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September 11, 2012

Honorable David P. Warner
Presiding Judge of the Superior Court
County of San Joaquin
222 E. Weber Avenue, Room 303
Stockton, CA 95202

Dear Judge Warner:

Response to 2011-12 Grand Jury Final Report

Pursuant to Section 933.05 of the California Penal Code, attached please find the Board of Supervisors' response to the 2011-12 Grand Jury Final Report for the following case:

San Joaquin County Human Services Agency – Case #0411 – **Child Welfare Service**

If you have any additional questions regarding these responses, please contact Manuel Lopez, County Administrator at 468-3203.

Sincerely,

A handwritten signature in black ink that reads "Steve J. Bestolarides". The signature is written in a cursive style with a long, sweeping underline.

Steve J. Bestolarides, Chairman
Board of Supervisors
County of San Joaquin

SB:ML:CR:am

Attachment

BOS08-03



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August 27, 2012

Response to 2011-12 Grand Jury Final Report

San Joaquin County Human Services Agency – Case 0411 – Child Welfare Service

1.0 Workload of Social Workers

Finding F.1.1: *San Joaquin workloads are high. The County did not implement SB 2030 recommendation for social worker caseloads to be a maximum of 13.03 or a best practice of 9.88 monthly.*

Response to F.1.1:

Agree, but with the further clarification that social worker caseloads within children's services are high in all State Bill (SB) 2030-identified programs, but the Grand Jury report only reviewed workload issues in one, rather than all of the programs identified in the SB 2030 study.

The County did not implement SB 2030 recommendations due to inadequate funding to support the recommended caseload targets. There is no regulation or directive that instructs, or more importantly, funds counties to implement SB 2030 recommendations. However, San Joaquin County Children's Protective Services (CPS), as do most county CPS agencies, supports the targets recommended by SB 2030. The barrier is that staffing is funded at specific levels and is not under the control of Children's Welfare Services (CWS) management. Furthermore staff has to be allocated according to program needs across all child welfare programs within the agency, not just Emergency Response (Intake and Assessment (I&A), in San Joaquin County), which the above recommendation appears geared to.

Finding F.1.2: *Repeat referrals are above state average.*

Response to F.1.2:

Agree, although there is not a statistical category entitled "repeat referrals."

Assuming that the Grand Jury is actually referring to a category referred to as Prior Substantiations, during the past 13 months (data set available through SafeMeasurestm), San Joaquin County averaged 30.9% while the State averaged 30.8%.

Finding F.2.1: *Referrals are closed only forty to fifty percent (40-50%) of time within the thirty (30) day requirement.*

Response to F.2.1:

Agree. SafeMeasurestm data indicates that over the three months ended May 31, 2012, the average referral closure rate within the 30-day time frame averaged 49.2%.

Recommendation R.1.1: *Limit new referrals for social workers to three a week, as recommended by SB 2030 guidelines.*

Response to R.1.1:

May be implemented in part. To further clarify the policy on Emergency Response referrals, which was described in the Grand Jury report as having “increased from four (4) to six (6) within the last decade”; there is actually no limit on the number of referrals that an I&A social worker can receive. The agency is required to investigate all referrals that are assessed as needing child protective intervention.

The “four versus six” threshold refers to the number of referrals assigned within a week to each worker before automatic overtime (called overflow) is instituted. It is not a limit on the number of referrals that can be assigned.

Recommendation R.1.2: *Implement the sixty (60) day federal guideline for referral closure.*

Response to R.1.2:

Unable to implement. The agency is unable to implement this recommendation as it is in direct violation of California Child Welfare Services Division 31 Manual, Chapter 31-101.5, .51, .511, and .512, which specifies the 30-day standard for either promoting an investigation to a case or closing the referral. Division 31 regulations are constantly under review by the State and when and if changes are made, the county will continue to comply with those regulations.

2.0 Low Morale and High Stress Levels of Social Workers

Finding F.2.1: *There is a lack of productive two-way communication between employees and management.*

Response to F.2.1:

Disagree. Since March of 2011, a formal Labor/Management meeting process has been in place whereby staff could meet, along with a union representative, with Children’s Services administrators to discuss items of concern. Additionally, in February of 2012, the Deputy Director of Children’s Services further established a standing monthly meeting, which is open to line staff only. The meeting is used to update staff on Children’s Bureau matters and staff has the opportunity to raise concerns, suggest solutions and/or make other recommendations directly to the Deputy Director.

The Deputy Director is frequently present on the third floor where staff is housed, can be easily and directly approached, and also maintains, as do the three Child Welfare Division Chiefs (CWDC’s), an “open-door” policy for staff who believe their concerns are not being heard.

Specifically regarding I&A, the CWDC who oversees that area holds monthly joint I&A meetings on the first Tuesday of each month at 8:30 a.m. These meetings usually last from one to two hours. The meetings are utilized as a vehicle to inform staff about new regulation, procedures or community services and to provide an opportunity for staff to discuss changes and/or improvements to the program during the "Comments/Questions/Concerns" segment at the end of each meeting.

Finding F.2.2: *Social workers efforts to improve the agency are ignored and joint problem-solving opportunities have turned into accusations. This adds to the workers' morale.*

Response to F.2.2:

Disagree. Often times it is not that staff recommendations are ignored, it is that they simply cannot be implemented. Management agrees that improving working conditions (primarily caseload levels) would serve to improve morale and theoretically result in more comprehensive service delivery to clients; however, most of the suggestions from staff such as "caseload caps" aimed at reducing workload are not able to be put into practice due to either regulatory or funding issues, which limit the accomplishment of higher staffing ratios. Most of CPS' efforts are mandated, meaning that there is a legal obligation to deliver such services, of which initial investigation of child abuse and neglect reports is paramount. The agency cannot "cap" the number of referrals or cases that social workers receive. Additionally, having incorporated staff recommendations on "assignment skips" into policy illustrates that social worker concerns and recommendations are indeed both heard and when possible, acted upon.

Finding F.2.3: *Most employees are not familiar with, or are hesitant to use, the services offered for emotional and psychological counseling through Options, an employee assistance program.*

Response to F.2.3:

Agree. The agency could better inform staff of the Options program, what services are provided, and how to access those services.

Finding F.2.4: *There is no formal in-house critical incident debriefing for the staff.*

Response to F.2.4:

Agree. There is no formal in-house critical incident debriefing for staff.

Recommendation R.2.1: *Management to receive training in techniques to improve communication and team building.*

Response to R.2.1:

Will be implemented. The Children's Services managers and supervisors will undergo further training in communication and team building techniques.

The agency has embarked upon discussions with The Center for Human Services, University of California, Davis Extension regarding advanced supervisory and management training.

Recommendation R.2.2: *Develop a plan for cooperative problem-solving between management and staff.*

Response to R.2.2:

Implemented. The agency believes that between the Labor/Management meetings, the standing monthly joint I&A and Deputy Director/Line Staff meetings, coupled with the "open-door" policies of the three CWDCs and the Children's Bureau Deputy Director, that multiple processes are in place for cooperative problem solving between line staff and management. In the interests of doing as much problem-solving at the first-line level as possible, other program areas will be asked to institute joint meetings. However, some problems, particularly staffing and caseload size, may not have solutions that are completely within the control of CWS staff and management.

Recommendation R.2.3: *Schedule an in-house presentation to the staff from the Employee Assistance Program on Options, to promote services available.*

Response to R.2.3:

Will implement. The agency will schedule in-house presentations of the Options program for the benefit of all staff.

Recommendation R.2.4: *Develop and implement a Critical Incident Stress Debriefing Program.*

Response to R.2.4:

Will not be implemented – service already available from community resource.

The service that fulfills this recommendation is called San Joaquin Area Critical Incident Stress Management, which can be accessed through the County Employee Assistance Program/Options. The team that provides this service is a group of trained professionals drawn from mental health, law enforcement, fire, and chaplaincy volunteers in the community. The group has no formal funding and suffers from limited resources. They have performed a number of community interventions including debriefing for staff at both Peterson Juvenile Hall and Mary Graham Children's Shelter.

Preliminary inquiries have clarified that since the primary employee trauma associated with child welfare work (severe child injury and/or death) tends to manifest itself as an individual dynamic, experienced by the assigned worker rather than a group of workers the individual counseling provided through the Options program is usually the best course of action.

3.0 2010 San Joaquin County Peer Quality Case Review Report

Finding F.3.1: *Information regarding low morale and disconnect with the social workers was removed from the 2010 San Joaquin County Peer Quality report just one week prior to its submission to the required State agency.*

Response to F.3.1:

Disagree. Agree that much material was deleted, edited, or added to the Peer Quality Case Review (PQCR) report during the time span over which it was constructed. Each of the re-writes was submitted to the analyst for the State agency overseeing the local County process. Some language

regarding low morale and disconnect, as well as workload was apparently among the deletions during the re-writing and editing processes.

Disagree that this constitutes a "redaction." It is important to stress the fact that all of the drafts of the PQCR report, including the final version, were reviewed by the California Department of Social Services (CDSS) analyst assigned to the San Joaquin County PQCR process. As cited on page 14 of the PQCR report, "In addition to CWS and Juvenile Probation, the California Department of Social Services and University of California, Davis Training Academy also partnered in the planning, facilitation and report writing of the Peer Quality Case Review."

With that clarification made, the agency considers the issues of high caseloads and factors impacting staff morale to be of utmost importance. The County Self-Assessment (CSA) and System Improvement Plan (SIP) reports submitted to the State contained language that most definitely echoed the sentiments expressed in the deleted PQCR material cited by the Grand Jury.

The finalized language, which was very similar to the deleted segment of the PQCR cited by the Grand Jury, was considered to be appropriate to the CSA and SIP documents and was incorporated in those reports.

Finding F.3.2: *Reports were not made available to staff. This gives validity to the concept of the lack of communication.*

Response to F.3.2:

Disagree. Agree that reports were not distributed to staff. Disagree that this represents a valid measure of communication.

The PQCR applied very narrowly to one or two program areas. Staff from those areas participated in the focus groups along with staff from peer counties. Their participation and input provided the basis for the report and were duly incorporated into the final product. As the report had an extremely specific focus (Re-entry following Reunification), there was no rationale to distribute the 107 page document to staff whom were neither involved with nor affected by the focus area. The social workers in program areas directly related to this outcome measure were heavily involved in the PQCR process. The final report is public record and can be requested by anyone.

This finding reinforces the concern that there was a significant degree of misunderstanding among Grand Jury members as well as CWS staff regarding what the PQCR is and what the guidelines are. Once past the focus groups (comprised of agency staff and peer county staff plus outside public agency and community partners) that are convened through the PQCR process, subsequent staff input and comment are not designed into the process. As prescribed by the PQCR guidelines, final debriefs were conducted on March 5, 2010 in two sessions: the first for CWS and Probation administrative staff; the second debrief, immediately following the first, for all other staff and community participants. It is important to remember that the PQCR process is prescribed by federal and State guidelines with oversight from the designated State office, in this case, the CDSS Bureau of Outcomes and Accountability.

Recommendation R.3.1: *All information from the PQCR survey, either positive or negative, to be included in published report as discovered.*

Response to R.3.1:

Implemented. There will be no separate PQCR report in the future. The agency has and will continue to include all findings that relate to the outcome area identified in the SIP.

Additionally, there was no PQCR survey. There was only a CSA survey and those results were published in their entirety within the CSA report.

The PQCR is exactly what the name indicates: a review of cases and casework practice by professionals from peer counties, the community and agency staff familiar with the area of focus to analyze the practices of the host county and recommend alternative or additional strategies to positively affect that outcome area. Those findings were recorded and published in their entirety.

Recommendation R.3.2: *Future PQCR, SAR, and SIP Reports to be provided to CWS staff members prior to publication for review and comment.*

Response to R.3.2:

Will not be implemented. As noted in R 3.1, there will be no future PQCR reports. There is no "SAR" report; the agency believes the Grand Jury is referring to the CSA report. The CSA and SIP report guidelines do not provide a "staff comment and review" option. The agency does not have the ability to alter the mandated federal and State guidelines regarding the PQCR, CSA, and SIP reports.