

State of New York
Office of the State Comptroller
Division of Management Audit

**OFFICE OF CHILDREN AND
FAMILY SERVICES**

**CASEWORKER DEPLOYMENT IN
SELECTED CHILD WELFARE
PROGRAMS**

REPORT 96-S-52



H. Carl McCall
Comptroller



State of New York Office of the State Comptroller

Division of Management Audit

Report 96-S-52

Mr. John A. Johnson
Commissioner
Office of Children and Family Services
Capital View Office Park
52 Washington Street
Rensselaer, NY 12144

Mr. Brian J. Wing
Commissioner
Office of Temporary and Disability Assistance
40 North Pearl Street
Albany, New York 12243

Dear Messrs. Johnson and Wing:

The following is our report on selected aspects of the New York State Department of Social Services' oversight of local districts' deployment of caseworkers in selected child welfare programs.

This audit was performed pursuant to the State Comptroller's authority as set forth in Section 1, Article V of the State Constitution and Section 8, Article 2 of the State Finance Law. We list major contributors to this report in Appendix A.

*Office of the State Comptroller
Division of Management Audit*

February 10, 1998

Executive Summary

Office of Children and Family Services Caseworker Deployment In Selected Child Welfare Programs

Scope of Audit

During the time period covered by our audit, the Department of Social Services (Department) was responsible for administering the State's child welfare programs. Effective August 20, 1997, the newly created Office of Children and Family Services assumed responsibility for these programs. Included among these programs are the Child Protective Services, Preventive Services and Foster Care programs, which during 1996 combined for costs exceeding \$1.3 billion. In the Child Protective Services program, caseworkers respond to allegations of child abuse. In the Preventive Services program, caseworkers try to prevent the need to remove children from households and place them into Foster Care. In the Foster Care program, caseworkers oversee the temporary, substitute parental care provided to children who are in the State's custody. These three programs, which together deploy nearly 5,500 full-time equivalent caseworkers, are directly operated by 58 local social services districts.

Our audit addressed the following questions about the deployment of these caseworkers during the period June 1, 1995 through January 31, 1997:

- Did the Department adequately monitor the deployment of these caseworkers?
- What is the ratio of cases to caseworkers in each local district, and how do these ratios compare to standards developed by the Child Welfare League of America (CWLA), a nationally recognized not-for-profit organization active in the area of child welfare?

Audit Observations and Conclusions

We found that the Department does not monitor the deployment of child welfare caseworkers in the local districts. We computed caseload ratios in 55 of the 58 districts, and found that the ratios in many districts exceeded the standards developed by the CWLA. As a result of these heavy caseloads, the caseworkers in many districts may not be able to perform their duties effectively. In addition, excessively large caseloads increase the risks to children, may result in poor social work, and can lead to caseworker burnout.

Appropriate caseload standards indicate the number of cases that can be handled by a caseworker without compromising the quality of service. Such standards have been developed by the Department for the three child welfare programs covered by our audit. However, these standards have not been updated since 1969, are not specific for two of the three programs, and generally allow for much larger caseloads than the standards developed by the CWLA. Moreover, the Department does not use its standards to monitor the caseloads in the local districts, because Department officials state they are prohibited by Article 2, Section 20-a of the Social Services Law from enforcing caseworker standards. Notwithstanding our disagreement with the Department

concerning its ability to enforce such standards, we believe the Department has a responsibility to monitor district staffing and encourage compliance with appropriate caseload standards. If the Department does not conduct such monitoring, the caseloads in some districts may be too heavy, and when caseloads are too heavy, caseworkers are less able to perform their duties effectively. (See pp. 5-7)

Using a questionnaire, we obtained caseload data from 55 of the 58 local districts (Chenango, Essex and Hamilton did not respond to our questionnaire). We then computed the ratio of cases to caseworkers for each of the 55 districts. We found that many of the ratios varied significantly from district to district and often exceeded the CWLA standards. For example, in the Child Protective Services program, the ratios ranged from 0.4 cases per caseworker in Oneida County to 77.2 cases per caseworker in Allegany County, and exceeded the CWLA standard of no more than 17 cases per caseworker in 32 districts. In 13 of these 32 districts, the ratio was at least 25 cases per caseworker. When we spoke to caseworkers, they told us that, because of their heavy caseloads, they were unable to devote enough time to the children in their care. (See pp. 9-12)

We conducted a more extensive review of caseloads in New York City, since it is by far the largest district in terms of caseload. We found that, in the Child Protective Services program, the caseloads in the Bronx and Manhattan (35 and 32 cases per caseworker) were significantly heavier than the caseloads in Queens and Staten Island (19 and 17 cases per caseworker), and greatly exceeded the CWLA standard of no more than 17 cases per caseworker. We also identified one reason for the heavy caseloads, as nearly 16 percent of the child welfare caseworkers in New York City were assigned to administrative or support duties rather than child welfare casework. We recognize that additional resources would be required and/or new processes adopted to handle the administrative workload. (See pp. 12-16)

We recommend that the Department develop appropriate child welfare caseload standards, monitor the caseloads in the districts against these standards, and identify the reasons for significant variances in the caseloads. We also recommend that caseloads in New York City be equalized among the five boroughs, and New York City caseworkers in administrative and support functions be assigned to casework instead. If our recommendations relating to New York City were implemented, caseloads in the City would no longer exceed the CWLA standards.

Comments of Officials

Office of Temporary and Disability Assistance officials responded to our report and generally disagreed with our recommendations. The officials cited the Department's legal position that they lack the legal authority to directly or indirectly specify the number of persons to be employed in any social services district as the basis for most of their disagreement.

Contents

Introduction	Background	1
	Audit Scope, Objectives and Methodology	3
	Response of OTDA Officials to Audit	4

Caseworker Workload Standards	5
--	-----------	---

District Staffing	Department Oversight	9
	Caseload Variations in New York City Borough Offices	12
	New York City Caseworkers Assigned to Administrative or Support Functions	14

Exhibit A	Local Social Services Districts	
	Child Protective Services	
	Staffing Workload Ratio	
	As of June 30, 1996	

Exhibit B	Local Social Services Districts	
	Preventive Services	
	Staffing Workload Ratio	
	As of June 30, 1996	

Exhibit C	Local Social Services Districts	
	Foster Care	
	Staffing Workload Ratio	
	As of June 30, 1996	

Exhibit D	Local Social Services Districts	
	Contracted Preventive Services	
	Staffing Workload Ratio	
	As of June 30, 1996	

Exhibit E		
------------------	--	--

Local Social Services Districts
Contracted Foster Care
Staffing Workload Ratio
As of June 30, 1996

Exhibit F

New York City Boroughs
Child Protective Services
Staffing Workload Ratio
As of June 30, 1996

Exhibit G

New York City Boroughs
Preventive Services
Staffing Workload Ratio
As of June 30, 1996

Exhibit H

New York City Boroughs
Foster Care
Staffing Workload Ratio
As of June 30, 1996

Appendix A

Major Contributors to This Report

Appendix B

Response of OTDA officials

Introduction

Background

Before August 20, 1997 the Department of Social Services (Department) was responsible for administering the State's child welfare programs, which include the Child Protective Services, Preventive Services, Foster Care, and Adoption Subsidy programs. On August 20, 1997, subsequent to the end of our audit field work, the Governor signed welfare reform legislation which abolished the Department of Social Services and created a new agency in its place: the Department of Family Assistance. The Department of Family Assistance is composed of two independent agencies: the Office of Temporary and Disability Assistance (OTDA) and the Office of Family and Children Services (OCFS). OCFS has oversight responsibility for the Child Protective Services, Preventive Services, and Foster Care programs, which our audit addressed. The Federal, State and local governments jointly fund these programs, which are governed by the Federal Social Security Act, and State Social Services Law. For the year ended December 31, 1996, the Department reported that about \$1.3 billion was expended on these programs, as follows:

Child Protective Services	\$158,451,941
Preventive Services	198,103,402
Foster Care	<u>932,335,750</u>
Total	<u>\$1,288,891,093</u>

The Child Protective Services program is intended to safeguard children against abuse or maltreatment. Under this program, caseworkers investigate allegations of child abuse and plan the necessary actions if they determine abuse has occurred. The Social Services Law and the Department's regulations require caseworkers to commence an investigation within 24 hours after receiving a report of suspected child abuse or maltreatment, conduct a preliminary assessment of the child's safety within seven days, and determine whether there is any credible evidence of child abuse and/or maltreatment within 60 days of receiving the report.

The Preventive Services program is intended to provide families with the services necessary to prevent the need to remove children from households and place them into Foster Care. These services are intended to safeguard the child's well-being and development and to preserve and stabilize the family. Under this program, caseworkers are responsible for providing and coordinating rehabilitative services to the family. Caseworkers also monitor the family's progress and periodically evaluate the need to continue services.

Foster Care is intended to be temporary, substitute parental care provided to children who are in the State's custody. Foster Care caseworkers perform all the planning functions for their cases. These functions include maintaining a

written case record, making contacts with the children, parents and foster parents, preparing the planned course of action for either reunifying the family or freeing the child for adoption, and initiating court actions.

The Department's Division of Services and Community Development oversees these programs, which are operated by the 58 local social services districts (districts). In New York City, which is the most populous district, the programs are operated by the New York City Administration for Children's Services. As of June 30, 1996, the districts reported the following number of open cases and full-time equivalent caseworkers:

Program	Caseworkers	Open Cases
Child Protective Services	1,709	37,682
Preventive Services	693	11,480
Foster Care	1,230	16,213

In addition, 18 districts reported that they contract some or all of their Preventive Services cases and 7 districts reported that they contract some of their Foster Care cases, as follows (full-time equivalent caseworkers are shown):

Program	Contracted Caseworkers	Open Cases
Preventive Services	1,095	13,872
Foster Care	756	9,796

Caseload standards for child welfare caseworkers have been developed by the Child Welfare League of America (CWLA), a nationally recognized not-for-profit organization with a long tradition of addressing emerging issues in the field of child welfare. As the need has arisen, the CWLA has convened commissions, task forces and work groups, with broad representation from the public and voluntary child welfare sectors, to study a range of child welfare issues. Setting standards and improving practices in all child welfare services have been major goals of the CWLA since its formation in 1920. During our audit, we made use of some of the caseload standards developed by the CWLA.

Audit Scope, Objectives and Methodology

We audited the procedures used by the Department of Social Services to monitor how the districts deployed caseworkers in the Child Protective

Services, Preventive Services and Foster Care programs for the period June 1, 1995 through January 31, 1997. The objectives of our performance audit were to evaluate the adequacy of the Department's monitoring as well as to assess certain aspects of caseworker deployment, particularly in New York City.

To accomplish our objectives, we reviewed Department procedures and regulations, and interviewed responsible Department managers. In addition, we visited the Dutchess, Monroe, New York City and Rensselaer districts, where we interviewed officials and reviewed records. We also sent a questionnaire to each of the 58 districts to obtain the number of open cases and the number of full-time equivalent caseworkers handling a caseload as of June 30, 1996 for the programs included in our audit. For districts which did not initially respond, we sent a second questionnaire, and if we still received no response, we called the Commissioner's office of each nonresponding district. Fifty-five of the districts responded to our questionnaire and three (Chenango, Essex and Hamilton) did not. We used the information obtained in our questionnaire to compute workload ratios for each of the districts.

Except for the scope limitation described in the following paragraph, we conducted our audit in accordance with generally accepted government auditing standards. Such standards require that we plan and perform our audit to adequately assess those operations of the Department which are included within the audit scope. Further, these standards require that we understand the Department's internal control structure and compliance with those laws, rules and regulations that are relevant to the operations which are included in our audit scope. An audit includes examining, on a test basis, evidence supporting transactions recorded in the accounting and operating records and applying such other auditing procedures as we consider necessary in the circumstances. An audit also includes assessing the estimates, judgments, and decisions made by management.

In April 1996, the Department issued a report addressing the Child Protective Services program in New York City. According to this report, the borough with the most problems was the Bronx. When we visited the New York City district, we planned to interview officials and review records at the Bronx field office. However, district officials did not allow us to interview officials or review records at the Bronx field office. As a result, we were unable to fully assess caseworker deployment in New York City. Except for any effects from this restriction to our audit scope, we believe that our audit provides a reasonable basis for our findings, conclusions and recommendations.

We use a risk-based approach to select activities for audit. We therefore focus our audit efforts on those activities we have identified through a

preliminary survey as having the greatest probability for needing improvement. Consequently, by design, we use finite audit resources to identify where and how improvements can be made. We devote little audit effort to reviewing operations that may be relatively efficient or effective. As a result, we prepare our audit reports on an "exception basis." This report, therefore, highlights those areas needing improvement and does not address activities that may be functioning properly.

Response of OTDA Officials to Audit

Draft copies of this report were provided to Department officials for their review and comment. Due to the abolition of the Department of Social Services on August 20, 1997, the Office of Temporary and Disability Assistance, whose commissioner was responsible for child welfare programs during the period of time covered by our audit, responded to our draft audit report. Effective August 20, 1997, the Office of Children and Family Services became responsible for these programs. We considered the comments provided by OTDA officials in preparing this report; they are included as Appendix B.

Within 90 days after final release of this report, as required by Section 170 of the Executive Law, the Commissioner of the Office of Children and Family Services shall report to the Governor, the State Comptroller, and the leaders of the Legislature and fiscal committees, advising what steps were taken to implement the recommendations contained herein, and where recommendations were not implemented, the reasons therefor.

Caseworker Workload Standards

Caseworker workload standards can provide the districts with a guideline or benchmark for the maximum number of cases a caseworker can be expected to handle without compromising the quality of the casework performed. Department regulation 431.5 includes district staffing workload standards for the Preventive Services and Foster Care programs. However, this regulation has not been updated since 1969. In addition, the Preventive Services standard (a maximum of between 20 and 60 children per caseworker) appears to be overly broad for effective caseload oversight. The Foster Care standard is a maximum per caseworker of 50 children. Department regulation 432.2 requires each district to have enough qualified staff to operate its Child Protective Services program. However, this regulation does not specify a maximum number of cases per caseworker.

The CWLA has established standards for caseworker workloads for each child welfare program included in our audit, and periodically reviews these standards. The CWLA maintains that standards should never be considered final, and must be subject to continual review and revision since knowledge about children, human behavior, and the treatment of human ills grows constantly. The CWLA most recently revised its Child Protective Services, Preventive Services, and Foster Care standards in 1988, 1989, and 1995, respectively.

The CWLA recommends the following maximum staffing ratios:

- Child Protective Services - 17 cases per caseworker;
- Preventive Services - 15 cases per caseworker; and
- Foster Care - 15 cases per caseworker.

According to the CWLA, the majority of the caseworker's time should be spent in direct contact with families, and caseload size should allow the caseworker to spend enough time with families to help them achieve their goals within the time limitations of the service. Enough time should also be allocated, per family, to allow the caseworker to arrange for services, attend case conferences, complete required paperwork, and monitor progress. The CWLA further states that caseload sizes should be maintained at reasonable levels.

Of the 55 districts which responded to our questionnaire, 26 reported that they had developed their own workload standards for at least one of the three programs (22 districts reported standards for all three programs). Many of these standards were within a few cases per caseworker of the CWLA

standards. In addition, six districts reported that they use the CWLA standards. The remaining 23 districts, including the New York City district, reported that they do not use a standard for assigning caseloads to their caseworkers.

Cattaraugus County officials reported to us that they use 13 cases per caseworker as a standard for all three programs, and that they believe anything over 15 cases per caseworker constitutes a crisis. They stated that, above this number, there simply is not enough time to properly supervise and manage the cases. Schenectady County officials reported that it has been their experience that a caseworker can effectively provide case management services to a maximum of 15 families. Seneca County officials reported that they try to keep their Preventive Services caseload ratio at 10 cases per caseworker. They stated that a higher number of cases becomes unmanageable if they are to keep up with State mandates for required activities.

Recommendation

1. Update and specify the staffing workload standards for Child Protective Services, Preventive Services, and Foster Care. Consider adopting the CWLA standards for each program.

(In responding to our report and specifically to this recommendation, OTDA officials stated that Section 20-a of the Social Services Law effectively prohibits the Department from prescribing or specifying staffing/caseload ratios for local districts. According to Section 20-a, "Notwithstanding any inconsistent provision of this chapter, the board, the commissioner of the department, acting singly or in unison, shall not have the power, directly or indirectly to prescribe the number of persons to be employed in any social services district providing the district complies with the minimum federal standards relating thereto." We shared the January 24, 1997 memorandum prepared by the Department's Office of Legal Affairs with the Office of the State Comptroller's Division of Legal Services. It is the opinion of the Comptroller's Legal Division that the staffing standards for administration of child welfare services and care by social services districts as set

Recommendation (continued)

forth in section 431.5 of the Department's regulations and the staffing standards for child protective services as set forth in section 432.2 of the regulations are enforceable. Upon a showing by a social services district that it complied with minimum federal staffing standards, the Department would be precluded from enforcing staffing standards upon the districts. However, according to a Department attorney, no such standards exist. We provided Department officials with a copy of this legal opinion. Relative to adopting the CWLA standards, OTDA officials stated, even if possible, the issue of whether these or an alternative set of standards are most appropriate would have to be addressed. We agree with OTDA officials on this point. In fulfilling their responsibilities pursuant to the Social Services Law to "administer all the forms of public welfare work for which the state is responsible" and to "supervise all social services work, as the same may be administered by any local unit of government and the social services officials thereof within the state", it is appropriate for OCFS officials to make these determinations as they assume responsibility for child welfare programs.)



District Staffing

We reviewed the Department's procedures for monitoring caseworker staffing in the districts. We also computed district staffing workload ratios for the Child Protective Services, Preventive Services, and Foster Care programs for all of the districts that completed our questionnaire (see Exhibits A through H). We found that the Department needs to improve its oversight of district staffing, and we identified a wide range of staffing workload ratios in the districts. Moreover, the ratios in many districts exceeded the standards developed by the CWLA.

We also conducted a more extensive review of workload and staffing practices in New York City, since it is by far the largest district in terms of caseload and expenditures. We found that New York City needs to consider shifting caseworkers among its boroughs to more equitably staff its programs, and should redeploy caseworkers used in administrative and support positions.

Department Oversight

The Department is responsible for overseeing New York's child welfare programs. However, Department officials told us that the Department does not monitor the staffing at the districts to ensure that districts have an acceptable staffing workload ratio for these programs. Department officials told us they do not perform such monitoring because they believe caseworker utilization and deployment are local issues. In the absence of such monitoring, there is increased risk that staffing workload ratios may be too high. If the ratios are too high, caseworkers may not be able to perform their duties effectively.

Department officials also told us they believe that Article 2, Section 20-a of the Social Services Law prohibits the Department from enforcing caseworker standards. We believe the Department may have the ability to enforce caseworker standards through a different interpretation of this section of the Social Services Law. Notwithstanding our disagreement on this issue, the Department has a responsibility to monitor district staffing and encourage compliance with appropriate workload standards, in order to ensure that child welfare services are as effective as possible and meet the State's mandates for these services.

The Department does review Child Protective Services programs at the districts, but these reviews are not designed to determine whether districts maintain acceptable caseworker workloads. According to a Department official, in these reviews the Department would not specifically recommend that districts hire more workers, but the districts themselves may identify the need for more staff in their corrective action plans, when such plans are

recommended by the Department. However, similar Department reviews are not done for Preventive Services or Foster Care.

Using the information obtained in our questionnaire, we computed staffing workload ratios for the districts as of June 30, 1996. The ratios are based on the number of open cases and full-time equivalent caseworkers reported by each district. As shown in Exhibits A through E, there was a wide range in the ratios and many of the ratios exceeded the CWLA recommended standards (when comparing the ratios to the CWLA standards, we rounded the ratios to the nearest whole number, with ratios ending in .5 rounded down). For example:

- As shown in Exhibit A, 32 of the 55 responding districts had a Child Protective Services ratio above the CWLA standard, and the ratios of the 55 districts ranged from a low of 0.4 cases per caseworker at Oneida County to a high of 77.2 cases per caseworker at Allegany County.
- As shown in Exhibit B, 17 of the 53 responding districts had a Preventive Services ratio above the CWLA standard (Monroe and Oneida counties are excluded because they contract all of this casework), and the ratios ranged from a low of 1.8 cases per caseworker at Nassau County to a high of 86.3 cases per caseworker at Albany County.
- As shown in Exhibit C, 17 of the 55 responding districts had a Foster Care ratio above the CWLA standard, and the ratios ranged from a low of 3 cases per caseworker at Otsego County to a high of 35 cases per caseworker at Ontario County.
- As shown in Exhibits D and E, among the districts that contracted Preventive Services and Foster Care, Wayne County was the only district with a ratio above the CWLA standards. The ratios for the contracted services ranged from a low of 2.3 Preventive Services cases per caseworker at Columbia County to a high of 24 Preventive Services cases per caseworker at Wayne County.

During our field visits to Dutchess, Monroe and Rensselaer counties, we spoke with 32 Child Protective Services, Preventive Services and Foster Care caseworkers. Of the 32 caseworkers, 15 told us they believed their caseloads were too high. A caseworker with 41 Child Protective Services cases told us she had problems managing her time because she had so much to do. She further stated that her investigations take longer than the maximum allowable 60 days and she is not always able to see her clients regularly.

Many of the caseworkers we interviewed in New York City also told us they believed their caseloads were too high. For example, one Manhattan Child Protective Services caseworker informed us that she was overwhelmed with 46 cases. She stated that she could not properly devote enough time to them and had asked her supervisors on numerous occasions to lighten her load. She added that she was unable to provide the legally-required field visits to the family and ensure that the periodically required case plans were completed in a timely manner. A Queens Child Protective Services caseworker with 29 cases informed us that she believed she could not complete her legally-required field visits on a monthly basis because of her high caseload. She also believed that she could not follow up on cases to ensure that the required counseling was provided.

Excessively large caseloads increase the risks to children, may result in poor social work, and can lead to caseworker burnout. For example, according to Department statistics for Child Protective Services for the year ended December 31, 1995, only 64.8 percent of the investigations of alleged child abuse or maltreatment were completed within the mandated 60-day time frame. This may be attributable, in part, to the excessive staffing workload ratios at many of the districts.

Recommendations

2. Monitor district staffing and encourage compliance with appropriate workload standards.

(In responding to this recommendation, OTDA officials stated they do monitor district staffing patterns, citing their authority to determine whether a social services district has “sufficient staff of sufficient qualifications”. However, as stated in our report, the Department’s monitoring of district staffing patterns does not include assessing the reasonableness of caseworker caseloads. In this regard, officials also reiterated that they do not have the authority to specify the staffing levels or the number of persons to be employed by a social services district.)

3. Identify the reasons for the wide range in staffing workload ratios at the districts.

Recommendations (continued)

(OTDA officials did not directly respond to this recommendation. The officials reiterated that whether the CWLA or other caseload standards are an appropriate measure remains the critical issue. OTDA officials also raised concerns in response to our report and specifically to this recommendation with the manner in which we surveyed social services districts to obtain the data we used to reflect staffing workload ratios. For example, officials stated that we failed to: specify and define certain terms; recognize that recipients can be beneficiaries of several programs; and recognize that caseworkers can have caseload responsibility for more than one program area. The officials also stated that we inaccurately presented contract cases and caseloads. We strongly disagree with OTDA officials concerning the validity of our survey of social services districts. Based on comments received from OTDA staff, we made substantive changes to the initial draft of our questionnaire. In fact, for five of the 10 questions included in the original questionnaire, we used language suggested by OTDA officials to ensure our terminology was clear. When the districts provided sufficient explanation or supporting documentation, we made appropriate adjustments to the caseload statistics reflected in our report. It is also important to note that the Department had no information on caseworker caseloads. We obtained this data directly from the districts in order to compute the caseload ratios displayed in this report. Additionally, we asked the districts to provide the number of full-time equivalent caseworkers in each program, which by definition, recognizes that caseworkers may have responsibility for more than one program area. Regarding contract cases and caseloads, for districts that contracted for direct casework, they also provided us with the number of full-time equivalent caseworkers and the number of open cases.)

Caseload Variations in New York City Borough Offices

When we visited New York City's Administration for Children's Services (ACS), we found that caseload statistics were available for each of the five boroughs. We examined the workload staffing ratios for noncontracted caseworkers in each of the five boroughs for the Child Protective Services, Preventive Services, and Foster Care programs as of June 30, 1996. As is shown in Exhibit F, there was a wide range in the ratios for Child Protective Services, as the ratios ranged from 17.0 to 34.9; in addition, the ratios exceeded the CWLA standard in four of the five boroughs. As is shown in

Exhibits G and H, there was less variation in the ratios for Preventive Services and Foster Care, and most of the ratios were within the CWLA standard.

We examined in greater detail the deployment of noncontracted caseworkers in New York City’s Child Protective Services program, as we reviewed workload staffing ratios for each of the five boroughs over the 13 months from June 1995 through June 1996. As is shown in the following table, throughout the entire period, the workload staffing ratios in Manhattan and the Bronx were significantly higher than the ratios in Queens and Staten Island. Moreover, in every month but one, the ratios in Manhattan, Brooklyn and the Bronx exceeded the CWLA standard of no more than 17 cases per case-worker (ratios exceeding the CWLA standard are indicated in **boldface type**).

NYC Child Protective Services (CWLA Standard 17:1)

Month	Manhattan	Brooklyn	Bronx	Queens	Staten Island	Citywide Average
June 1995	22.8	18.7	28.5	15.6	11.6	21.3
July 1995	21.4	17.4	24.6	15.0	12.5	19.5
August 1995	21.1	17.7	21.2	15.1	14.7	18.7
September 1995	20.7	18.3	20.6	15.2	16.1	18.7
October 1995	20.0	18.1	22.0	15.3	17.2	18.9
November 1995	22.5	18.5	23.2	17.1	17.5	20.1
December 1995	24.2	19.1	25.5	18.3	16.7	21.4
January 1996	26.9	20.6	27.4	19.7	16.1	23.1
February 1996	29.8	21.5	29.7	20.6	16.4	24.7
March 1996	32.0	23.0	31.9	22.7	18.6	26.7
April 1996	33.6	25.2	33.4	22.5	19.5	28.1
May 1996	35.5	26.9	35.5	23.3	19.7	29.6
June 1996	32.3	24.5	34.9	19.0	17.0	27.2

We believe ACS officials could have better deployed their Child Protective Services caseworkers by shifting caseworkers from boroughs with lower average caseloads to boroughs with larger average caseloads. This would have enabled many caseworkers to have a better opportunity to meet all requirements during the investigations and subsequent decision-making process. However, an ACS official told us there has been no effort in recent

years to transfer caseworkers among the boroughs to better equalize caseload sizes, and the Deputy Commissioner told us that ACS officials believe a longer time period must be used for caseload comparison purposes before a redeployment of caseworkers is attempted. We believe the 13 months of data in our analysis is sufficient to show that the workload staffing ratios in Manhattan and the Bronx are significantly higher than the ratios in Queens and Staten Island. ACS officials also told us that they consider our audit period a time of reorganization and transition for them, as the ACS was created as an independent New York City agency in January 1996. Before that, the ACS was called the Child Welfare Administration and was part of the New York City Human Resources Administration.

Recommendation

4. Ensure that New York City redeploys its Child Protective Services caseworkers so that there is a more equitable division of casework among the five boroughs.

(According to OTDA officials, the Administration for Children's Services indicated that it has taken steps to implement this recommendation.)

New York City Caseworkers Assigned to Administrative or Support Functions

All persons employed as caseworkers should function in roles that require them to provide casework. As of September 30, 1996, the ACS payroll included 3,112 persons in caseworker titles. These titles included caseworkers in Child Protective Services, Preventive Services, and Foster Care programs, as well as titles in other programs such as Adoption Subsidy. We determined that at least 489 of the employees in these titles (15.8 percent) were actually assigned to administrative or support responsibilities, as follows:

- The ACS is required by union contract to pay a salary differential to all caseworkers who are assigned to casework responsibilities. We reviewed ACS payroll records as of September 30, 1996 and identified 351 caseworkers who were not paid this salary differential. Therefore, these 351 caseworkers may not be assigned to casework responsibilities. According to ACS officials, these 351 caseworkers could be assigned to administrative responsibilities. We believe this is the case.
- A total of 110 caseworkers were assigned to the ACS Management Information Liaisons (MILS) units. These units are responsible for processing the information to be stored in the City and State child welfare databases. According to the ACS Commissioner's Action

Plan, the caseworkers assigned to the MILS units had previously been assigned caseloads and were still receiving the salary differential. We note that MILS unit functions could have been assigned to data entry operators, whose salaries are lower and who are qualified to perform the work in these units. If these 110 caseworkers were replaced by data entry operators, the ACS could save a total of \$679,470 annually in personal service costs and use these savings to hire additional caseworkers.

- From our visits to selected field offices, we identified an additional 28 caseworkers who were assigned to administrative functions in field offices, even though they still received the salary differential. ACS officials were unable to identify these caseworkers, because once caseworkers are assigned to field offices, the directors of those offices have wide latitude to assign caseworkers to whatever functions they decide. If they decide to use caseworkers in administrative functions, the ACS central office does not necessarily know about this switch in function.

As identified in this report, the caseloads of many caseworkers exceed the standards developed by the CWLA. These large caseloads would decrease if the caseworkers assigned purely administrative and support functions were reassigned to casework functions. As of June 30, 1996, the combined ACS caseload ratio for the three child welfare programs addressed by our audit was 20.2 (29,471 cases divided by 1,462 full-time equivalent caseworkers). If the 489 caseworkers in administrative and support functions were reassigned to casework, this ratio would drop to 15.1, which is within all three CWLA standards. We recognize that additional resources would be required and/or new processes adopted to handle the administrative workload.

Recommendation

5. Ensure that all New York City employees qualified and trained as caseworkers perform casework functions.

(According to the Administration for Children's Services, our report reflects a misunderstanding as to what tasks are appropriate casework tasks. ACS officials stated there are several caseworker positions for which caseworkers are not assigned a caseload, including Adoption Subsidy Caseworker and Clearance Unit Caseworker. We recognize that certain persons with caseworker titles may not be assigned a caseload. However, we note that ACS officials did not specifically address in their response to our report the work status of the 351 caseworkers who were not paid a salary differential or the 110 caseworkers who were assigned to the MILS units. We believe that OCFS and ACS officials should work cooperatively to determine whether ACS employees occupying caseworker titles and not performing caseworker duties can perform casework functions. As stated in our report, if the 489 ACS caseworkers in administrative and support functions were assigned to casework as of June 30, 1996, the ratio of cases to caseworkers would have been reduced to 15.1 from 20.2.)

Local Social Services Districts
 Child Protective Services
 Staffing Workload Ratio
 As of June 30, 1996

SOCIAL SERVICES DISTRICT	FULL-TIME EQUIV. CASEWORKERS REPORTED	OPEN CASES REPORTED	AVG. CASES PER WORKER
ALLEGANY	5.0	386	77.2
SENECA	6.0	321	53.5
CHAUTAUQUA	14.0	571	40.8
CAYUGA	7.0	211	30.1
COLUMBIA	5.0	142	28.4
FRANKLIN	5.0	138	27.6
NEW YORK CITY	733.0	19,914	27.2
ST. LAWRENCE	9.0	241	26.8
DUTCHESS	17.0	454	26.7
ONONDAGA	32.8	833	25.4
OTSEGO	8.0	203	25.4
HERKIMER	6.0	152	25.3
CORTLAND	9.0	225	25.0
GREENE	4.0	99	24.8
WYOMING	3.0	73	24.3
SUFFOLK	103.0	2,418	23.5
NIAGARA	24.0	507	21.1
OSWEGO	16.0	334	20.9
CLINTON	10.0	205	20.5
ROCKLAND	19.0	383	20.2
LEWIS	2.0	40	20.0
ALBANY	32.0	638	19.9
FULTON	6.0	118	19.7
RENSSELAER	19.0	370	19.5
NASSAU	73.0	1,415	19.4
MONTGOMERY	6.0	116	19.3
PUTNAM	4.4	83	18.9
SULLIVAN	9.0	168	18.7
WAYNE	11.0	200	18.2
MONROE	78.5	1,417	18.1
SCHOHARIE	3.5	63	18.0
GENESEE	6.0	106	17.7
WASHINGTON	6.0	105	17.5
JEFFERSON	15.0	262	17.5

Local Social Services Districts
 Child Protective Services
 Staffing Workload Ratio
 As of June 30, 1996

SOCIAL SERVICES DISTRICT	FULL-TIME EQUIV. CASEWORKERS REPORTED	OPEN CASES REPORTED	AVG. CASES PER WORKER
LIVINGSTON	7.0	120	17.1
BROOME	28.0	479	17.1
ULSTER	20.0	335	16.8
SCHENECTADY	21.0	320	15.2
CHEMUNG	17.0	255	15.0
WARREN	7.5	112	14.9
TIOGA	7.0	104	14.9
ONTARIO	5.0	74	14.8
ORANGE	33.0	488	14.8
DELAWARE	7.0	100	14.3
ORLEANS	5.5	78	14.2
YATES	1.6	20	12.5
WESTCHESTER	105.0	1,197	11.4
MADISON	6.0	65	10.8
TOMPKINS	7.5	81	10.8
SARATOGA	10.0	100	10.0
ERIE	72.0	700	9.7
STEUBEN	11.0	105	9.5
SCHUYLER	2.0	12	6.0
CATTARAGUS	9.0	19	2.1
ONEIDA	20.0	7	0.4
TOTALS	1709.3	37,682	22.0

The CWLA standard is no more than 17 cases per worker.

Local Social Services Districts
Preventive Services
Staffing Workload Ratio
As of June 30, 1996

SOCIAL SERVICES DISTRICT	FULL-TIME EQUIV. CASEWORKERS REPORTED	OPEN CASES REPORTED	AVG. CASES PER WORKER
ALBANY	8.0	690	86.3
RENSSELAER	3.0	246	82.0
BROOME	12.0	739	61.6
CORTLAND	6.0	202	33.7
ERIE	8.0	217	27.1
WAYNE	6.0	144	24.0
WESTCHESTER	54.0	1,269	23.5
SUFFOLK	14.0	304	21.7
TOMPKINS	7.5	153	20.4
SULLIVAN	13.0	245	18.8
ORANGE	8.0	142	17.8
CHEMUNG	4.0	70	17.5
SCHENECTADY	13.0	217	16.7
OSWEGO	17.0	275	16.2
NEW YORK CITY	236.0	3,785	16.0
SCHOHARIE	3.5	55	15.7
WASHINGTON	10.0	156	15.6
FULTON	7.0	106	15.1
CAYUGA	4.0	59	14.8
SARATOGA	10.0	130	13.0
CHAUTAUQUA	9.0	114	12.7
HERKIMER	6.0	76	12.7
LIVINGSTON	3.0	38	12.7
ORLEANS	3.0	38	12.7
COLUMBIA	2.8	34	12.4
MONTGOMERY	6.0	74	12.3
LEWIS	3.5	43	12.3
ST. LAWRENCE	8.0	98	12.3
WARREN	6.2	75	12.1
TIOGA	6.0	71	11.8
GENESEE	3.5	41	11.7
ONTARIO	5.0	56	11.2
MADISON	4.0	42	10.5
SENECA	3.0	31	10.3
FRANKLIN	10.0	103	10.3

Local Social Services Districts
Preventive Services
Staffing Workload Ratio
As of June 30, 1996

SOCIAL SERVICES DISTRICT	FULL-TIME EQUIV. CASEWORKERS REPORTED	OPEN CASES REPORTED	AVG. CASES PER WORKER
DELAWARE	15.0	152	10.1
ALLEGANY	2.0	20	10.0
GREENE	5.0	50	10.0
NIAGARA	2.0	20	10.0
WYOMING	7.5	75	10.0
CLINTON	14.5	140	9.7
CATTARAGUS	11.0	98	8.9
OTSEGO	17.0	148	8.7
YATES	1.6	13	8.1
STEUBEN	14.0	111	7.9
ROCKLAND	39.0	297	7.6
JEFFERSON	9.0	67	7.4
ULSTER	9.0	66	7.3
PUTNAM	1.0	7	7.0
DUTCHESS	5.0	28	5.6
SCHUYLER	2.0	11	5.5
ONONDAGA	11.0	32	2.9
NASSAU	4.0	7	1.8
TOTAL	692.6	11,480	16.6

The CWLA standard is no more than 15 cases per worker.

Local Social Services Districts
Foster Care
Staffing Workload Ratio
As of June 30, 1996

SOCIAL SERVICES DISTRICT	FULL-TIME EQUIV. CASEWORKERS REPORTED	OPEN CASES REPORTED	AVG. CASES PER WORKER
ONTARIO	7.0	245	35.0
COLUMBIA	3.1	104	34.1
SCHENECTADY	11.0	362	32.9
RENSSELAER	7.0	226	32.3
ALLEGANY	4.0	111	27.8
ERIE	23.0	636	27.7
ALBANY	23.0	558	24.3
GREENE	2.0	43	21.5
ORANGE	22.0	472	21.5
YATES	1.6	34	21.3
BROOME	30.0	604	20.1
TOMPKINS	7.5	145	19.3
MONROE	61.5	1,182	19.2
PUTNAM	1.0	19	19.0
ST. LAWRENCE	7.0	133	19.0
SUFFOLK	26.0	455	17.5
JEFFERSON	10.0	174	17.4
STEUBEN	12.0	186	15.5
DUTCHESS	17.0	254	14.9
MONTGOMERY	4.0	59	14.8
ULSTER	9.0	132	14.7
OSWEGO	13.0	189	14.5
CHEMUNG	6.0	86	14.3
ORLEANS	3.0	40	13.3
SARATOGA	8.0	105	13.1
WASHINGTON	5.0	64	12.8
ONEIDA	26.0	330	12.7
CAYUGA	9.0	113	12.6
CORTLAND	6.0	75	12.5
NIAGARA	23.0	286	12.4
LEWIS	3.5	43	12.3
CHAUTAUQUA	9.0	109	12.1
WARREN	5.0	60	12.0
NEW YORK CITY	493.0	5,772	11.7
SULLIVAN	11.0	127	11.5

Local Social Services Districts
Foster Care
Staffing Workload Ratio
As of June 30, 1996

SOCIAL SERVICES DISTRICT	FULL-TIME EQUIV. CASEWORKERS REPORTED	OPEN CASES REPORTED	AVG. CASES PER WORKER
SENECA	3.5	40	11.4
ONONDAGA	67.1	766	11.4
ROCKLAND	20.0	228	11.4
FULTON	5.0	55	11.0
SCHOHARIE	2.0	22	11.0
TIOGA	5.0	55	11.0
WAYNE	3.0	30	10.0
CLINTON	9.0	87	9.7
MADISON	8.0	70	8.8
HERKIMER	7.0	61	8.7
GENESEE	5.5	47	8.5
LIVINGSTON	5.0	41	8.2
NASSAU	70.0	513	7.3
WESTCHESTER	68.0	448	6.6
FRANKLIN	8.0	48	6.0
WYOMING	7.5	43	5.7
DELAWARE	6.0	33	5.5
SCHUYLER	2.0	11	5.5
CATTARAGUS	11.0	58	5.3
OTSEGO	8.0	24	3.0
TOTAL	1229.8	16,213	13.2

The CWLA standard is no more than 15 cases per worker.

Local Social Services Districts
 Contracted Preventive Services
 Staffing Workload Ratio
 As of June 30, 1996

SOCIAL SERVICES DISTRICT	FULL-TIME EQUIV. CONTRACTED CASEWORKERS REPORTED	OPEN CASES REPORTED	AVG. CASES PER WORKER
WAYNE	3.0	72	24.0
WESTCHESTER	2.0	30	15.0
NEW YORK CITY	740.1	10,067	13.6
DUTCHESS	9.0	119	13.2
ORANGE	7.0	92	13.1
ONONDAGA	72.2	948	13.1
CHEMUNG	3.0	35	11.7
MONROE	86.2	988	11.5
CAYUGA	5.6	62	11.2
NASSAU	26.0	279	10.7
ONEIDA	32.0	331	10.3
TIOGA	2.0	20	10.0
ALBANY	85.0	723	8.5
GREENE	1.0	8	8.0
TOMPKINS	7.0	47	6.7
OSWEGO	6.0	28	4.7
SULLIVAN	2.0	9	4.5
COLUMBIA	6.0	14	2.3
TOTAL	1095.1	13,872	12.7

The CWLA standard is no more than 15 cases per worker.

Local Social Services Districts
 Contracted Foster Care
 Staffing Workload Ratio
 As of June 30, 1996

SOCIAL SERVICES DISTRICT	FULL-TIME EQUIV. CONTRACTED CASEWORKERS REPORTED	OPEN CASES REPORTED	AVG. CASES PER WORKER
ORANGE	3.0	46	15.3
NEW YORK CITY	733.0	9,560	13.0
CHEMUNG	8.0	88	11.0
TOMPKINS	1.0	10	10.0
ULSTER	3.0	29	9.7
NASSAU	6.0	54	9.0
SULLIVAN	2.0	9	4.5
TOTAL	756.0	9,796	13.0

The CWLA standard is no more than 15 cases per worker.

New York City Boroughs
 Child Protective Services
 Staffing Workload Ratio
 As of June 30, 1996

BOROUGH	FULL-TIME EQUIV. CASEWORKERS REPORTED	OPEN CASES REPORTED	AVG. CASES PER WORKER
BRONX	209.0	7,287	34.9
MANHATTAN	102.0	3,291	32.3
BROOKLYN	251.0	6,142	24.5
QUEENS	142.0	2,702	19.0
STATEN ISLAND	29.0	492	17.0
TOTAL	733.0	19,914	27.2

The CWLA standard is no more than 17 cases per worker.

New York City Boroughs
Preventive Services
Staffing Workload Ratio
As of June 30, 1996

BOROUGH	FULL-TIME EQUIV. CASEWORKERS REPORTED	OPEN CASES REPORTED	AVG. CASES PER WORKER
BRONX	79.0	1,516	19.2
MANHATTAN	37.0	607	16.4
BROOKLYN	81.0	1,141	14.1
STATEN ISLAND	8.0	110	13.8
QUEENS	31.0	411	13.3
TOTAL	236.0	3,785	16.0

The CWLA standard is no more than 15 cases per worker.

New York City Boroughs
 Foster Care
 Staffing Workload Ratio
 As of June 30, 1996

BOROUGH	FULL-TIME EQUIV. CASEWORKERS REPORTED	OPEN CASES REPORTED	AVG. CASES PER WORKER
MANHATTAN/ STATEN IL.	72.0	978	13.6
BROOKLYN	176.0	2,223	12.6
QUEENS	93.0	1,010	10.9
BRONX	152.0	1,561	10.3
TOTAL	493.0	5,772	11.7

The CWLA standard is no more than 15 cases per worker.

Major Contributors to This Report

Walter Barber
Frank Houston
Kevin McClune
Michael Solomon
Larry Wagner
Debra Wolrich
Christopher Bielawski
Stuart Dolgon
Andrew Fischler
Joseph Gaiamo
Arthur Lebowitz
Michael Sawicz
Anil Watts
Dana Newhouse



Brian J. Wing
Commissioner

NEW YORK STATE
OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE
40 NORTH PEARL STREET
ALBANY, NEW YORK 12243-0001

David P. Avenius
*Deputy Commissioner
Program Support and
Quality Improvement*

December 12, 1997

Mr. Kevin M. McClune
Audit Director
Office of the State Comptroller
Alfred E. Smith Office Building
Albany, NY 12236

Dear Mr. McClune:

The following information is the Department's response to your audit 96-S-52, "Caseworker Deployment in Selected Child Welfare Programs".

GENERAL COMMENTS

A review of the audit file clearly indicates that we had provided extensive substantive input to the audit scope and approach from the initial stages. However, much of what we identified as problematic was not given appropriate consideration.

By way of example, in August of 1996 OSC requested we review a draft questionnaire that was to be sent to social services districts to obtain initial data on how districts utilized and deployed caseworker staff. Based on extensive review by the Division of Services and Community Development, these comments were summarized in a memorandum dated August 26, 1996 and conveyed to your office by the Office of Quality Assurance and Audit. Many critical flaws were identified in the questionnaire approach, including a general lack of specificity and definition of key terms such as "direct caseworker", "administrative responsibilities", "turnover rate" etc. However, the questionnaire sent to the local districts remained essentially unchanged and thus the resulting information is of questionable validity.

A major premise of the audit findings rests on the continued insistence by OSC that this Department has the legal authority to control the deployment of and establish staffing standards for local district staff. This issue was addressed by the Department's Office of Legal Affairs in the memorandum of January 24, 1997. This document provided extensive background on the issue and cites a number of references including Section 20-a of the Social Services Law (SSL) as the basis for the Department's legal position "that we lack the legal authority to directly or indirectly specify the number of persons to be employed in any social services district."

Another point of contention is the inappropriate application by OSC of the Child Welfare League of America (CWLA) staffing standards as the basis for measuring local district performance. Again, we maintain that we cannot adopt the CWLA standards as the State required standards without a change in Section 20-a of the SSL. In addition, whether these standards are to be considered minimum or optimum remains unclear. Your use of these standards also did not include any analysis of the fiscal consequences of adopting them would have upon the state or local agencies.

It would also appear that the latest draft report dated August 28, 1997 contains very little new information from the preliminary findings received in March 1997. This is despite the comments provided to your office on February 25, 1997 as well as the responses of local districts including Monroe County and NYC identifying inaccuracies in the caseload information contained in the initial report (ref. March 20, 1997 Monroe County correspondence, March 25, 1997 letter from NYC/ACS and May 19, 1997 letter from NYC/ACS. Department staff also strongly protested this failure of the audit findings to recognize local district input at the May 20, 1997 exit conference. Despite these objections, OSC indicated an unwillingness to modify the report even in light of the local districts contention that the data was inaccurate and as indicated above, issued a draft report which essentially has changed little from the preliminary report issued in March 1997.

RESPONSE TO RECOMMENDATIONS

1. Update and specify the staffing workload standards for Child Protective Services, Preventive Services and Foster Care. Consider adopting the CWLA standards for each program.

RESPONSE

As indicated above, Section 20-a of the Social Services Law effectively prohibits the Department from prescribing or specifying staffing/caseload ratios for local districts. Despite this fact, the Department has attempted to encourage and support sufficient staffing levels in local districts. For example, Department Regulation Part 429, "Family and Children Services Plan", includes in 429.4(3) - Resource Inventory, the requirement that the listing of resources include information on "district staff employed in Family and Children Services"; thereby allowing department staff to provide technical assistance to local districts in program implementation and staffing utilization. Also, Department Regulation 432.2(F)(2)(iii) relating to Child Protective Services requires that the CPS component of the Consolidated Services Plan include "an organizational chart of the child protective service, including the total number of professional staff involved in the provision of such services, as well as any anticipated or planned changes in the structure of the child protective service". In addition, Department Regulation 432.2(e)(5) "Staffing" contains specific requirements relating to the education, qualifications and training of individuals employed as child protective workers. Relative to adopting CWLA standards, even if possible, the issue of whether these or an alternative set of standards are most appropriate would have to be addressed.

2. Monitor district staffing and encourage compliance with appropriate workload standards.

RESPONSE

We do monitor district staffing patterns and as indicated in January 24, 1997 memorandum from Assistant Deputy Counsel John Stupp, "The Department does have the authority to determine whether a social services district has 'sufficient staff of sufficient qualifications' as set forth in Section 423 (1)(1) of the SSL." However, again this cannot be equated to having the authority to specify the staffing levels or number of persons to be employed by a social services district.

In an effort to help the local districts operate as efficiently and effectively as possible, the regional office staff provide consultation and technical assistance. During reviews of local plans, regional staff utilize the planning documents as well as information from the annual MAPS reports to discuss program development and ongoing operations (which could include staffing issues). In addition, in order to continue to improve the quality of case work, an outcome-based training initiative will be implemented by the State early in 1998.

3. Identify the reasons for the wide range in staffing workload ratios at the districts.

RESPONSE

The audit findings are essentially premised upon how well local districts measured up to the CWLA recommended standards. Again, whether these or other standards are an appropriate measure remains the critical issue.

Our concerns that OSC failed to specify and define terms in obtaining local district input also impacts this finding. By way of example, staff cited the following:

- ° OSC represents the three programs (i.e. protective, preventive, foster care) as if they are mutually exclusive programs while in fact they are not. Recipients in protective cases can be beneficiaries of preventive and/or foster care services as well.
- ° OSC represents case workers as if they are all directly assigned to a program (i.e. protective, preventive, foster care) while in fact again they are not. Case workers in some counties have caseload responsibility for more than one program area.
- ° OSC's findings make no mention of the other program areas that are carried out by local child welfare administration (e.g. day care, adoption, teenage pregnancy prevention, demo programs, etc.) for which the cited caseworkers may have caseload responsibilities.

- OSC's findings inaccurately presented contract cases and caseloads. For example, voluntary agencies serve more than one district, so was the caseworker count adjusted for a worker who handles cases for other districts? OSC staff also apparently undercounted indirect (contracted) cases. In New York City, the indirect foster care population is over 25,000 children whereas OSC has NYC indirect foster care open cases indicated at 9,796. OSC also reported that only 7 districts have indirect foster care caseloads which differs drastically from the CCRS case data of the Department which indicates indirect cases exist in all local districts except one.
4. Ensure that New York City redeploys its Child Protective Services caseworkers so that there is a more equitable division of casework among the five boroughs.

RESPONSE

The Administration for Children's Services in its response to the audit findings, indicated that they had taken steps to address this issue. They further stated that "Staffing is routinely adjusted to reflect pending rates in different areas, provided Union contract provisions enable ACS to do so. ACS is not permitted through the Union contract to shift workers from Direct Foster Care to P/D (Protective Diagnostic) and we will not assign a P/D task to any caseworker who has not received full P/D training."

5. Ensure that all New York City employees qualified and trained as caseworkers perform caseworker functions.

RESPONSE

ACS responded to this audit recommendation by indicating that "This section reflects a misunderstanding as to what tasks are appropriate caseworker tasks. There are several caseworker positions for which caseworkers are not assigned a caseload. For example: Applications Caseworker, Adoption Subsidy Caseworker and Clearance Unit Caseworker. These positions are all classified Civil Service Caseworker positions. The tasks performed by incumbents in these positions are caseworker tasks. They are not clerical or administrative tasks. And these caseworkers perform support task for P/D caseworkers."

In summary, we again strongly object to the audit standards and resulting findings on the basis that the questionnaire approach utilized was flawed and that the general premises for the findings relating to mandating staffing levels and application of Child Welfare League of America standards exceed our legal authority.

Sincerely,



David P. Avenius
Deputy Commissioner
Program Support and
Quality Improvement

