

# Erie County Child Protective Services Assessment

Findings and Recommendations for Sustainable Child Protective Service  
Practices

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April 20, 2014

## **Introduction**

In September 2013, the New York State Office of Children and Family Services (OCFS) began a comprehensive review of all open child protective services investigations in Erie County. That review was completed in November 2013. The findings of that review are well documented. As a follow up to that review, Erie County Department of Social Services (ECDSS), in collaboration with OCFS and Casey Family Programs contracted with Jo Ann Lamm, a nationally recognized child welfare consultant, to assist Erie County administration in developing long term, sustainable, systemic changes in Child Protective Services. The changes identified included certain child protective services practices and the establishment of a strong comprehensive supervisory oversight system.

Jo Ann Lamm, is the former North Carolina Child Welfare Director, with the NC Division of Social Services. She has over 35 years of child welfare experience. All of her child welfare experience until her retirement in 2008 was in NC, a county administered system like New York's. Her experience includes being a county child protective services social worker for 9 ½ years; a child protective services supervisor in an urban county for 4 ½ years; and 15 years at the state level in various administrative positions; and in 2002 she became the State Child Welfare Director. Ms. Lamm retired in 2008 as the Deputy Director for the NC Division of Social Services. As the Child Welfare Director, she provided leadership and direction in developing and implementing a comprehensive child welfare practice model statewide that included changes to CPS Intake, CPS Assessments and Investigations and the provision of CPS In Home Services. The practice model was noted by the US DHHS administration for Children and Families in the 2006 federal Child and Family Services Review as one of the most promising practices nationally and was credited for better outcomes for children and families.

Since retirement in November 2008, she has served as a child welfare consultant in over 13 states working with the National Resource Center for Organizational Improvement, the Northeast and Caribbean Implementation Center, the Midwest Child Welfare Implementation Center, the Mountains and Plains Child Welfare Implementation Center and as an independent consultant. Her child welfare work with states has included assessing and making recommendations regarding system reform efforts in Child Protective Services, development of practice models, development and implementation of a supervision model, developing a technical assistance model in a county administered system, organizational assessments and serving as an expert witness in court cases involving child welfare. The majority of her work has been in Georgia, Colorado, Ohio, New York and North Carolina.

During the five (5) month period that Ms. Lamm worked with Erie County Department of Social Services leadership and Child Protective Services (CPS) management and staff, a comprehensive corrective action plan was developed and approved by OCFS. Implementation of that plan has been initiated and served as the foundation to guide the consultation. During this time period, a subsequent OCFS review was conducted that allowed for a secondary review by OCFS for all investigations prior to cases being submitted for determination or closure by Erie County CPS. In February 2014, New York OCFS issued their review findings. Those findings acknowledged improvements in overall performance of case practice which is reflective of improved supervision.

This report includes broad observations, findings with recommendations for consideration regarding how the organizational culture contributes to the CPS practices; how supervision and workflow impact practice guidance and decisions; how the community affects CPS; and the development of a plan that would support and sustain the changes necessary to improve performance in the identified CPS practice areas. Significant qualitative information and insight came from extensive time spent with Erie County DSS leadership, CPS management staff and the CPS case workers.

### **General Observations**

The findings in this report must be viewed in the context of the current national child protective services environment. Society recognizes that parents and caretakers are primarily responsible for the safety of their children. CPS is the legal entity responsible for ensuring safety of children reported to have been abused or neglected. Using family, other service providers and the community as partners in that safety planning is critical. It should be a community understanding that child protective services provides for the safety of children in an environment that involves evaluating safety and risks and maintaining the rights of families to remain together if at all possible. Our CPS workforce must be equipped with the knowledge, skills and abilities to perform at a high level. Child protective services requires critical thinking embedded in assessment skills by the case workers who can then choose the necessary steps needed to ensure the safety and evaluate the risks to children. Even with the necessary skills, we acknowledge the possibility that case workers may not always be able to predict with total reliability the behavior of parents and caretakers.

The manner in which a county/community responds to a child fatality can have a very positive or negative impact on the local child protective services agency. Placing blame, the desire to hold someone accountable and demanding swift action of some type tends to prevent most agencies from methodically assessing what practices/systems need improvement. Consequently the local CPS agency may appear to be in a self-protecting mode rather than a proactive one due to the negative comments of others in the community. Accountability will always be expected of child protection agencies.

Although the local CPS agency has primary responsibility when the abuse and/or neglect of children occur, the community at large also has a responsibility. When a child fatality occurs there is a responsibility to seek out answers that will ensure that **everyone in the community** is engaged in the protection of its children. There are certain factors that are well known that impact parents and caretakers that might result in the abuse or neglect of their children such as economic stressors (e.g. poverty and unemployment), substance abuse, domestic violence, single parenthood and a possible lack of accessible prevention services in the community. The community must ask itself what role it should play in providing the supports parents and caretakers need to adequately care for their children and how it can best support the child protection agency.

## **Erie County DSS Specific Observations, Findings and Actions**

### *Overall Findings and Actions*

Erie County DSS has made significant strides in improving case work practice and their supervisory oversight system as evidenced by the last OCFS review. Having issued and read many similar types of reports; Erie County DSS can be pleased with their progress. Erie County DSS leadership, CPS management and all of the CPS staff exhibited a strong commitment to improving practice; to taking a honest, candid and critical look at agency culture; to identifying their challenges; to creating and sustaining new practice norms; to accepting coaching from me with no trepidation; to implementing multiple strategies to overcome any barriers that would prevent good practice and to ensuring a resilient and sustainable supervisory oversight system. I found an agency that was not stymied by just the need to improve but always wanting to move practice forward. Everyone was receptive to any suggestions/recommendations I would put forward and demonstrated a very open approach to my consultation.

Erie County DSS has implemented many approaches to strengthen their child protection system that have been documented in the past few months. These include but are not limited to re-deploying staff to attend to the greatest need, hiring additional staff and creating an open learning environment to make certain supervisors and case workers are equipped to provide good case work services.

### *Intake Finding and Actions*

Erie County DSS has experienced a significant increase in the number of CPS reports received since the fall 2013. This is typically common after a child fatality due to the community's "heightened awareness" of the need to report any concerns. CPS caseloads continue to climb and due to the case worker's vigilance in doing good case work, cases are taking longer to complete. I have never observed an agency more invested and willing to devise and implement multiple strategies to address reduction of caseloads within acceptable practice. Different approaches are tested and re-invented using ideas from all of CPS and from this consultant. Resources have been identified and continue to be identified within the agency and with the support of the Office of the County Executive to support many of the strategies.

### *Practice Finding and Actions*

Focus groups have been conducted periodically with all levels of CPS management and staff. Admittedly there is some evidence of work/stress fatigue and yet there is pride in the case work provided. Case workers took seriously the findings of the OCFS review and immediately new practice norms were implemented that improved practice. These practice norms will need to be sustained. Staff acknowledged early in my consultation the areas where practice should improve and made those adjustments with training and with greater supervision and support.

### *Organizational and Systems Findings and Actions*

Erie County DSS leadership has strategically used the corrective action plan they were required to develop to serve as a springboard to address practice and systemic organizational changes. The plan has built-in mechanisms that will ensure follow through and sustainability. The following actions have been taken:

Addressing caseloads has been a high priority as it is understood that effective case work practice begins with manageable caseloads.

Building professional capacity and developing case work expertise of coordinators, team leaders and case workers is key to sustaining the noted practice improvements. Management tools were developed and are now in place that assist in the assessment of staff capacity and guide a process to improve practice and enhance professional development.

The implementation of a continuous quality improvement process or Quality Assurance process for review and feedback on practice has been employed.

The use of data has been a tremendous leverage to “tell the story” regarding practice and how the agency is managing the “business aspects” of CPS. All coordinators and team leaders are using the data in their assessment of the current work of their teams.

Using internal coaches to support and improve supervisor skills has been beneficial. OCFS in partnership with Erie County DSS has provided onsite review of cases with team leaders and caseworkers to build a more collaborative approach to ensuring good practice.

Erie County DSS leadership and CPS management is reaching out to community partners like the schools, hospital, law enforcement and other service providers to engage in meaningful dialogue to develop strategies to support the work of CPS.

### *County Administered/State Supervised System Findings and Actions:*

In a county administered, state supervised system like New York, it cannot be understated the importance of the relationship between the county department of social services and the state counterpart, the New York State Office of Child and Family Services, OCFS. Each has their own responsibilities to carry out. A collaborative approach that recognizes the unique strengths and challenges of different counties and the need for a different level of engagement is necessary. OCFS has assumed a significant role with Erie County DSS Child Protective Services since the fall of 2013 by way of a comprehensive review of case work practices and the negotiation and approval of a corrective action plan. That active involvement provides for consideration and agreement on the different and varying practice challenges in Erie County. That agreement can better inform systems at both the state and local levels concerning how to tailor their approaches in the provision of supports such as training, supervision and case work practice. Maintaining a collaborative relationship is essential in the

administration of child protective services in a county administered system and will work to improve the outcomes for children and families.

Erie County DSS recognizes the importance of a collaborative approach to working with OCFS and the Buffalo Regional Office. Erie County DSS has engaged in positive dialogue with OCFS regarding measuring the implementation and sustainability of the corrective action plan.

With the county size and the volume and complexities of the child protective services work in Erie County, unique training needs have been identified. Perhaps Erie County could request to partner with the State in reviewing the current state training curriculum for CPS case workers to determine if the training addresses the differentiation of practice challenges in places like Erie County. Such a review would be beneficial based on feedback received from interviews and focus groups conducted in Erie County DSS.

Child fatality reviews frequently generate state and county activities to prevent future tragedies and keep children safe. An opportunity could be posed to Casey Family Programs to consider offering to partner with counties and the State to conduct a comparative analysis of other states child fatality reviews building on the Erie County change experience.

## **Recommendations**

### *County/Community Recommendation*

The recovery from the trauma that Erie County has faced will require a series of community dialogues that will require everyone to accept ownership of their role in the protection of children. Being solution focused and moving from blame to a discussion of problem solving will demonstrate support for the safety of children in Erie County. The focus of all dialogues should be framed around "how can I help". Your county/community has been able to express concerns and now moving forward, the "heart" of the dialogue should target specific action steps that would embrace systemic change concerning the safety of children. Community leaders, religious leaders, the media, elected officials, Erie County DSS, all service agencies and families have a role in child protection. The community needs to examine what local services are available for families before they reach the crisis of needing CPS and what supports the community can provide for the child protection staff. Does your county/community have sufficient evidenced based primary prevention programs in place? Erie County should arrange for facilitation of these community dialogues.

### *Erie County DSS Recommendations*

The recovery for Erie County CPS will be a long journey. Progress in all areas identified in the review has been observed. The development and implementation of improvement strategies is the strength of Erie

County CPS. The challenge will be ensuring the follow through, consistency in supervision and sustainability that the corrective action plan addresses.

All the strategies employed for managing caseloads while more intake reports are received will take time. CPS staff endures a tremendous workload and are committed to good case work practice. Patience from the community is needed as every strategy developed has been tested for its effectiveness. Lessons learned from managing the volume of reports has informed leadership about the strengths and challenges of the training program, the use of clinical specialists and how to affect supervision of staff and get the work completed. Erie County DSS should take this opportunity to influence every aspect of organizational change to support the work.

The practices identified in the OCFS reviews have improved. Assessing safety, determining future risks, the use of appropriate collaterals, the use of case history and how determinations are made have been a high priority. The Quality Assurance process is effective in identifying practice concerns and addressing those immediately. Case record reviews are being conducted at all management levels to check for quality case work. These reviews must continue to make certain the practice changes are sustainable. A more targeted approach of case reviews that address the specific practices that might be of a concern could be helpful if employed by Erie CPS and perhaps OCFS.

Management tools are now in place for a continuous assessment of all staff capacity and professional growth. Managers have now been coached regarding how to use those tools to manage the day to day CPS business. CPS management should assess the continued effectiveness of the tools and how they are being incorporated into the daily work.

Erie County DSS has moved to more transparency in obtaining input from staff. How decisions are made and informing staff of those decisions will need to be a continuous dialogue by CPS Management. Regular and timely meetings and communications are critical to ensure that staff is informed.

Erie County DSS will need to continue the expectation with supervisory and management follow up that all aspects of supervision are being implemented to ensure sustainability.

Erie County DSS leadership, CPS management and case workers will need to continuously "own" and review the corrective action plan to determine its effectiveness. As the organization recovers, the development of a subsequent strategic plan for the organization that incorporates what was effective from the corrective action plan can be the driver behind moving practice and supervision forward to an even higher level of performance.

## **Conclusion**

In reflection, Erie County DSS has made significant progress in light of an increased volume of reports and workload and with increased scrutiny both internally and externally. They have accepted the challenge to improve practice as warranted and are implementing a comprehensive supervisory oversight system. The challenges they face are working towards manageable caseloads, ensuring follow through and sustainability of the new practice norms and the systemic changes in supervisory practice.

The corrective action plan provides the framework. The greatest resource is the commitment of the case work staff and management to improve practice as evidenced by the long hours they work and their dedication to children and families.