervisors and managers will be required to ensure employees are promptly completing the SDM tools, and will be supported through the UC Davis contract and implementation of the local System Improvement Plan (SIP).

■ The following Recommendation(s) require further analysis, and **attached, as required**, is an explanation and the scope and parameters of the planned analysis, and a time frame for the matter to be prepared, discussed and approved by the officer and/or director of the agency or department being investigated or reviewed: (This time frame shall not exceed six (6) months from the date of publication of the Grand Jury Report)

R1. The County require a commitment of continued employment for fixed period of time for those participating in the County subsidized Master's Degree program.

Will be further analyzed. The County does not currently offer a County-subsidized Master's Degree Program but the federal funding source, Title IV-E, provides master level Social Worker programs at participating universities that are federally subsidized, providing two years of support for full-time students who complete the MSW program with appropriate specialization in preparation for careers in child welfare. Upon completion of a Title IV-E master's program, students must work at least two years in a public child welfare agency; otherwise, they will be required to repay the cost of their education. However, the County may not legally impose additional requirements beyond the two years (it could not be enforced by law). Additional information about the Title IV-E student's work commitment after graduation can be found at <http://calswec.berkeley.edu/frequently-asked-questions-faqs-about-title-iv-e-msw-program#Q2>.

HHSA will be working over the next six months to research other educational supports that could assist and inspire all different employee groups, but particularly innovative strategies that will help address the significant need to improve and meet State mandates for master's degree level trained Social Workers as described in California Department of Social Services Manual of Policies and Procedures Division 31-070.2.

R4. The Board of Supervisors direct the County to offer competitive salaries to hire and retain quality Department staff.

This recommendation is directed to the Board of Supervisors, however HHSA is committed to working with the Board of Supervisors, the County Executive Office and the Human Resources Department to hire and retain quality staff. As noted in the report, the Board of Supervisors, not FCS or HHSA management, is charged with salary studies and negotiations. However, HHSA will continue to work with the Board of Supervisors to assess the need for competitive salaries and the impact of salaries on the ability to hire and retain qualified employees.

R5. The Board of Supervisor provide a side letter agreement to the SEIU contract authorizing additional pay for Emergency Response work.

While HHSA understands this response is directed at the Board of Superivisors, it is recognized that the secondary trauma experienced by Emergency Response workers is real and significant. However, additional pay or differentials can be divisive for staff, albeit a useful tool to secure adequate staff to meet critical state mandates. Emergency Response investigation work can be dangerous and is difficult, complex and stressful. Highly skilled, trained, experienced and educated employees are the most appropriate staff for Emergency Response work. HHSA will work with Human Resources, the County Executive Office (CEO) and the Board of Supervisors to further research the Emergency Response job classifications over the next six months and determine the best way to secure the types of staffing needed to best handle Emergency Response duties.


■ There are NO Recommendations that will NOT be implemented because they are not warranted and/or are not deemed reasonable.

Thank you for the opportunity to respond to the Grand Jury Report: *Another Look at Family and Children's Services, June 2017.*

We appreciate the Grand Jury's role and know that our mutual goal is to protect vulnerable children and families. Please contact us should further clarification be needed or desired.

Sincerely yours,


Name: Tammy Moss Chandler, MPH, MBA
Title: Director, Mendocino County Health & Human Services Agency

Signed:  Date: August 25, 2017

Name: Anne C. Molgaard, J.D.
Title: Chief Operations Officer,
Mendocino County Health & Human Services Agency

Signed:  Date: August 25, 2017

Name: Jena Conner, MSW
Title: Deputy Director, Family and Children's Services,
Mendocino County Health & Human Services Agency

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