

NOTIFICATION AND TRAINING IN CHILD PROTECTIVE SERVICES

SUMMARY

A review of six citizen complaints from parents whose children were removed from their custody by Child Protective Services, led the 2007/2008 San Diego County Grand Jury to conduct a study of certain aspects of the child protective services function of the County of San Diego's Health and Human Services Agency. Commonly voiced complaints were that parents received inadequate and untimely notification from County staff as to the reasons why their children were removed.

PURPOSE

- To improve the lines of written communication between Child Protective Services and citizens who have experienced removal of their children.
- To recommend ongoing reinforcement of the initial training provided to Child Protective Services Workers.

PROCEDURES

Members of the Grand Jury:

- Reviewed complaints from citizens whose children had been removed from their custody.
- Conducted interviews with four parents whose children had been removed from their custody.
- Met with executive staff of the Child Welfare Services Division of the Health and Human Service Agency (HHSa).
- Conducted interviews with HHSa Child Welfare Services Social Workers and managers.
- Conducted interviews with Child Welfare Services trainers from both HHSa and the Public Child Welfare Academy.
- Reviewed the core training syllabus used by the Public Child Welfare Academy.
- Reviewed the sections of the Child Welfare Services Program Guide covering contacts with, and notifications to, parents and other caretaker relatives.
- Reviewed the Child Welfare Services Practice Manual.

DISCUSSION

The Grand Jury received complaints from citizens who had children removed from their custody. These complainants were dissatisfied with the treatment they received by the staff of Child Welfare Services, a division of the County of San Diego's Health and Human Services Agency. Complainants were informed that the Grand Jury's function

was to investigate irregularities or violations of the Agency's policies and procedures, not to intervene in their individual cases.

The complainants were a small group of individuals from all areas of the County and from different ethnic and economic groups. Their common ground was that they all had been accused of child neglect or abuse resulting in children having been temporarily removed from their custody. A common complaint was, at the time the children were removed, that they did not receive verbal or written notification specifying the reasons for removal. There was also an indication that the parents or custodians experienced ongoing difficulties in communicating with the social workers assigned to their cases and more difficulty in receiving written notices updating the status of those cases.

The legal authority for the provision of Child Welfare Services is derived from Title IV B and Title IV E of the Federal Social Security Act. State regulations are codified in Sections 300 et seq. of the California Welfare and Institutions Code (WIC). Section 300 describes in detail the circumstances under which a child may be adjudged to become a dependent of the Juvenile Court. In San Diego County, Protective Services Workers in the Child Welfare Services Division of HHSA are charged with investigating allegations of child abuse or neglect, determining the degree of danger to the child and determining whether the removal of the child(ren) is necessary. Such removals are considered only as a last resort and procedures mandate that they be done in consultation with supervisory and senior staff.

In fiscal year 2006/2007, San Diego County Child Welfare Services investigated 50,856 cases. Only 2,114 or about 4% of these cases resulted in the filing of petitions in Juvenile Court to remove children from abusive homes. Procedures state that the Protective Services Worker must inform the parent(s) who is the subject of the investigation of all allegations against them during the initial contact. There is no requirement that the allegations against them be provided in writing at that time or if the child is removed from the home at a subsequent time. However, written notice is required to be sent to parents and their attorney when the caseworker petitions Juvenile Court to retain the child in custody. This is usually done within 48 working hours (judicial hours) of the removal from the home. A copy of the petition, including a brief summary of the allegations, must be included with this notice, which is mandated by the WIC, Section 290.1, and the Child Welfare Services Program Guide, Section V.

While there is no requirement to provide a written notice at the time a child is removed, in the interest of fully informing parents, a notice would be valuable for them to have. We recommend that a new manual Notice of Action form be developed, preferably on no carbon required (NCR) paper, for workers to carry with them on home visits. The notice could contain a checklist of the most common reasons for removing a child from the home in condensed wording from WIC, Section 300. With prior supervisory approval, the worker would merely have to check off the appropriate reason(s). A comments space could be used for less common reasons. The form could also be used to document that the parent was provided with contact numbers for Child Welfare Services personnel, the address of the Juvenile Court and other useful information.

Our investigation revealed that managers and staff did not think that there was a widespread problem with regard to informing parents. However, the similarity of several complaints on this issue led members of the Grand Jury to examine further and to look for possible causes. Among the possibilities considered were staff turnover, high caseloads and inadequate training. We received statistics from the HHS Human Resources Section that indicated that turnover in Child Welfare Services Worker was not higher than that for other organizations in County government. Due to the critical nature of the Protective Services Position, there is open recruitment and frequent testing and interviewing, so that there is always a list to fill projected vacancies. A mechanism is in place to cover temporarily uncovered caseloads either by reassigning workers from other functions or by distributing the cases to the remaining workers. Workers experience caseload fluctuations, but they are able to handle the periods when caseloads are high. The agreement with the union representing social workers does not address caseload limits but does specify that caseloads should be equalized among all the workers performing the same function.

We reviewed the procedures for training both new and continuing Child Welfare workers. Initial training lasts for eight weeks and has three components: the State mandated core curriculum, county specific training, and on the job training. The State mandated core curriculum is given by the Public Child Welfare Academy at San Diego State University. It involves 20 days of courses in such topics as Child Development, Child Maltreatment Identification, Family Engagement, Risk Assessment, Court Procedures, Domestic Violence and Substance Abuse. The county-specific training covers procedures of HHS and the San Diego Juvenile Court and Juvenile Probation system and offers on the job training (OJT). During OJT, trainees familiarize themselves with the practices and personnel of their future work locations. Annual in-service training of 20 hours is required; topics may be chosen by the worker or mandated by the worker's supervisor to correct a perceived weakness.

Both line staff and training professionals agree that the courses given at the Public Child Welfare Academy are theoretical and technical and contain too much material to be absorbed adequately in the relatively compact training period, especially considering that it cannot be used in practical applications and experience during the training period. They also agree that the material is needed not only to provide the foundation and background required for the job, but also to comply with legal requirements. The Grand Jury is recommending that 24 hours of the most important topics of the core curriculum be re-taken by Protective Services Workers as part of their in-service training after they have been on the job for nine to twelve months. At that time, the important concepts of the core curriculum can be reinforced by almost a year of practical experience.

FACTS/FINDINGS

Fact: Training documents specify procedures to be followed by caseworkers when it is necessary to remove children from parents, guardians or other caretakers.

Fact: The material taught in initial training at the Public Child Welfare Academy is basic instruction mandated by the State and is augmented by the county Child Welfare Services Agencies to meet local needs and conform to local practices.

Fact: County of San Diego Child Welfare Services has a written procedure in place for notification, but the notification is not necessarily given at the time children are removed from the home.

Fact: Four of the six complainants were not told why their children were being removed nor were they notified in writing.

Finding: Of the cases we examined, the Grand Jury found no record of written notification at the time of removal.

Fact: Initial training for Protective Services Workers includes twenty days of courses given by staff of the Public Child Welfare Training Academy.

Finding: Many workers are unable to absorb fully a large volume of theoretical material presented over a short period of time without being able to apply it to practical situations.

RECOMMENDATIONS

The 2007/2008 San Diego County Grand Jury recommends that the County of San Diego's Health and Human Services Agency:

08-55: Amend the Child Welfare Services Program Guide to include the addition of a procedure and a form to notify parents or caretaker relatives of the reason(s) why a child is being removed from their custody at the time the removal is being effected.

08-56: Mandate that Child Protective Social Workers re-take the primary core courses of their initial training approximately one year after beginning their field casework.

COMMENDATION

The Grand Jury wishes to commend all Health and Human Services Agency staff who work in Child Protective Services for all they achieve in this crucial, complex and frequently stressful function.

REQUIREMENTS AND INSTRUCTIONS

The California Penal Code §933(c) requires any public agency which the Grand Jury has reviewed, and about which it has issued a final report, to comment to the Presiding Judge

of the Superior Court on the findings and recommendations pertaining to matters under the control of the agency. Such comment shall be made *no later than 90 days* after the Grand Jury publishes its report (filed with the Clerk of the Court); except that in the case of a report containing findings and recommendations pertaining to a department or agency headed by an elected County official (e.g. District Attorney, Sheriff, etc.), such comment shall be made *within 60 days* to the Presiding Judge with an information copy sent to the Board of Supervisors.

Furthermore, California Penal Code §933.05(a), (b), (c), details, as follows, the manner in which such comment(s) are to be made:

- (a) As to each grand jury finding, the responding person or entity shall indicate one of the following:
 - (1) The respondent agrees with the finding
 - (2) The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.
- (b) As to each grand jury recommendation, the responding person or entity shall report one of the following actions:
 - (1) The recommendation has been implemented, with a summary regarding the implemented action.
 - (2) The recommendation has not yet been implemented, but will be implemented in the future, with a time frame for implementation.
 - (3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a time frame 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 time frame shall not exceed six months from the date of publication of the grand jury report.
 - (4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.
- (c) If a finding or recommendation of the grand jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the agency or department head and the Board of Supervisors shall respond if requested by the grand jury, but the response of the Board of Supervisors shall address only those budgetary or personnel matters over which it has some decision making authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department.

Comments to the Presiding Judge of the Superior Court in compliance with the Penal Code §933.05 are required from the:

<u>Responding Agency</u>	<u>Recommendations</u>	<u>Date</u>
County of San Diego's Health and Human Services Agency	08-55, 08-56	8/12/08