

***State of New York
Office of the State Comptroller
Division of Management Audit
and State Financial Services***

**OFFICE OF CHILDREN AND FAMILY
SERVICES**

**CASEWORKER QUALIFICATIONS,
TRAINING AND SUPERVISION IN
SELECTED CHILD WELFARE
PROGRAMS**

REPORT 96-S-87



H. Carl McCall

Comptroller



State of New York Office of the State Comptroller

Division of Management Audit and State Financial Services

Report 96-S-87

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

Dear Mr. Johnson:

The following is our report on the Office of Children and Family Services' monitoring of local social services districts' compliance with regulations related to qualifications, training and supervision 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
and State Financial Services*

May 1, 1998

Executive Summary

Office Of Children And Family Services Caseworker Qualifications, Training And Supervi- sion In Selected Child Welfare Programs

Scope of Audit

During the period of time covered by our audit, the Division of Services and Community Development (Division) within the Department of Social Services was responsible for supervising the State's child welfare programs. The Child Protective Services (CPS) program is intended to safeguard children against abuse or maltreatment. Under this program, caseworkers investigate allegations of child abuse and plan the necessary actions when they determine abuse has occurred. 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. Under this program, caseworkers are responsible for providing and coordinating rehabilitative services to the family. 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.

These programs 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. During the year ended December 31, 1995, the Department received 128,211 reports of child abuse and neglect involving about 200,000 children.

Our audit addressed the following question relating to the CPS, Preventive Services, and Foster Care programs (except for New York City which did not comply with our requests for information) for the period January 1, 1995 through June 30, 1997:

- Is the Division adequately monitoring district compliance with regulations related to caseworker qualifications, training and supervision?

Audit Observations and Conclusions

We found that the Division needs to improve its monitoring of district compliance with regulations related to caseworker qualifications, training and supervision. Improvements are necessary to ensure that only

qualified caseworkers are hired, that caseworkers receive appropriate training, and that caseworkers are properly supervised.

We found the Division does not ensure that districts are hiring only caseworkers who meet the minimum job qualifications. For three districts, the job specifications for caseworkers did not meet the minimum requirements. In addition, qualification standards should be subject to continual review and revision, but the Division has not updated its standards for Preventive Services and Foster Care caseworker qualifications since 1988. When we tested personnel records at four districts, we noted instances where districts may be hiring caseworkers who lack the necessary skills and do not meet stated requirements. The Division relies entirely upon the districts to ensure caseworkers have adequate qualifications. The Division needs to ensure districts comply with its standard for caseworker qualifications. (See pp. 6-9)

We found that the Division does not maintain a centralized record keeping system which tracks the type, duration and date of training for all caseworkers. As a result, the Division lacks adequate assurance that district caseworkers have the requisite skills and knowledge to meet State mandates. For 90 caseworkers and supervisors, we tested the training records that were available at the districts and found that 17 had not received the required training. One reason for this deficiency is that the Division has not made enough training available to all caseworkers. The Division needs to implement a record keeping system of training received by caseworkers and ensure adequate training is made available. (See pp. 10-16)

Quality supervision is necessary throughout a case to protect children from the potentially harmful consequences of inadequate investigations and incorrect assessments. However, we noted many instances where supervisor-to-caseworker ratios did not meet the acceptable standards. In addition, supervisors are mandated to review determination and case closing decisions and to sign appropriate forms to evidence the review occurred. We reviewed case records for each of the three programs in our audit and noted that 53 of the 316 forms tested (17 percent) did not contain evidence of proper supervisory review. While the Division has done some monitoring of caseworker supervision, additional efforts are needed in this area. (See pp. 16-20)

Comments of Officials

Office of Children and Family Services officials generally disagreed with the recommendations contained in the report. The officials also stated that the report does not sufficiently recognize the impacts of the major organizational changes which took place during the course of the audit, in that the Department of Social Services was abolished and the Division of Services and Community Development does not exist as an organizational entity in the Office of Children and Family Services.

Contents

Introduction

Background	1
Audit Scope, Objective and Methodology	2
Response of OCFS Officials to Audit	3

Caseworker Qualifications, Training and Supervision

Qualifications	6
Training	10
Supervision	16

Appendix A

Major Contributors to This Report

Appendix B

Comments of Office of Children and Family Services Officials

Introduction

Background

Prior to 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.¹ The Department's Division of Services and Community Development (Division) oversees the Child Protective Services, Preventive Services and Foster Care programs that were the subject of this audit. Beginning August 20, 1997 the Office of Children and Family Services (OCFS) assumed administration of these child welfare programs. During the period of time covered by our audit, the Division oversaw the operations of the State's 58 local social services districts (districts) in carrying out the programs. In New York City, the most populous district, the programs are operated by the New York City Administration for Children's Services.

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 when they determine abuse has occurred. Social Services Law and 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

¹ On August 20, 1997, the Governor signed welfare reform legislation that abolished the Department of Social Services and a 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 Children and Family Services (OCFS). OCFS assumed oversight responsibility for child welfare programs in the State.

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 Federal, State and local governments jointly fund these programs, which are governed by the Federal Social Security Act and the State Social Services Law. For the year ended December 31, 1996, the Department reports that about \$1.3 billion was expended on these programs, as follows:

<u>Program</u>	<u>Amount</u>
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>

During the year ended December 31, 1995, the Department received 128,211 reports of child abuse and neglect involving about 200,000 children. Department statistics show that districts validated 30,308 of the reports, which included 2,500 physical injuries and 130 related fatalities. Districts placed 14,511 children in Foster Care in 1995.

Audit Scope, Objective and Methodology

We audited the procedures used by the Division to ensure that districts comply with regulations related to caseworker qualifications, training and supervision in the Child Protective Services, Preventive Services and Foster Care programs for the period January 1, 1995 through June 30, 1997. The objective of our performance audit was to evaluate the adequacy of the Division's monitoring of district activities related to caseworker qualifications, training and supervision at the local districts. To accomplish our objective, we reviewed Division procedures and regulations, interviewed responsible Division managers, and analyzed program statistics. In addition, we visited the Broome, Clinton, Monroe, Nassau and New York City districts, where we interviewed officials and reviewed records.

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 Division which are

included within the audit scope. Further, these standards require that we understand the Division'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 March 1997, the New York City Administration for Children's Services (ACS) informed us that they were unwilling to allow our audit to continue at their district and requested our auditors to discontinue fieldwork. Subsequently, ACS continued to refuse our auditors access to district personnel and records. As a result, we were unable to complete our audit at ACS. We then added the Nassau district to those districts we visited. 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 OCFS Officials to Audit

Draft copies of this report were provided to OCFS officials for their review and comment. Their comments were considered in preparing this report and 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 Qualifications, Training and Supervision

Child welfare caseworkers make decisions and take actions that substantially affect children's safety and development. Caseworkers should have an educational background or experience in social work and be experienced in working with children and families. Since local districts operate with limited resources, moving new staff to full caseload responsibilities is important. Consequently, early completion of core training is necessary to ensure that families are served by caseworkers with baseline competencies. Adequate supervision ensures that caseworkers' application of training to practice can be continually reinforced. The Department established regulations that were intended to ensure that caseworkers meet certain minimum qualification standards, that they are adequately trained and that they receive appropriate supervision. The Department administered the Division during our audit period, and, therefore, we state specific Department regulations as audit criteria. However, it is important to note that subsequent to the period of time covered by our audit the OCFS assumed responsibility for the child welfare programs covered by our audit, and for ensuring compliance with these regulations.

During the period covered by our audit, we found that the Division needed to improve its monitoring of district compliance with regulations related to caseworker qualifications, training and supervision. By improving its monitoring, it could have better ensured that caseworkers have the skills necessary to assist the children and families served by the Child Protective Services, Preventive Services and Foster Care programs.

In responding to our draft report, OCFS officials stated that the report does not sufficiently recognize the impact of organizational changes that took place as a consequence of the Governor's 1997 welfare reform legislation which abolished the Department of Social Services. The officials noted that the Division of Services and Community Development no longer exists as an organizational entity in the Office of Children and Family Services, and therefore, they question the overall applicability of the reported findings. We disagree with OCFS officials on this matter. We have recognized in this report the abolition of the Department of Social Services and creation of the Office of Children and Family Services effective August 20, 1997 as the successor agency responsible for supervision of the child welfare programs covered by this audit. We clearly state that the objective of our audit was to evaluate the adequacy of the Division of Services and Community Development's monitoring of

district activities related to caseworker qualifications, training and supervision in the Child Protective Services, Preventive Services and Foster Care programs for the period January 1, 1995 through June 30, 1997. The fact that the Division of Services and Community Development no longer exists as an organizational entity in the OCFS does not diminish the relevancy of our audit or the applicability of our findings. On the contrary, it is incumbent upon OCFS officials to consider both the impact of our findings on the well being of the children served by the child welfare programs they supervise and our recommendations.

Qualifications

Department Regulation Part 680 requires local districts to maintain current written position specifications for all paid and volunteer positions established within the local districts. A written position specification contains the minimum educational and experience requirements an applicant must possess to be hired for a specific job. The Division is required to review and approve district position specifications for, among other things, consistency with generally accepted professional standards, adherence to program requirements, and conformity with applicable Federal and State laws, rules and regulations. Effective January 1, 1988, the Department's minimum requirements for caseworkers were either possession of a bachelor's degree or certification as a Registered Nurse with one year experience in that profession.

Department Regulation Part 402 requires the local district to review and evaluate the backgrounds of and information supplied by all applicants for employment, subject to appropriate collective bargaining agreements and/or applicable provisions of the Civil Service Law. When screening a prospective caseworker or other employee who will have the potential for regular and substantial contract with children, local districts must inquire whether the applicant is the subject of an indicated report of child abuse or maltreatment on file with the State Central Register (SCR). In addition, districts must obtain a sworn statement by the applicant whether he or she has ever been convicted of a crime. Districts must also obtain the names, addresses and telephone numbers of references who can verify the applicant's character, reputation and personal qualifications.

a. District Position Specifications

We found that while all 57 districts, excluding NYC, have submitted their caseworker position specifications to the Division for approval, the Division does not adequately review these specifications to ensure that districts are meeting the minimum qualifications. In addition, we found

the Division needs to periodically re-evaluate and update its minimum qualifications to ensure districts use consistent procedures when hiring caseworkers.

We reviewed the current caseworker position specifications maintained by the Division for the 57 districts outside of New York City to determine whether districts' specifications met the Department's minimum requirements. We also determined whether districts use consistent hiring practices. We found 3 of the 57 districts' specifications for caseworkers did not meet the minimum requirements as follows:

- Monroe allows work experience to be “substituted on a year-by-year basis for any educational requirement beyond a high school diploma”;
- Livingston uses the pre-1988 minimum Caseworker Position Specifications, which allow 4 years of experience in place of a bachelor's degree; and
- Otsego qualifies individuals who possess four years of satisfactory full-time paid experience in either social casework or social work in a community or social action program.

Division officials told us the Division approved all districts' current specifications. However, we found no evidence that the Division identified the deficiencies or asked the districts to modify their caseworker qualifications to comply with regulations. When we presented our findings to Division managers, they acknowledged the current specifications for the three districts above do not meet the minimum requirements. The managers stated they believe these districts meet the minimum requirements when hiring caseworkers. However, the Division does no formal monitoring to ensure districts comply with hiring regulations. As such, the Division cannot ensure districts hire adequately qualified caseworkers.

Standards should be subject to continual review and revision since knowledge about children, human behavior, and the treatment of human ills grows continually. The standards for Child Protective Services caseworkers were updated in July 1995. However, the standards for Preventative Services and Foster Care caseworker qualifications have not been updated since 1988. During our review of district qualifications, we identified five districts which exceed the current standards. For example, Nassau requires completion of the first year in graduate school of social work with two semesters spent in supervised field work. Four districts

(Cattaraugus, Chemung, Greene, and Ulster) require a bachelor's degree with a concentration in a related field (i.e., social work, psychology, sociology or human services) or any bachelor's degree with adequate experience in social casework. We believe the OCFS should periodically re-evaluate these standards, update them as it deems necessary, and then provide districts with an acceptable guideline or benchmark to follow when hiring caseworkers.

b. District Compliance

We found the Division does not monitor the districts to ensure they comply with its regulations for caseworker qualifications. We tested the personnel records for 71 caseworkers and 19 caseworker supervisors at the Broome, Clinton, Monroe and Nassau districts to determine whether these workers meet Department regulations. We found that:

- three caseworkers did not indicate on their applications for employment that they had a bachelor's degree,
- while the remaining 87 workers indicated on their applications for employment they had received a bachelor's degree, the districts did not obtain evidence (transcript or copy of degree) to verify this information for 49 caseworkers,
- ten of the personnel files reviewed contained no evidence showing the district obtained references from persons who can verify the individual's character, reputation and personal qualifications,
- seven personnel files did not contain evidence that the districts inquired and resolved whether the caseworkers were the subject of an indicated report of child abuse, and
- two caseworkers did not indicate on their applications for employment that they had not been convicted of a crime.

As illustrated above, districts may be hiring caseworkers who lack the necessary skills and do not meet regulations. However, Division officials told us they believe districts are responsible for hiring adequate levels of sufficiently qualified caseworkers. Therefore, the Division relies entirely upon the districts to ensure caseworkers have adequate qualifications. Since the Division is responsible for overseeing the State's child welfare programs, it is responsible for ensuring that districts comply with stated regulations.

Recommendations

1. Ensure districts utilize the OCFS's minimum qualification requirements for hiring caseworkers.

(OCFS officials did not directly respond to this recommendation.)

2. Periodically re-evaluate and, if necessary, update the standards for caseworker qualifications.

(In response to this recommendation, OCFS officials stated they review new or revised position specifications developed by local social services districts. Officials also stated that in 1982 the State revised its regulations to provide local districts greater classification flexibility. Officials further stated their belief that it would naturally follow from the Social Services Block Grant approach to funding that local districts would assume the responsibility for development of minimum qualifications appropriate to their needs. Finally, OCFS officials stated that they do not have the regulatory authority to unilaterally change or impose standards for caseworker qualifications. We believe that OCFS officials misunderstand our recommendation. Article 2, Section 17 of the Social Service Law states that the Commissioner shall, in consultation with the civil service commission, establish minimum qualifications for positions in local social services departments. OCFS has already exercised this authority by establishing minimum qualifications, which include either possession of a bachelor's degree or certification as a registered nurse with one year experience in the profession. Recognizing that knowledge about children, human behavior, and the treatment of human ills grows constantly, some local social service districts have upgraded their minimum qualifications to require college degrees with a casework related major. We believe the State's minimum caseworker qualification standards should be subject to the same continual review and revision.)

3. Ensure the districts follow relevant regulations when hiring caseworkers, including:
 - ensuring that only applicants with the required educational background are hired,

Recommendations (continued)

- verifying caseworker candidates' reported educational qualifications by obtaining candidates' official college transcripts or copies of their actual diplomas,
- obtaining and documenting character references for all caseworker candidates,
- obtaining SCR clearance for all caseworkers, where appropriate, and
- determining whether caseworkers have ever been convicted of a crime.

(OCFS officials responded only to the first component of this recommendation, stating that they have prepared a letter reminding the local districts of the operative educational requirements that must be followed.)

Training

Regulation Part 402 requires that a district must have training on a “continuing, progressive, and comprehensive basis” for all caseworkers responsible for providing services. New caseworkers should receive thorough orientation and pre-service training before they carry out their responsibilities with children and their families. Thorough in-service training helps caseworkers to maintain and expand the knowledge and skills necessary to fulfill their responsibilities.

The 1979 State Child Welfare Reform Act (CWRA) was enacted to shift the emphasis of the child welfare system from placement of children in Foster Care to provision of preventive services to help families stay together. The CWRA requires caseworkers to, among other things:

- assess family stability and the likelihood specific preventive services will increase family stability enough to prevent placement;
- determine the actions which must be taken during or immediately after the assessment;
- determine the short term, immediate and long range goals for the child and family;

-
- identify the services needed by the child and family; and
 - where placement in Foster Care is determined necessary, specify the reasons for such determination and the level of placement.

The Department of Social Services designed “Child Welfare Permanency Core Training” (CWPCT) for Foster Care and Preventive Services caseworkers to help ensure districts meet the mandates of the CWRA. This training integrates principles of sound casework practice with the laws and policies of CWRA.

In addition, the 1985 State Child Abuse Prevention Act requires that all persons hired by a local child protective service agency must satisfactorily complete a course approved by the Department of Social Services in the fundamentals of child protection within the first three months of employment. The Department of Social Services developed a two week training program in conjunction with Cornell University for this purpose for Child Protective Services (CPS) caseworkers. Fifty-six of the 58 districts use this training program, known as CPS Core. Monroe County and New York City have developed their own orientation training for CPS caseworkers. These two districts also have developed their own core training curriculums for Foster Care and Preventive Services caseworkers. The Department of Social Services approved these districts’ training curriculums.

Child welfare’s primary goal is to influence families to change their behavior to protect and nurture their children. All caseworkers must be able to engage families and influence them to change and to act on behalf of their children. Caseworkers must be able to assess the family’s problems and the needs underlying those problems in order to construct a strategic, focused and time limited intervention plan. In addition, caseworkers must be able to judge the effectiveness of the intervention plan with the family. Core training seeks to develop these basic capabilities in caseworkers.

In the fall of 1993 the Department of Social Services began a project to restructure its child welfare training program and acknowledged its existing training system needed improvement. After a two-year study, the Department of Social Services concluded that the core training for child welfare staff (CPS Core and CWPCT) did not adequately prepare caseworkers for their duties. Therefore, the Division decided to implement a new training system that “provides child welfare staff with the skills they need to achieve outcomes for which they can be held accountable.” This system is known as Competency-Based Core Training.

Starting October 1997, all new Child Protective Services, Foster Care and Preventive Services caseworkers will attend Competency-Based Core Training within 90 days of their start dates. All current caseworkers will complete a parallel training program by September 1998.

a. Tracking Caseworker Training

We found that the Department of Social Services did not maintain a centralized record keeping system which tracks the type, duration and date of training for all caseworkers. While the Department of Social Services established a centralized system to track whether CPS caseworkers attend CPS Core Training, our tests found that the system is not accurate. The Department did not track whether Foster Care and Preventive Services caseworkers attend CWPCT. In fact, the Department did not maintain a system that provides a breakdown of district Foster Care and Preventive Services caseworker staffing. Without such information, it will be difficult to identify all the current caseworkers who will need to complete Competency-Based Core Training.

For CPS caseworkers, we found that the Department's Training Office tracked CPS training by matching district hiring reports with Cornell University training records. This system is intended to identify CPS caseworkers who have not completed training within the required three months. During the period January through March 1997, the system showed that all district CPS caseworkers included on it had received the necessary Core Training.

Forty-two of the caseworkers and supervisors included in our tests were assigned to the CPS program (37 caseworkers and 5 supervisors). We checked the Training Office's centralized tracking system as of February and March 1997 to determine whether these individuals were accurately reflected on it. We found that 14 of the 42 (33 percent) did not appear on the tracking system. Start dates for these caseworkers ranged between July 19, 1993 and October 15, 1996. Based on our review of district training records, we found evidence 13 of the 14 had in fact attended CPS Core. We conclude that the Training Office's tracking system for CPS caseworkers appears to be inaccurate and to have limited usefulness as a monitoring tool.

In response to our preliminary audit findings, Department officials stated their belief that districts are ultimately responsible for ensuring caseworkers receive adequate training. Furthermore, they told us that 11 of the 14 CPS caseworkers noted above are from Monroe County. The Department did not track training for Monroe County because the district provided its

own training. Since the Department did not have an adequate system for tracking whether caseworkers receive adequate training, it did not have adequate assurance that district caseworkers have the requisite skills and knowledge to meet State mandates.

b. Compliance with Training Requirements

We found that the Department also did not adequately monitor the districts to ensure they comply with its regulations for caseworker training. In addition, more training is needed to meet the needs of district caseworkers. At the four districts, we tested the training records of 90 caseworkers and supervisors to determine whether they had received adequate training. This sample consisted of 19 caseworker supervisors, and 37 CPS, 24 Foster Care and 10 Preventive Services caseworkers. As shown on the table below, we found 17 of these 90 workers (19 percent) had not received the expected training.

<i>Non-Compliance with Training Requirements</i>					
<i>Training Category</i>	Broome	Clinton	Monroe	Nassau	Total
CPS caseworker did not attend mandated training.			1		1
Foster Care or Preventive Services caseworker did not attend CWPCT.	4		1	1	6
Foster Care or Preventive Services caseworker did not attend CWPCT timely.	1	2			3
Foster Care or Preventive Services caseworker began, but never completed CWPCT.		3	4		7
Total	5	5	6	1	17

According to district officials, one reason district Foster Care and Preventive Services caseworkers do not attend CWPCT is the Department of Social Services did not make enough of this training available. Department reports for Federal Fiscal Year 1994-95 and Federal Fiscal Year 1995-96 corroborate this fact. These reports show 10 percent and 13 percent of the district caseworkers, respectively, who applied to attend

CWPCT were rejected. The Department did not maintain specific training information about the caseworkers who are rejected from CWPCT to determine why they were rejected or whether they subsequently attend another class. Department officials told us Federal Title XX Regulations limit the amount of funding for training specific classes of workers and that in the absence of Department-provided training, the districts are responsible to provide comparable training. Because sufficient training was not available, the Department had limited assurance district caseworkers have the requisite skills and knowledge to positively influence families to change their behavior to protect and nurture their children.

Recommendations

4. Develop a centralized information system which records the type, duration and date of training for each district CPS, Foster Care and Preventive Services caseworker.

(OCFS officials disagree with the audit finding that the Department did not maintain a centralized tracking system for training, stating that a sophisticated system is maintained. Officials noted the system does not track new CPS worker training in Monroe County or New York City, because these districts received approval for their own CPS training systems. Officials stated that 13 of the 14 CPS staff who were missing from the tracking system were from Monroe County and were never intended to be included on the records. The 14th person was listed under her old name. The officials noted that the training history records for individual caseworkers are maintained by the districts and OCFS's Office of Human Resource Development maintains records on training offered through its own training providers. The officials further noted that there is no regulatory or statutory requirement that they maintain these local records. In our report, we stated the Department did not maintain a complete or accurate system, and provided examples to support our findings. Concerning the 14 caseworkers we identified who did not appear on the centralized tracking system, OCFS officials are incorrect in stating that 13 of the 14 caseworkers are from Monroe County; eleven are from Monroe County, two are from Clinton County and one is from Broome County. We do not take exception to Monroe County and New York City maintaining their own CPS training systems, to

Recommendations (continued)

districts maintaining training history records for individual caseworkers, or to OCFS maintaining records of training provided through its own providers. Nor are we encouraging duplication of efforts in tracking caseworker training. However, OCFS is responsible for ensuring compliance with the requirement that districts must provide training on a continuous, progressive and comprehensive basis for all caseworkers responsible for providing services. In our judgment, OCFS should either collect complete information on the type, duration and dates of training for each CPS, Foster Care and Preventative Services caseworker, or should establish some other method, such as periodically reviewing district records, to ensure training requirements are met by the local districts.)

5. Ensure that adequate training is made available to meet caseworkers' needs and all caseworkers receive training.

(OCFS officials stated they disagree with our recommendation that the State needs to offer more training for child welfare staff to ensure that all caseworkers have sufficient opportunity to attend training. The officials also stated they are not required to provide any training to local districts at all, and there is no statutory basis requiring that any caseworker, other than Child Protective Services caseworkers, receive mandatory training from any source at all. Further, concerning the 17 caseworkers we cited who had not received the expected training, OCFS officials stated that 10 had never been nominated by their agency to attend training, while the remaining caseworkers attended subsequent training sessions. As we noted in our report, the Department of Social Services undertook an initiative to restructure its training program by developing Competency-Based Core Training for all Child Protective Services, Foster Care and Preventive Services caseworkers. We applaud this effort. We also agree that districts are ultimately responsible to provide training and have stated this in our report. In addition, we agree that the Department provided districts with substantial amounts of training. However, officials from two of the districts we visited stated to us that the State had not provided sufficient training opportunities and we have recognized this assertion as their explanation of the exceptions we noted. Whether or not OCFS chooses to be the training provider

Recommendations (continued)

is not the issue. OCFS should ensure that the training districts obtain for their caseworkers, regardless of the source, adequately prepares the caseworkers for their duties.)

Supervision

Division management has expressed its belief that quality supervision is necessary throughout a case to protect children from the potentially harmful consequences of inadequate investigations and incorrect assessments. Supervisors are mandated to review determination and case closing decisions and to sign appropriate forms to evidence the review occurred. A Division report on their review of ACS's CPS program noted that while the presence of supervision does not guarantee a child's safety, there is a strong relationship noted between documented evidence of supervisory involvement and positive case outcomes. Caseworkers need focus and direction, both of which are optimized by guidance, support and instruction from an experienced supervisor who is privy to the same investigative and assessment information available to the caseworker.

a. Supervisory Ratios

The Division is responsible for ensuring that districts follow State mandates and policy. Department Regulation 431.5 includes staffing standards for child welfare services. According to this regulation, Foster Care and Preventive Services case supervisors should supervise a maximum of five caseworkers. For CPS, Department Regulation 432.2 states case supervisors should supervise no more than eight caseworkers. Supervisors should be available, as necessary, to provide consultation and backup to caseworkers. As a result, the appropriate supervisor-caseworker ratios should be maintained.

We found that many districts' 1995 supervisor-to-caseworker ratios did not meet the acceptable standards as follows:

- 4 districts had CPS ratios ranging from 1:9 to 1:22 case supervisors-to-caseworkers (the standard is 1:8),
- 12 districts had Preventive Services ratios ranging from 1:6 to 1:16 case supervisors-to-caseworkers (the standard is 1:5), and

-
- 23 districts had Foster Care ratios ranging from 1:6 to 1:17 case supervisors-to-caseworkers (the standard is 1:5).

For 1996, the Division did not require districts to break out the caseworkers by program. In addition, the Division did not receive staffing reports from 19 districts in 1996. For the 39 districts which provided information, 21 exceeded the 1:5 ratio and nine the 1:8 ratio.

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

b. Evidence of Supervision

Supervisors are the primary source of ongoing feedback to caseworkers in relation to their knowledge and skills. To ensure the provision of the best possible services to children and their families, Division procedures require supervisors to review and approve case management activities. Specific supervision responsibilities include ensuring that caseworkers assign the proper level of risk to cases, keep up-to-date documentation, and make the required family case contacts. Supervisors should check required forms for accuracy, timeliness and completeness prior to signing-off on the forms.

Starting in 1996, the Division has conducted reviews of district CPS programs to determine whether, among other things, caseworkers receive adequate supervision. As of June 1997, the Division had finalized CPS reviews at six districts, including NYC. Reports from these reviews conclude there is no documented supervisory involvement in many determination and case closing decisions. (In their response to our draft report, OCFS officials stated that as of January 29, 1998, they had completed 13 CPS reviews.) The Division does not monitor district compliance with supervisory requirements for Preventive Services and Foster Care cases.

Concerning the Division's CPS review of NYC, the Division concluded that in many cases, there was no supervisory participation at key decision points, and that immediate corrective action was necessary. For the cases it tested, the Division concluded that there was a lack of documented

supervisory involvement in 21 percent of the determination decisions and in 9 percent of the case closing decisions. The Bronx had the highest percentage (34 percent) of determinations without documented supervisory involvement. As a result of NYC's refusal to cooperate with our auditors, we were unable to determine whether NYC completed the appropriate corrective action.

We tested CPS case records for evidence of proper supervisory review of the Preliminary Assessment of Safety (PAS) and the final case determination. We reviewed the Foster Care and Preventive Services case records for evidence of supervisory review of the three most recent Uniform Case Records (UCR). A UCR is a plan for the parents and children which establishes their goals for a six month period. As shown in the following table, we found 53 of the 316 required forms reviewed did not contain evidence of proper supervisory review; this is a 17 percent exception rate.

<i>Evidence of Proper Supervisory Review of Required Forms</i>			
Program	Total		Percentage of Exceptions
	Tested	Exceptions	
CPS	78	24	31%
Foster Care	118	8	7%
Preventive Services	120	21	18%
Total	316	53	17%

Our review noted the following exceptions:

- 18 forms contained no evidence of supervisory review,
- 21 forms were signed late by the case supervisor, with supervisor sign-offs ranging from one month to more than five months after the caseworker actually prepared the forms,
- 5 forms could not be located,
- 1 form was incomplete but still contained a supervisor signature,
- 2 forms were signed by the supervisor, but not dated, and

-
- 6 forms were prepared late by the caseworker, and we found no evidence that the supervisor had followed-up as to why the forms were not completed timely.

Recommendations

6. Ensure that districts maintain acceptable supervisor-to-caseworker staffing levels to comply with relevant regulations.

(In responding to our report and specifically to this recommendation, OCFS officials stated that Section 20-a of the Social Services law effectively prohibits OCFS from setting mandatory staffing ratios for local districts. They indicate that they do encourage districts to maintain appropriate staffing levels. 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 powers, directly or indirectly to prescribe the number of persons to be employed in any social service district providing the district complies with the minimum federal standards related thereto.” It is the opinion of the Comptroller’s Legal Division that the staffing standards for administration of child welfare services and care by social service districts as set forth in regulations section 431.5 and the staffing standards for child protective services as set forth in regulations section 432.2 are enforceable. Upon a showing by a social services district that it complied with minimum Federal staffing standards, OCFS officials would be precluded from enforcing staffing standards upon the districts. However, according to a Department of Social Services attorney, no such standards exist. Hence, it appears OCFS officials have the authority to set staffing ratios for local districts. Notwithstanding our disagreement on this point, it is incumbent on OCFS officials to ensure that caseloads and workloads are not so large as to impair the health and safety of children and families. OCFS officials also make reference to the staffing requirements of regulations section 432.2 related to Child Protective Services. Officials state that these requirements were tied to enhanced reimbursement to local districts, which was terminated with the creation of the Family and Children Services Block Grant. It is important to note that only the enhanced funding was eliminated, not the standard for supervisor-to-caseworker ratios.)

Recommendations (continued)

7. Ensure districts prepare PAS, case determination and UCR documents timely in all appropriate circumstances.
8. Ensure district caseworker supervisors review and approve case management activities, including signing and dating the required PAS, case determination and UCR documents.

(OCFS officials disagree with recommendations 7 and 8, stating that requirements for timely case determinations and related UCR documentation are accomplished through the Section 153-d Sanctioning Process. However, we believe Section 153-d sanctioning does not constitute sufficient monitoring of these matters. Section 153-d sanctioning is a computerized process whereby districts could be sanctioned if certain transactions are not entered on the OCFS computer system. This process does not provide assurance that the activities were actually completed, were completed properly or that adequate supervision is occurring. OCFS officials note that prospectively, with the advent of the CONNECTIONS system, workers in local districts will be required to complete the CPS-related Preliminary Assessment of Safety {PAS} in a timely fashion and local district supervisors will be provided access to the caseworker files and daily logs, which will provide an increased capability to more effectively monitor or supervise staff.)

Major Contributors to This Report

Walter Barber
Frank Houston
Kevin McClune
Michael Solomon
Larry Wagner
Christopher Bielawski
Clyde Bynoe
Mark Ren
Anil Watts
Paul Bachman



George E. Pataki
Governor

State of New York
Office of Children and Family Services

Capital View Office Park
52 Washington Street - Rensselaer, NY 12144

John A. Johnson
Commissioner

January 29, 1998

Honorable H. Carl McCall
Comptroller, State of New York
Alfred E. Smith State Office Building
Albany, New York 12224

Dear Mr. McCall:

I have reviewed the Draft Audit Report (#96-S-87) regarding "Caseworker Qualifications, Training and Supervision in Selected Child Welfare Programs". While I appreciate the comments and recommendations on areas where the agency can effect improvements, I must take exception to the following elements of the report:

Although the report notes that the Governor's 1997 welfare reform legislation effectively abolished the previous Department of Social Services, I do not believe it sufficiently recognizes the impact of the organizational changes taking place. While many of the findings and resulting recommendations were premised upon discussion with separate and distinct offices of the previous Department, the findings such as those relating to the Qualifications component of the audit are now directed to the Division of Services and Community Development (referred to as the Division) rather than to the Office of Human Resource Management, the primary area reviewed in this aspect of the audit.

Additionally, the former Division of Services and Community Development no longer exists as an organizational entity in the new Office of Children and Family Services (OCFS). Therefore, I must question the overall applicability of these findings in light of the major organizational changes which occurred during the course of the audit effort. This element of confusion is evident from the inconsistent references utilized throughout the report to identify the auditee.

Please feel free to contact me if you have any questions or wish to discuss this further.

Sincerely,

John A. Johnson

cc: J. Natoli
P. Woodworth

AN EQUAL OPPORTUNITY EMPLOYER

Appendix B

Re: Audit Response - OSC Audit #96-S-87,
"Caseworker Qualifications, Training
and Supervision in Selected Child
Welfare Programs

Our specific comments relative to the audit findings and recommendations are as follows:

1. The scope of the audit should indicate that the state agency in New York State is responsible for "supervising", not "administering" child welfare programs.
2. As indicated in the cover letter, the references throughout the audit document should be consistent and reflect the organizational context in which the review was conducted.

Qualifications

- P.4 The reference to the requirements of Department Regulation (DR) Part 402 should be expanded to indicate that it is correct only to the extent that it may be further limited "subject to appropriate collective bargaining agreements and/or applicable provisions of the Civil Service Law".
- P.5 Regarding the issue of the State Central Register (SCR) clearance requirements, this only applies to employees who will have the potential for regular and substantial contact with children (ref. DR Section 402.2(e)(2)).
- P.6 While the general statement regarding caseworker qualifications is technically correct, it fails to recognize that the qualifications in areas requiring a higher level of specialization such as Child Protective Services have been updated (ref DR Section 432.2(e)(5)(iii) reissued July 1995).

Recommendations

1. Ensure districts utilize the Office's minimum qualification requirements for hiring caseworkers.

The Office's role in this regard, as specified in Section 680.1 of the Regulations, indicates that such review will be for consistency with generally accepted professional standards, for internal consistency, for format, for compatibility with equal employment opportunity, for adherence to programmatic requirements and for conformity with applicable federal and state laws, rules and regulations or policies. Such review must also include due regard to the variation among local social services districts in regard to recruitment fields, available resources and customary usage. All of this occurs in collaboration with the local Civil Service Commission or Classifying Authority to insure an appropriate recognition of available resources and level balance within local county-wide classification plans. Where there is a requirement for specific qualifications/standards, such as for Child Protective Service staff, they are specifically included in law or regulation [DR 402.2(e)(2)].

2. Periodically re-evaluate and, if necessary, update the standards for caseworker qualifications.

Again, in accordance with 680.1, we review new or revised position specifications developed by local social services districts and approved by local Civil Service Commissions or Classifying Authorities. In 1982, the State revised its regulations to provide local districts greater classification flexibility. This has been complemented by the Governor's philosophy to generally (where it makes sense) return decision-making to the local level and to reduce State mandates. Local development of minimum qualifications, as described in response to the previous recommendation, describes an adequate methodology in these regards which provides for varying needs across the State from district to district. What is appropriate in New York City may not serve the needs of St. Lawrence County. Further, consistent with the Social Services Block Grant approach to funding, as is currently in place in NYS, it would naturally follow for local districts to assume the responsibility for development of minimum qualifications appropriate to their needs. This approach also recognizes that we do not have the regulatory authority to unilaterally change or impose standards.

3. Ensure the district follow relevant regulations when hiring caseworkers including:

Relative to the educational background required in bullet 1, the Office of Human Resource Management has prepared a "Dear Commissioner" letter reminding local districts of the operative educational requirements that must be followed (copy attached) as contained in DR Section 680.1.

Bullet 4 should indicate that the SCR clearance should be done "where appropriate".

Caseworker Training

The following comments pertain to the portion of the report (pages 7-12) that addresses caseworker training.

Recommendations

4. Develop a centralized information system which records the type, duration and date of training for each district CPS, Foster Care and Protective Services caseworker.

We disagree with the audit finding that the Department does not maintain a centralized tracking system for training. On the contrary, a sophisticated system is maintained. It does not track new CPS worker training in Monroe or New York City. These local districts sought and received approval for their own CPS training systems. These programs exceed the minimum state requirements and the training records for Monroe and NYC are maintained locally. The auditors claim that 14 of the 42 CPS staff in their sample did not appear in our records. Thirteen were from Monroe

County and were never intended to be in our records. The remaining person had changed her name and was listed under her old name. Thus, every CPS worker we intended to track, did in fact receive the required training and was in our records.

Training history records for individual caseworkers are maintained in the locale in which they originate - local districts. This allows the training history to include locally-sponsored training activities as well as OHRD-sponsored ones. Indeed, the State authorizes and encourages local districts to maintain their own staff development offices and even reimburses districts at a 100% rate for a staff development coordinator. OHRD maintains records on training offered through its own training providers. The auditors ignore the fact that there is no regulatory or statutory requirement that the Department maintain these local records, and that the State already funds counties for their own staff development efforts. OSC has, in effect, invented a new requirement for recordkeeping and has applied it here.

5. Ensure that adequate training is made available to meet caseworkers' needs and all caseworkers receive training.

We disagree with the recommendation that the state needs to offer more training for child welfare staff to ensure that all caseworkers have sufficient opportunity to attend training. On the contrary, we offer substantial amounts of training to local district and voluntary agency staff. In 1995-96 alone, we provided more than 25,000 classroom seats in child welfare training in over 70 separate course titles.

As we described in the response to recommendation #4 above, all new Child Protective Services staff are required to be trained in a program approved by the state (not necessarily conducted by the state). All of the staff we intended to train and track through our system, were in fact trained and accounted for. There is no such statutory or regulatory requirement for other staff (Adoption, Foster Care, Preventive Services). Nevertheless, we strongly encourage such staff to attend our Permanency Planning Core Training and, as a practical matter, most do. The decision as to whether a staff member needs to attend is made by the local district based on the background of the employee, their educational level, their work history (they may have transferred from other child welfare units) etc.

We offer sufficient training opportunities so that all new staff who need the training can in fact participate. On occasion, a particular offering may be over-subscribed and a few must be denied admission. In those cases, the affected employees are immediately put on the top of the list for the very next offering and are guaranteed admission. However, since this particular two-week program is held in regional locations, the employee may have to travel to a different location in order to attend the next

session. It might be several months before the program is again offered in the region of choice. The state contract covers all travel and lodging costs for these employees so financial concerns are not an issue.

This is all in the face of the fact that the Department is not required to provide any training to local districts at all. New York State has a locally-administered, state-supervised child welfare delivery system. The Department has no statutory or regulatory mandate for it to, in the first instance, provide orientation and training to all county child welfare employees. Department regulations Section 402.1(a) states that "The social services district shall be responsible for developing and implementing the social services program as required by the Department." The regulations go on to state, in Section 402.2(d) that "There must be a training program for staff development on a continuing, progressive, and comprehensive basis for all staff responsible for the provision of services." Further, there is no statutory basis requiring that any caseworker, other than Child Protective Services caseworkers, receive mandatory training from any source at all. The auditors removed from their earlier draft report the statement acknowledging this fact. Of course, these issues and others were examined by the New York State Commission on Child Abuse in its November 1996 report to the Governor. This Commission made several recommendations regarding statutory changes and other requirements concerning the testing, hiring, and training of new caseworkers. However, these recommendations have not yet been implemented as statutory changes.

The table listed on page 11 as "Non-Compliance with Training Requirements" is misnamed. The training for all but CPS workers is not required. We checked into the 17 names provided by the auditors to determine the facts surrounding their non-attendance at recommended training. Of the 17 names provided by the auditors, 10 had never even been nominated by their agency to attend. Of the remaining seven, five were accommodated in the very next offering, one attended the subsequent offering and the remaining worker was the CPS worker referenced earlier.

It is unfortunate that the auditors chose not to probe local districts further about why some believe that CHRD offers an insufficient number of foundation courses. Rather, OSC has apparently taken the local districts' initial statements on the matter and has ignored the facts the Department has presented.

Further, we continually seek to improve both the quality and efficiency of our training and, for 1997-98, are developing a systematic, competency-based approach to child welfare training that will focus on specific skills needed by new caseworkers for job proficiency and will enhance our overall training effort. We believe in trying to make our program better. The OSC auditors, however, appear to view our efforts as some admission of inadequacy. Nothing could be further from the truth.

Supervision

P. 12 Reference is made to DR Section 431.5 on staffing standards for child welfare services. The Department has cited on several occasions the long-standing opinion that it was precluded from enforcing the provisions of DR Section 431.5 because it conflicts with State Law as contained in Book 52A, Section 20-a of the Social Services Law which reads as follows:

DR Section 20-a. Local personnel; limitations on department's power

Notwithstanding any inconsistent provision of this chapter, the board, the commissioner or 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.

Reference is also made to DR Section 432.2(e)(5)(IV) through (VII). These particular regulatory requirements were tied to enhanced reimbursement which was terminated with the creation of the Family and Children Services Block Grant (see Chapter 83 of the Laws of 1995).

P. 13 The issue of supervisor-to-caseworker ratios and staffing levels was previously raised in OSC's audit 96-S-52, "Caseworker Deployment in Selected Child Welfare Programs". While we believe Section 20-a of the Social Services Law effectively prohibits the Department from specifying staffing levels, we have cited in our response to recommendations #1 and #2 of that report, several examples of how we have encouraged local districts to maintain sufficient staffing levels.

As previously indicated, CPS reviews have been finalized for 13 local districts including New York City.

We must also disagree with the statement that the Division did not monitor local district compliance with supervisory requirements relative to Preventive and Foster Care cases. The Department has implemented the Social Services Payment System (SSPS) as well as monitored the requirements of the Child Welfare Reform Act (CWRA) through the Section 153-d Sanction process and has also conducted case reviews of child welfare cases on both a statewide and individual complaint basis.

Recommendations

6. Ensure that districts maintain acceptable supervisor-to-caseworker staffing levels to comply with the Department's regulations.

Response: As indicated above, we are legally prohibited from setting mandatory staffing ratios for local districts.

However, as indicated previously, we have encouraged districts to maintain appropriate staffing levels. In this regard, we would cite Part 429 - "Family and Children's Services Plan" and, in particular, Section 429.4(3) Resource Inventory which requires a listing of the available services resources in each local district, DR Section 432.2(f)(2)(iii) relating to Child Protective Services organizational requirements and staffing levels and DR Section 432.2(e)(5)(i) through (iii) relative to local district child protective service requirements for sufficient staffing, required training and education as well as necessary experience.

7. Ensure districts prepare PAS [Preliminary Assessment of Safety], case determination and UCR documents timely in all appropriate circumstances.
8. Ensure district caseworker supervisors review and approve case management activities, including signing and dating the required PAS, case determination and UCR documents.

Relative to recommendations #7 and #8, concerning requirements for timely case determinations and related UCR documentation, these have clearly been monitored by the Department through the Section 153-d Sanctioning Process.

Prospectively, with the advent of the CONNECTIONS system statewide, workers in local districts will be required to complete the CFS related Preliminary Assessment of Safety (PAS) in a timely manner. In addition, the CONNECTIONS system will provide the local district caseworker supervisors access to the workers caseload files and daily activity logs which will provide an increased capability to more effectively monitor and supervise staff.

Lastly, as indicated in our previous comments of July 10, 1997, we request that all local district specific findings be recognized and appropriate adjustments made in the exception rates presented on page 15 of the report.

Dear Commissioner _____:

An audit of Local District Caseworker Qualifications, Training and Supervision was recently conducted by the Office of the State Comptroller. Among the findings, the audit cited use of a Caseworker position specification in your district that does not reflect qualifications consistent with the minimum standard for Caseworker, established by the former Department of Social Services in Administrative Letter 87 ADM-47.

The standard requires that open-competitive Caseworker candidates possess a bachelors degree or, at district option, certification as a Registered Nurse and one year experience in that profession. Districts may exceed the minimum standard by requiring certain degree fields or additional experience, but may not allow experience to substitute for the degree or, if used, the RN certification.

Please contact your local civil service entity to review the Caseworker position specification and update the document, as necessary, to ensure qualifications reflect the minimum standard.

Thank you for your attention to this matter.

Sincerely,