

**DEPARTMENT OF HUMAN SERVICES  
AND CHILD PROTECTIVE SERVICES  
GJ 04-010**

**Reason for the Report**

The Grand Jury received a public complaint that the Human Services and Child Protective Services Departments are dysfunctional in its current operations. The complaint listed several cases of emotional stress, repositioning of personnel into untrained positions, senior employees leaving, and feelings of being “terrorized”, “intimidated”, and lack of respect for the Social Workers and Staff.

**Scope of Investigation**

**People Interviewed**

- Director of Human Services
- Director of Child Protective Services
- Department of Community Services
- APS/IHSS Program Manager
- Department of Social Services
- Child support Services
- Department of Mental Health
- Department of Public Health
- Program Manager Children Services
- Supervisor Adoptions, CPS
- Supervisor Emergency Response, CPS
- Supervisor Ongoing Services, CPS
- Supervisor Child Protective Services
- Several CPS and DSS Social Workers
- Recently resigned employees of CPS
- Chief Administrative Officer
- County Counsel
- Human Resources

**Documents Reviewed**

- A preliminary working manual of current CPS policies
- Memos to Social Worker Personnel from CPS Department Heads
- Memos of Human Services Personnel from HS Department Heads
- Memos to Local #1 Union from CPS personnel
- Various articles from the Mountain Democrat
- Audit conducted by Harvey Rose, CPA, 2002
- Board of Supervisors Response to the Grand Jury Final Report 1999-2000
- Board of Supervisors Response to the Grand Jury Final Report 2000-2001
- Board of Supervisors Response to the Grand Jury Final Report 2001-2002
- Board of Supervisors Response to the Grand Jury Final Report 2002-2003

- Board of Supervisors Response to the Grand Jury Final Report 2003-2004
- Audit conducted by John Warden, CPA, 2002

## **Background**

The current Grand Jury has reviewed the last five years of Grand Jury Reports and Board of Supervisors Responses. The investigation revealed that many of the conditions addressed in these four reports still exist in the Human Services and Child Protective Services Departments. Over the past four years the Department of Human Services has been re-organized by integrating Welfare Services and Social Services. The new department has had several directors as well as several resignations of personnel with long-term tenure and experience. Significant deficiencies in management and training have been identified and continue to exist. The Board of Supervisors in their micro-management of this county, as mandated by the County Charter, has been delinquent in establishing a format to follow-through with programs necessary to eliminate the continuing conditions.

## **Findings/Recommendations**

**1a. Finding:** Human Services Management has mandated reorganization and repositioning of personnel to create a cohesive workplace. Management's lack of effective, proactive leadership, cross training, and proper guidelines has allowed both confusion and poor morale to develop and continue.

***Response to Finding 1a.: The respondent disagrees wholly with the finding.*** This finding precisely reflects the position of those resistant to change within the Department. Services and staff have been reorganized in response to serious long-term problems that were not effectively addressed in the past. It was the decision of the management team to maximize the skill level of senior employees by strategically placing them in positions whereby they could provide the most effective and responsive services to the public. The Department has many employees who are relatively new and the placement of senior workers in key positions afforded them with an opportunity to mentor newer workers, leading to a stronger team concept and improved productivity.

The need for change was critical. Children were being placed or left in dangerous, high-risk situations. New managing social workers gave clear direction and guidance to staff that these dangerous situations were to be addressed, and how they were to be addressed. Some staff resisted the new direction and resorted to arguments, echoed in the Grand Jury report, that such change was insensitive (to them), confusing and leading to poor morale. Because the safety and well-being of children is our highest concern, the Department will not backtrack on these vital changes.

Management has been very proactive in giving clear direction and guidance to staff in the provision of improved public services. As noted above, some staff have resisted the call to be more responsive to the needs of children and families, and also have been displeased with expectations of more accountability in work hours, case work and purchasing practices. The

confusion and poor morale of those staff preceded this new direction and guidance, is indicative of a long-term institutional problem, and is not an appropriate excuse for avoiding necessary changes and improvements. Management's position is that good morale is an outcome of, rather than an alternative to, good public service.

**1b. Recommendation:** The proper training of managerial staff is needed to encourage a more sensitive approach when dealing with individual caseworkers, and when conducting staff meetings.

**Response to Recommendation 1b.: *The recommendation will not be implemented because it is not warranted.*** Training has been received. The three managing social workers with direct supervision over Child Protective Services bring a wealth of knowledge and experience in the social work profession to their positions. They are well trained and continue to access training opportunities. They are compassionate, erudite and straightforward in their approach, while maintaining the needs of children as a highest priority. They work hard to inspire a strong sense of professionalism, responsiveness and public service with those they guide. It is the expectation of the Department that all social workers be treated professionally and, in turn, that they respond professionally, both in staff meetings and in all daily activities.

**2a. Finding:** Management mandated moving experienced long-term caseworkers, with established client relationships, into new and different positions within the department, caused children and families in crisis to be subjected to additional stress.

**Response to Finding 2a.: *The respondent disagrees wholly with the finding.*** Caseworkers have been reassigned duties, both in response to client needs and in response to caseworker interests. In rare instances, it has been necessary to assign cases to new workers to ensure the safety and well-being of children. In those cases, the finding confuses a problem with its resolution.

**2b. Recommendation:** When repositioning personnel a cross-training program needs to be initiated prior to final reappointment to new positions.

**Response to Recommendation 2b.: *The recommendation will not be implemented because it is not warranted.*** This is not to understate the high importance of training and cross-training, both of which are valuable tools utilized within the Department. However, in that social workers are trained professionals, and that current training is in place, and that reassignment of some duties does not require additional training, and that time spent in the provision of direct services is of critical importance, the proposal to add an additional layer of training prior to any reassignment of duties is not perceived as warranted.

**3a. Finding:** The head of the department has stated "a work-in-progress manual, *Guidelines for CPS* is currently being written." A "*California Department of Social Services Manual of Policies and Procedures: Div. 31 – Child Welfare Services*" provides the guidelines which are generally used day-to-day. Methods to implement the "work-in-progress manual" have not been established. Many guidelines proposed within the "work-in-process manual" are subject to interpretation by the caseworker. Interpretation of policies has in the past caused confusion and

delays in response to a child in crisis. The department director and managers are not implementing the manual policies and staff recommendations necessary to make these departments function properly.

***Response to Finding 3a.: The respondent disagrees partially with the finding.*** An internal manual of CPS guidelines is being developed, as has been advocated by past Grand Juries. These guidelines augment those provided through State Policies and Procedures, as noted above. When new guidelines are developed, through careful planning and meetings involving social work staff, they are adopted and added to the manual. While significant progress has been made in developing this long overdue manual, it has been referred to as a “work in progress” because of the need to change and adapt guidelines to ongoing changes in laws, regulations and local priorities. It is a work that technically will never be “finished”. However, it does, as intended, provide guidance for social workers for situations that arise in their daily assignments. The fact that some individuals may have trouble interpreting or understanding policies, may be confused, or may be resistant to change, is a related but separate personnel concern, not necessarily a measure of the value of the guidelines. The statement that policies are not being implemented is inaccurate.

**3b. Recommendation:** Implement a regular open forum round-table meeting with staff, supervisors, and managers to review day-to-day problems and current policies.

***Response to Recommendation 3b.: The recommendation will not be implemented because it is not warranted.*** A full range of staff meetings and meetings involving managers and supervisors are already in place, both to review day-to-day problems and to address policy issues. Additional meetings are conducted as needed. Implementation of the above recommendation would be redundant and would reduce staff availability for a higher priority: responding to the service needs of children and families.

**4a. Finding:** Positions in the Human Services Department are filled from eligibility lists established by a State-sanctioned, quasi-public, non-profit, independent authority called “Cooperative Personnel Services,” usually referred to as the Merit System. The Merit System screens and tests applicants and maintains eligibility lists of job categories for several Counties in the State. Merit System candidates responding to the needs of El Dorado County are selected from a “five candidate per opening requirement.” Other counties having a higher pay scale for the same qualification may have selected candidates and may deplete the number of candidates available. In the time frame of several weeks of screening, El Dorado County may not have the opportunity to interview the highest qualified applicant. Vacancies in the CPS and DSS are prevalent. Positions are remaining vacant for several months, indicating a need to pursue different strategies to acquire the qualified personnel required for these positions.

***Response to Finding 4a.: The respondent agrees with the finding.*** Recruitment of social workers occurs through Merit Systems; it is a challenge to recruit and retain good talent in a competitive market.

**4b. Recommendation:** Other than the Merit System, establish a more responsive program to reduce the time frame required to employ candidates. Revise the recruiting procedure to a more

direct contact with colleges and other employment agencies nationwide. Adjust salary scales to become competitive in the overall hiring process.

***Response to Recommendation 4b.: The recommendation has been implemented.*** This recommendation has been partially addressed, both through recent County negotiations positively impacting salaries and through innovative efforts by department staff to reach and recruit potential candidates. Salary adjustments will occur in accordance with the County Memorandum of Understanding. The department also has been working with Merit Systems to improve on the effectiveness of the recruitment process. Efforts to improve recruitment outcomes will be ongoing through FY 05-06.

**5a. Finding:** The Director of Human Services has established an open door policy for employees to discuss improvements and inadequacies, but is very often not available and out of the office, which has created frustration on the part of employees.

***Response to Finding 5a.: The respondent disagrees wholly with the finding.*** It is true that the Director of Human Services maintains and emphasizes an open door policy. Furthermore, the director strictly limits out-of-county travel and always works extended hours to ensure that contact with employees, volunteers and the public occurs. As a matter of course, the director is present at department facilities and is available.

**5b. Recommendation:** Establish a calendar with defined times that the director will definitely be available.

***Response to Recommendation 5b.: The recommendation will not be implemented because it is not warranted.*** The director is already “definitely available” to anyone and everyone on staff. Staff may walk in (as very many do), arrange an appointment through a secretary, or call the director at home at his listed phone number. Establishing “defined” visiting hours would both restrict the director’s availability for other priorities and potentially convey a message to staff of less accessibility than currently exists.

**6a. Finding:** Interviews with the Board of Education and Marshall Hospital staff indicate a slow response and follow-up from CPS and APS on crisis calls. We find these departments are not meeting the state mandated time frame on all crisis calls. There have been cases where patients with pre-existing conditions of attempted suicide have been evaluated and sent home from the hospital without further investigation. This action could lead to tragic results.

***Response to Finding 6a.: The respondent disagrees partially with the finding.*** Since there have been instances of concern on the timeliness of APS and CPS responses, the department has put in place measures to assure a prompt response to all crisis calls that can be measured and monitored. In fact, one of the principal concerns that the department is addressing is that some workers have been inappropriately screening out calls for assistance. The department has worked closely and diligently with the County Department of Education and developed a collaborative Child Protective Service Protocol to ensure that a stronger working relationship between these two disciplines continues. In addition, over a year ago the department instituted a Positive Drug Tox Protocol with Marshall Hospital whereby social workers would respond to the

hospital to assess the risk of all pos/tox newborns. The use by CPS staff of a new risk assessment tool, Structured Decision Making (SDM), left hospital staff concerned that the pos/tox protocol was no longer being utilized. The Department recognized immediately the confusion relative to the process and put in place an educational component whereby CPS staff updated hospital staff on the new risk assessment tool. Through this education intervention hospital staff were reassured that the pos/tox protocol was very much still in place.

There are no case examples presented whereby "patients with pre-existing conditions of attempted suicide have been evaluated and sent home from the hospital without further investigation." This would first and foremost be a mental health concern. Adult Protective Services and Mental Health have developed a joint protocol whereby social workers and mental health workers respond in the field to further assess clients on a case by case basis. The response time is most often within a few hours of the initial call. When the Adult Protective Services Program underwent management changes in 2003, the manager and supervisor identified critical areas that needed intervention and took appropriate measures to correct any deficits to ensure the safety of our senior and dependent clientele.

This is not to say that responding to all APS calls in a timely manner is less than a significant challenge. APS service needs exceed available resources statewide. We are deeply concerned about the impact that a continued lack of State funding may have on services to vulnerable seniors and dependent adults and on compliance with mandated response times.

**6b. Recommendation:** Directors, managers, and supervisors need to initiate a more rigid standard that will insure timely responses to crisis calls and be more informed as to response times achieved. Mental Health, as well as CPS and APS, must become more proactive in moving these patients into a more controlled environment.

**Response to Recommendation 6b.: The recommendation has been implemented.** Prior to this Grand Jury recommendation, the Department's management team initiated corrective measures to address the indicated concerns. In addition to addressing in-house issues and concerns with staff, and creating protocols and guidelines, the management team continues to work collaboratively with its community partners in both our Child Protective Services and Adult Protective Services Programs. This has been and will continue to be a priority of the Department.

**7a. Finding:** In January of 2004, several departments were incorporated under one director forming the Human Services Department. Over the past four years, Grand Jury Reports indicated several problems existed that these department managers had acknowledged. The Grand Jury finds some of these problems still exist. The CAO and the department heads have indicated that policies are currently not in place to correct these problems.

**Response to Finding 7a.: The respondent disagrees partially with the finding.** The Department of Human Services was formed through the merger of two, not "several", departments. Over the past eighteen months the Department of Human Services has made significant strides in addressing a range of concerns raised in past Grand Jury reports, including those on "addressing the need for substantive management changes at CPS", "refining program

guidelines”, establishing timely evaluations and performance measures, and strengthening accounting and contracting practices. The policies are in place to correct practices; the challenge is in overcoming the resistance to problem-solving measures and service-oriented changes. It is not possible to maintain the status quo and to affect positive change simultaneously. Fortunately, most employees are firmly committed to a professional, responsive, public service effort.

**7b. Recommendation:** The Board of Supervisors to review the last five years of Grand Jury Reports for stated and acknowledged problems that still exist. Establish a proactive process to assure that those responsible for correcting the problem follow through and finish the task in a timely manner. Penal Code Section 933 requires a time frame be stated when responding to all recommendations and findings.

***Response to Recommendation 7b.: The recommendation will not be implemented because it is unreasonable.*** The recommendation fails to indicate which “stated and acknowledged problems” may still exist. This lack of specificity is significant in that some of the above findings contest or overlook steps already taken to address past concerns. In that those findings echo the words of those resistant to and critical of change, they indirectly serve to validate that changes are at last occurring.

Human Services staff remain available to meet with Grand Jury members at their convenience, to introduce them to those managers with whom they have not met, to review past Grand Jury reports relative to any concerns, and to be proactive in addressing those concerns.