

Response to Grand Jury Report

Report Title: Family and Children's Services

Report Date: May 19, 2015

Response by: Stacey Cryer, Director of Health & Human Services Agency

Findings:

I (we) agree with the findings numbered: F1, F6, F10, F11, F12, F17, F22, F25, F27, F31, F33, F40

I (we) disagree wholly or partially disagree with the findings numbered: F2, F3, F4, F5, F7, F8, F9, F13, F14, F15, F16, F18, F19, F20, F21, F23, F24, F26, F28, F29, F30, F32, F34, F35, F36, F37, F38, F39

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 R6, R7, R8, R14, R17, R18 have been implemented.

Attach a statement describing the implement actions.

Recommendations numbered R1, R3, R5, R9, R10, R12 has not yet been implemented, but will be in the future.

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

Recommendations	numbered	require	further	analysis.	
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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 R2, R4, R11, R13, R15, R16 will not be implemented because they are not warranted or are not reasonable.

Attach an explanation.

Number of pages attached: 13

FINDINGS:

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

I (we) agree with this finding. In reflecting back on where we have come since the 1999-2000 Grand Jury report which also reviewed the Emergency Response Unit, at the time of that report, page 2 noted 16 social workers left in the past 6 months (of that report review period). We have made great strides since then. In all of Fiscal Year 2013-14 we lost a total of 9 social workers some who were let go and others who retired or moved on to other jobs. 1 of those 9 returned to full time employment a short time after resigning and then resigned again a year later to relocate again. In Fiscal Year 2014-15 we have only lost a total of 7 social workers - 1 who was let go and others moved or took positions in the private sector, with other counties or other Health and Human Services Agency (HHSA) positions.

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

I (we) disagree wholly with this finding. According to Safe Measures which refreshes at least weekly, Family and Children's Services (FCS) does not rank at the bottom for the timely investigations of immediate and 10 day referrals.

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 with this finding. HHSA agrees that FCS meets or exceeds State averages in Case Work periodic visits for children under their care. For more information regarding staffing see response to F35.

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. Training is needed for staff on which critical documentation to prioritize getting entered into the database immediately when the first inperson contacts or attempted in-person contacts have been made and then on-going monitoring to ensure the social workers are entering the initial attempts/contacts to adequately reflect real time performance on addressing child safety. However, it is agreed that if referrals are not responded to timely, there would be an 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. The statistical performance of Mendocino County in comparison to other counties is higher in some areas and lower in some areas. The County

government nor the community should be embarrassed, we can be proud of what we have accomplished as a small rural county.

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. They are not under-qualified they meet current specifications for job classifications.

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. The documentation of timely investigations is primarily the issue. Social workers and supervisors do realize and comply with the standard that children must be seen and interviewed either immediately or within 10 days or attempts made to see the children in those time frames. However, they do not document their investigations as quickly as needed due to the prioritization of job responsibilities like seeing a child in the home.

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. Ideally it would be better to have Social Worker IV's and V's, who would also need some training, but much less than Social Worker I's. Social Worker I's are trainee level social workers and best practice is that they would only be carrying a very small caseload. That being said, in order to protect children, it is better to have Social Worker I's handling investigations and working to protect children, than to leave the positions vacant in hopes of acquiring social workers with a Master of Social Work (MSW) degree to fill the positions, as this would definitely place children at risk by not having anyone to investigate referrals.

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. There is an average of 100+ court reports per month, many reports are filed on time and some reports are late. The primary cause for late reports is understaffing.

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 Table of Organization reflects 108 permanent staff and 3 extra help staff for FCS. The June 5, 2015 Table of Organization reflects 112 permanent staff and 6 extra help.

*See exhibit 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. Due to the economic down turn from 2008-2011 FCS experienced a decrease in staffing. However, FCS began experiencing an increase for years 2013, 2014, 2015.

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. HHSA actively recruits for vacant positions in FCS. HHSA also works collaboratively with Mendocino Human Resources regarding vacant positions.

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

I (we) disagree partially with this finding. For continuing services, using the best practice standard of 17 to 20 cases, as of June 2015 only three of the FCS social workers have more than 20 cases, of those three, two have 21 cases and one has 25 cases. Caseload numbers in September 2014 and January 2015 show only one social worker had more than the best practice standard at 22 cases. However, we agree that most of the FCS Emergency Response social

workers have over the best practice standard. This is due to a lack of staffing which results in referrals, although investigated, not being able to be closed timely due to not being entered into the Child Welfare Services/Case Management System database and thus remain open on the social worker's caseload. We do not agree, however, that social workers are carrying nearly double the caseload.

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. FCS complies with State mandates and State training requirements. FCS continues to encourage and support 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 with this finding. It is correct that the County does not currently meet the required number of social workers with an MSW degree, but the County has followed State procedure by filing a waiver request on January 6, 2015, with the California Department of Social Services.

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

I (we) disagree wholly with this finding. See response to F19. The County is in compliance with 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. There are a substantial amount of HHSA programs that have reporting requirements to the California Department of Social Services and it is not a true statement that HHSA has not met even the minimal reporting requirements.

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. See finding F19.

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 plan submitted is approved by the HHSA Director and the State. It does not require BOS approval.

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

I (we) disagree wholly with this finding. It is not accurate that HHSA is attempting to upgrade education levels. HHSA consistently has provided training/education opportunities in the following ways:

- HHSA continues to provide monthly education/training to staff to enhance knowledge of specific job responsibilities
- HHSA continues to coordinate on-going education and the State required CORE training program through UC Davis to social worker assistance, social workers and social worker supervisors
- HHSA continues to encourage and support staff who have a desire to pursue higher education
- HHSA continues to support the Title IV-E programs through universities
- HHSA continues to offer employees and non-employees internships/field placements
- HHSA continues to provide internships and work experience opportunities for students pursuing the human services certificate through Mendocino College

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. The private sector base wage for social workers may be higher than Mendocino County base wage but does not include the same benefit package. There are numerous factors that contribute to the inability to recruit sufficient numbers of social workers.

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. We are unable to determine what data the Grand Jury used to make this determination. Staff are trained in their respective duties, and some leave the Agency for various reasons such as a lack of affordable housing, not meeting our standards, retirement, higher paying positions elsewhere, or health/family reasons.

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. We agree that higher paying counties are a factor in employee attrition. It is expected that supervisors and managers create supportive work environments for staff.

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. Benefit packages can be substantially different from county to county. The Agency does not have sufficient information to determine the Grand Jury finding and is unable to speak to what the Grand Jury determined or did not 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. There has always been open communication between the Agency Director, Assistant Directors, Deputy Directors, Managers and Supervisors regarding staffing decisions. All levels are actively involved in hiring interviews and hiring recommendations. There are times that staff must be moved to another position within their same classification to fill critical holes for FCS to be able to continue to function and meet mandates.

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. For at least the past 15 years, there has been an ongoing challenge with having enough staff in both the Emergency Response functions and Emergency Response Court functions in the Ukiah and Willits offices. There were either too many Emergency Response staff and not enough Emergency Response Court staff to keep up with the court work or too many Emergency Response Court staff and not enough Emergency Response staff to keep up with investigations. The blending of these duties has allowed for staff to be cross trained and allows for better coverage of the essential duties of the job. Additionally, there are some other counties that follow this same structure.

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. There is not a lack of recruiting activities. FCS has been active in running continuous recruitments for Social Worker I, III and IV positions. Each classification has different educational and experience requirements.

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

I (we) disagree wholly with this finding. Management has not taken any retaliatory action against a worker nor have workers been disciplined based simply for disagreeing with their supervisor.

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

I (we) disagree wholly with this finding. HHSA does not have sufficient information from the Grand Jury regarding this finding.

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. HHSA does not have sufficient information from the Grand Jury to make further statements on this finding.

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 worker, supervisory and management staff, and the County. There have been numerous changes in legislative mandates for Child Welfare that have added additional demands.

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. The HHSA Director, Leadership Team, Managers and Supervisors are fully aware of the hard working extremely dedicated and caring staff of HHSA. The HHSA Director acknowledges and appreciates both past and present staff for their contributions to the safety of children in 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. FCS will work with the Executive Office on the coordination of a presentation to the Board of Supervisors within six 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 they are not warranted or are not reasonable. FCS does not have an issue with timely investigations as it pertains to the actual contact and assessment of abuse or neglect. However, additional training for staff is needed in regards to entering critical information into the Child Welfare Services/Case Management System database so the data shows the efforts of their hard work and the protection of children.

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 F 34, F36 through F39)"

This recommendation has not yet been implemented, but will be implemented in the future. FCS will work with the Executive office on the coordination of a presentation to the Board of Supervisors within six 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 or is not reasonable. 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 six months.

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

This recommendation has been implemented.

Training is a component of State mandates and HHSA continues to comply with State training requirements. Additionally, HHSA provides monthly training opportunities to staff. HHSA encourages and supports employees who wish to pursue additional educational opportunities.

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 Continuous Quality Improvement Unit has been assigned to report compliance issues to the Deputy Director of Family and Children's Services.

Note: SWMPP 31-070.1 is actually "California Department of Social Services Policy and Procedure Manual, Section 31-070.0 'Staff Requirements'"

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. See response to R7.

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. 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 six 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. 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 six 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 or is not reasonable. Budget information and updates are included in the Executive Office budget updates to the Board of Supervisors.

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 six 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)"

This recommendation will not be implemented because it is not warranted or is not reasonable. This requires a response only from the Board of Supervisors.

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 continues to have ongoing recruitments for vacancies throughout the Agency. The recruitments are well publicized using a variety of media outlets via printed publications and online resources.

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)"

This recommendation will not be implemented because it is not warranted or is not reasonable. We cannot speak for Human Resources.

HHSA does currently and will continue to inquire of candidates rejecting employment offers as to the reason why.

R16. "Human Resources perform exit interviews to establish the extent of 'train-and-trot.' (F28, F29)"

This recommendation will not be implemented because it is not warranted or is not reasonable.

HHSA does currently and will continue to offer and conduct exit interviews with any employee who wish to participate.

R17. "HHS continues 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.

Ongoing efforts within the Agency to improve staff morale include, but are not limited to:

- Ongoing dialog with Reflecting Team (A committee consisting of staff from all HHSA service areas)
- · Regular conferences with staff
- Unit Meetings
- All Staff Meetings at most office locations
- Open, Honest, Direct and Respectful communication
- Participation at all levels in the Leadership Initiative

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.

Social Services procedure No. 06-03 is covered under the HHSA Communication procedure No. 07-01. Currently all new employees receive the procedure No. 07-01. Additionally, all employees review the HHSA Communication procedure on an annual basis.

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August 2014 Table of Organization

Social Services Family & Children's Services



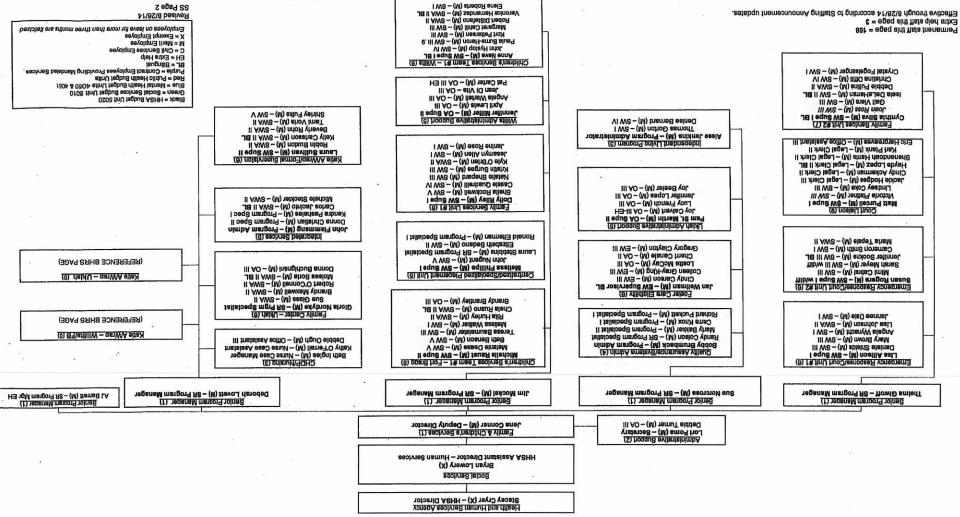


Exhibit A

June 2015 Table of Organization



Social Services Family & Children's Services

