

Response to Grand Jury Report

Report Title: Family and Children's Services

Report Date: May 19, 2015

Response by: Chief Executive Officer



Findings

I (we) agree with the findings numbered: 1,6,10,11,12,17,22,25,27,31,33,40

I (we) disagree wholly or partially with the findings numbered: 2-5, 7-9,13-16,18-21, 23, 24, 26, 28, 29, 30, 32, 34-39

Attach a statement specifying the findings or portions of the findings that are disputed, and include an explanation of the reasons therefor.

Recommendations

Recommendations numbered 6-8,14, 17, 18 have been implemented.

Attach a statement describing the implement actions.

Recommendations numbered 1, 3, 5, 9, 10, 12, 15 have not yet been implemented, but will be implemented in the future.

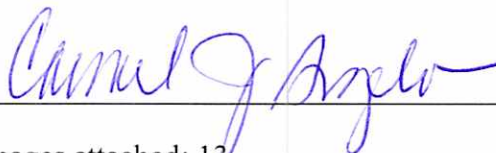
Attach a statement with the schedule for implementation(s).

Recommendations numbered 16 require 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 2, 4, 11 will not be implemented because they are not warranted or are not reasonable.

Attach an explanation.

Signature: 

Date: 7-17-15

Number of pages attached: 13

FINDINGS

F1. "A major problem with FCS is understaffing."

I (we) agree with this finding.

F2. "FCS ranks at the bottom for two of three State measures of job performance for FCS agencies."

I (we) disagree wholly with this finding. The CEO incorporates by reference the response of the HHS Director to finding 2.

F3. "One of the two measures where FCS meets or exceeds State averages is Case Worker periodic visits for children under their care. Unfortunately, this does not address the understaffing concerns of the areas where FCS does not even meet State averages."

I (we) disagree partially to this finding. The CEO agrees FCS meets or exceeds State averages in Case Worker periodic visits for children under their care. The CEO incorporates by reference the response of the HHS Director to finding

F4. "A failure to meet required investigation deadlines is a symptom of understaffing. A failure to timely investigate referrals poses an increased risk to children."

I (we) disagree partially with this finding. Staff training is needed to aid proper prioritization of critical documentation to be entered both immediately and on-going into databases to ensure information adequately reflects real time performance measures on addressing child safety. The CEO agrees that if referrals are not responded to in a timely matter, there would be increased risk to children.

F5. "The statistical performance of County FCS, when compared to that of the other counties in the State, is an embarrassment to our community and should be an embarrassment to our County government."

I (we) disagree wholly with this finding. Statistical data is not static and continuously changes, with performance outcomes fluctuating frequently. The County of Mendocino, in comparison to other counties, performs higher and lower in various categories. The CEO incorporates by reference the response of the HHS Director to finding 5.

F6. "Short term (monthly) performance statistics are skewed by untimely data entry; long term statistics will not be skewed. Whether poor performance is due to late investigations or late entry of data, the underlying cause is the same, understaffing."

I (we) Agree with this finding.

F7. “A significant number of FCS professional and supervisory staff do not meet State educational standards for their positions and are considered under-qualified by State standards.”

I (we) disagree wholly with this finding. The CEO does not have any information to support this finding. The CEO incorporates by reference the HHSA Director’s response to finding 7.

F8. “The failure of FCS in Mendocino County to conduct timely investigations is directly linked to the shortage of qualified staff.”

I (we) disagree partially with this finding. Social Workers and Supervisors recognize and comply with their responsibilities to see the children and perform an interview either immediately or within 10 days or attempts made to see the children in the 10 day time frame. The primary issue is the documentation of timely investigations. Due to the prioritization of job responsibilities, investigation documents are not completed as quickly as desired. The CEO incorporates by reference the HHSA Director’s response to finding 9.

F9. “The County’s use of inexperienced and under-qualified staff to conduct Emergency Response investigations places an additional burden on supervisors and increases the probability of children or staff coming to harm.”

I (we) disagree partially with this finding. In order to protect children it is important trained staff be utilized to handle investigations, while positions with higher qualification are under recruitment. Children would be at risk if there is no staff to investigate referrals. The CEO incorporates by reference the HHSA Director’s response to finding 9.

F10. “FCS has an erratic record in preparing timely court reports.”

I (we) agree with this finding.

F11. “Late court reports often result in hearing continuations, which lead to lost time for the Court, the child’s representatives, the parents and their representatives, and the case workers. Late court reports represent an added expense to the County and cause unnecessary friction with the Courts, the legal community, and the families involved.”

I (we) agree with this finding.

F12. “Late court reports are another symptom of understaffing and under-qualified staff. If done correctly and thoughtfully (as they should be for the sake of the child), the required reports are time-consuming to prepare and demand greater time involvement by supervisors.”

I (we) agree with this finding.

F13. “FCS has almost one third less staff than the August 2014 Table of Organization shows.”

I (we) disagree wholly with this finding. The August 28, 2014 Family and Children's Services Table of Organization reflects 108 permanent and 3 extra help employees. The June 5, 2015 Family and Children's Services Table of Organization reflects 112 permanent and 6 extra help employees. (Attachment A)

F14. "This Table of Organization itself does not show any staff increases since 2008 to meet the increased work load experienced over the last six years."

I (we) disagree wholly with this finding. The CEO incorporates by reference the response of the HHS Director to finding 14.

F15. "Senior Management has known of the lack of staff for years. Failure to actively recruit exacerbates this problem. Recruiting is haphazard at best. Failure to address this problem has led to the current state of affairs."

I (we) disagree wholly with this finding. Mendocino County actively recruits for vacant positions in Family and Children's Services. The CEO incorporates by reference the HHS Director's response to finding 15.

F16. "Current FCS professional staff are carrying nearly double the recommended Best Practices case loads for quality service to children."

I (we) disagree partially with this finding. The CEO incorporates by reference the HHS Director's Response to finding 16.

F17. "The problems associated with understaffing are worsened by the loss of experienced and qualified staff."

I (we) agree with this finding.

F18. "Management has responded to the loss of job experience by increasing Core training and the availability of training opportunities toward advanced degrees for staff."

I (we) disagree wholly with this finding. Training is a component of State mandates and the County continues to comply with State training requirements. The County encourages and supports employees who wish to pursue additional educational opportunities.

F19. "FCS is not in compliance with State-required educational standards for social workers handling child abuse/neglect cases."

I (we) disagree partially. It is correct that the County does not currently meet the required number of Master Social Workers (MSW's), but the County has followed state procedure and filed a waiver request on January 6, 2015, with the California Department of Social Services, as noted on page 8 of the Grand Jury Report.

F20. “The County has been aware of its lack of compliance for years.”

I (we) disagree wholly to this finding. As noted in the CEO’s response to finding 19, the County is in compliance with the State requirements.

F21. “As of December 31, 2014, HHS had failed to perform even the minimal reporting requirements of the State since 2007.”

I (we) disagree wholly with this finding. The CEO does not have knowledge that supports this finding. The CEO incorporates by reference the HHS Director’s response to finding 21.

F22. “HHS did file a request for deferral and a plan of action meeting the letter of the law in January 2015.”

I (we) agree with this finding.

F23. “Because the January 2015 plan of action does not include any requirements of action from the CEO or the Board of Supervisors, the Grand Jury finds the plan does not address the problems.”

I (we) disagree wholly with this finding. The State does not require action from the CEO or Board of Supervisors on the action plan. The action plan is approved by the HHS Director and the State, in accordance with State requirements.

F24. “HHS is attempting to upgrade the educational levels of current FCS staff.”

I (we) disagree partially with this finding. HHS, in the past and currently, supports and encourages staff to pursue additional education and training. The CEO incorporates by reference the HHS Director’s response to finding 24.

F25. “Mendocino County pays more than Humboldt and Lake Counties for starting social workers.”

I (we) agree with this finding.

F26. “The private sector pays significantly higher for social workers. It is likely that the difference between public sector salaries and private sector salaries impacts the ability of the County to hire sufficient numbers of Social Workers.”

I (we) disagree partially with this finding. There are various factors that can contribute to the inability to recruit social workers. The CEO incorporates by reference the response of the HHS Director and Human Resources Director to finding 26.

F27. “The more populous counties of Napa and Sonoma pay significantly higher salaries than do Humboldt, Lake, and Mendocino. It is probable that this difference leads to the loss of professional social workers to those counties.”

I (we) agree with this finding.

F28. “The problem of ‘train-and-trot’ is real. Within two years of hiring or promotion, one out of four employees has left the job. A loss of 25% of employees, after less than two years of service and training, would not be sustainable by a private agency. This is an unacceptable strain on the HHS budget.”

I (we) disagree partially with this finding. The CEO is unable to determine what data the Grand Jury used to make this determination. Employees are trained on their respective duties and some do leave the County shortly after being hired for various reasons, including, but not limited to: not passing the probation period, lack of affordable housing, higher paying positions elsewhere and health/family/personal reasons. The CEO incorporates by reference responses from HHS Director and Human Resources Director to finding 28.

F29. “The higher paying counties are a major magnet for ‘train-and-trot.’ Also, the atmosphere in which the employees work has contributed to the ‘train and trot’ phenomenon.”

I (we) disagree partially with this finding. The CEO incorporates by reference responses from HHS Director and Human Resources Director to finding 29.

F30. “Benefit packages vary widely from county to county, and are very complex. The Grand Jury was not able to determine if differences in benefit packages were significant from county to county for counties of equivalent size.”

I (we) disagree wholly with this finding. The CEO cannot speak to what the Grand Jury was or was not able to determine.

F31. “The 2013 ‘reshuffle’ of job assignments and responsibilities and the renaming of functional units was in fact a reorganization of FCS.”

I (we) agree with this finding.

F32. “Along with the 2013 reorganization of FCS, Management moved to a top down management (command-and-control) style. A lack of communication with subordinates about personnel and staffing decisions is a hallmark of command-and control management.”

I (we) disagree wholly with this finding. The CEO has no information on this finding. The CEO incorporates by reference the HHS Director’s response to finding 32.

F33. “Command-and-control decreases collegiality and is not a good management model for Social Agencies. It leads to a lack of transparency of management actions up and down the chain.”

I (we) agree with this finding.

F34. “Combining functions by requiring individual social workers to cover both Emergency Response and Court functions is an attempt by Management to deal with staff shortages and inexperienced staff. This has hampered the workers’ ability to perform the tasks necessary for the safety and well-being of the children.”

I (we) disagree wholly with this finding. The CEO incorporates by reference the HHSA Director’s response to finding 34.

F35. “While there is a lack of recruiting activities, the increased emphasis on the educational qualifications in consideration of potential new hires by requiring MSWs was a decision based on the need to meet State mandated requirements.”

I (we) disagree wholly with this finding. The County has been actively recruiting for various positions. Specifically, FCS has been doing on-going recruitments for Social Workers I, II, IV and each classification has unique education and experience requirements.

F36. “Management took retaliatory action against workers who disagreed with them.”

I (we) disagree wholly with this finding. The CEO has no information regarding this finding. The CEO incorporates by reference the HHSA Director’s response to finding 36.

F37. “Staff is reluctant to speak out on issues for fear of retaliation.”

I (we) disagree wholly with this finding. The CEO has no information regarding this finding. The CEO incorporates by reference the HHSA Director’s response to finding 37.

F38. “Lack of respectful communication was cited by more than one interviewee, and the Grand Jury was presented documented evidence.”

I (we) disagree wholly with this finding. The CEO has no information regarding this finding. The CEO was not given the evidence cited by the Grand Jury for review.

F39. “FCS underwent a time of turmoil which resulted in negative impacts on staff morale and loss of senior staff.”

I (we) disagree wholly with this finding. Child Welfare is an extremely complex and stressful field of work with significant risk of liability for the individual workers, supervisors and managers and the County. In addition, Child Welfare is a rapidly changing regulatory environment in regards to State legislative mandates, which adds additional demands. The CEO incorporates by reference the HHSA Director’s response to finding 39.

F40. “Though too few in numbers, the current staff is dedicated, hard-working, and caring in their efforts to meet the needs of the children.”

I (we) agree with this finding. Mendocino County appreciates the hard-working, caring and dedicated staff at FCS. The CEO thanks the staff for their service to the children of Mendocino County.

RECOMMENDATIONS

R1. “Management bring to the attention of the Board of Supervisors the ranking of the County with respect to all measures of FCS performance as compared to the rest of the State. (F2, F3, F5, F6)”

This recommendation has not yet been implemented, but will be implemented in the future. HHSA presents to the Board of Supervisors throughout the year, this information will be incorporated into a HHSA presentation to the Board of Supervisors in the next 6 months.

R2. “Management bring to the attention of the Board of Supervisors the consequences of late investigations. (F4)”

This recommendation will not be implemented because it is not warranted. FCS does not have an issue with timely investigations. The CEO incorporates by reference the CEO and HHSA Director’s response to finding 4. Additional training is needed to improve database documentation to reflect the work of staff. The CEO incorporates by reference the HHSA Director’s response to recommendation 2.

R3. “Management bring to the Board of Supervisors recommendations for correcting the problems listed in the findings. (F1, F2, F4, F6 through F17, F19, F24, F28, F32 through F34, F36 through F39)”

This recommendation has not yet been implemented, but will be implemented in the future. HHSA presents to the Board of Supervisors throughout the year, this information will be incorporated into a HHSA presentation to the Board of Supervisors in the next 6 months.

R4. “FCS consult with stake holders to identify and prioritize the most important reports for completion on time. (F10, F11, F12)”

This recommendation will not be implemented because it is not warranted. FCS is already working to meet every filing deadline, as all court reports are important when discussing the safety, permanency and well-being of a child.

R5. “Management report to the Board of Supervisors the consequences and County costs of late Court reports. (F10, F11, F12)”

This recommendation has not yet been implemented, but will be implemented in the future. HHSA presents to the Board of Supervisors throughout the year, this information will be incorporated into a HHSA presentation to the Board of Supervisors in the next 6 months.

R6. “Management continue and strengthen efforts to provide training opportunities for staff. (F18)”

This recommendation has been implemented. HHS, in the past and currently, provides training opportunities for staff (F18, 24). The CEO incorporates by reference the HHS Director’s response to recommendation 6.

R7. “HHS identify and assign staff to monitor and maintain compliance with the requirements of the State regarding the required education levels of staff (SWMPP §31-070.1) and regularly report the results to Management. (F19)”

This recommendation has been implemented. The CEO incorporates by reference the HHS Director’s response to recommendation 7.

R8. “HHS identify and assign staff to monitor and maintain compliance with the reporting requirements of the State (SWMPP §31-070.2) with a regular reporting schedule to Management. (F19, F20, F21, F22, F23)”

This recommendation has been implemented. The CEO incorporates by reference the HHS Director’s response to recommendation 8.

R9. “HHS report to the Board of Supervisors that the County *has not been*, and currently *is not* in compliance with the staffing requirements of SWMPP §31-070.1. (F19, F20)”

This recommendation has not yet been implemented, but will be implemented in the future. HHS presents to the Board of Supervisors throughout the year, this information will be incorporated into a HHS presentation to the Board of Supervisors in the next 6 months.

R10. “HHS report to the Board of Supervisors on a fixed schedule (at least twice a year) the compliance status of the County with respect to SWMPP §31-070.1 (staff education ratios). (F19, F20)”

This recommendation has not yet been implemented, but will be implemented in the future. HHS presents to the Board of Supervisors throughout the year, this information will be incorporated into a HHS presentation to the Board of Supervisors in the next 6 months.

R11. “HHS report to the Board of Supervisors on a quarterly basis what is needed in terms of budget and staff to meet the State requirements (SWMPP §31-070.1). (F19)”

This recommendation will not be implemented because it is not warranted. The Executive Office has a process for budget preparation that addresses department needs. The Executive Office presents to the Board of Supervisors quarterly budget updates (1st quarter, mid-year, 3rd quarter and final). The budget information for HHS is included in all budget presentations.

R12. “HHS report annually to the Board of Supervisors the FCS standing in the State with respect to Emergency Response measures. (F2, F8)”

This recommendation has not yet been implemented, but will be implemented in the future. HHSA presents to the Board of Supervisors throughout the year, this information will be incorporated into a HHSA presentation to the Board of Supervisors in the next 6 months.

R13. “the Board of Supervisors supply HHS with the resources necessary to provide adequate services to the children of Mendocino County. (F1 through F35)”

The CEO cannot speak to this recommendation. The CEO does not direct the Board of Supervisors. The Board of Supervisors are elected officials and retain the authority to govern budget allocations.

R14. “HHS institute an active, continuous, and well publicized effort to recruit qualified staff. (F1, F3, F4, F6 through F9, F12 through F16, F40)”

This recommendation has been implemented. HHSA has an active, continuous, well publicized and ongoing effort to recruit qualified staff (Finding 15 and 35). The CEO incorporates by reference HHSA Director’s response to Finding 15, 35 and recommendation 14.

R15. “Human Resources contact social workers who rejected employment offers with the County FCS. HR should request specifics as to why the Mendocino County offer was rejected. (F26, F27, F30)”

The CEO incorporates by reference the response to recommendation 15 by the Human Resources Director.

R16. “Human Resources perform exit interviews to establish the extent of ‘train-and-trot.’ (F28, F29)”

This recommendation requires further analysis. The CEO incorporates by reference the response to recommendation 15 by the Human Resources Director.

R17. “HHS continue efforts to improve morale and reinstitute the collegial atmosphere to address the issue of ‘train and trot.’ (F29, F32, F33, F40)”

This recommendation has been implemented. The CEO incorporates by reference HHSA Director’s response to recommendation 17.

R18. “Supervisors and managers review on an annual basis Social Services Policy No. 06-03, and how it is being implemented within their respective sections. (F38, F40)”

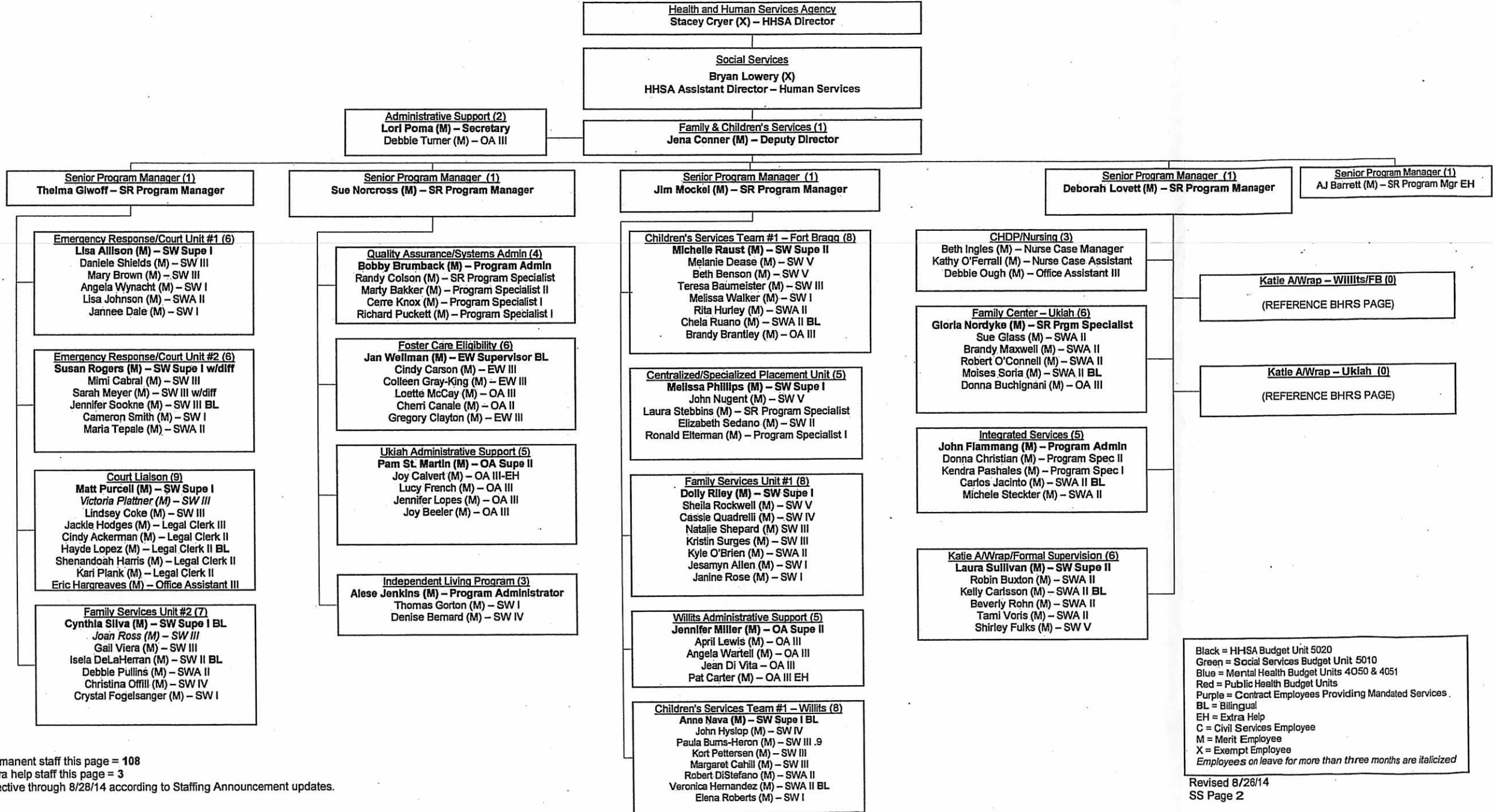
This recommendation has been implemented. The CEO incorporates by reference HHSA Director’s response to recommendation 18.

ATTACHMENT A



Social Services
Family & Children's Services

Aug. 2014



Permanent staff this page = 108
Extra help staff this page = 3
Effective through 8/28/14 according to Staffing Announcement updates.

Black = HHSA Budget Unit 5020
Green = Social Services Budget Unit 5010
Blue = Mental Health Budget Units 4050 & 4051
Red = Public Health Budget Units
Purple = Contract Employees Providing Mandated Services
BL = Bilingual
EH = Extra Help
C = Civil Services Employee
M = Merit Employee
X = Exempt Employee
Employees on leave for more than three months are italicized