

August 7, 2009

Honorable Judge J. William McLafferty
Santa Barbara County Superior Court
1100 Anacapa St., 2nd Floor
Santa Barbara, CA 93121-1107

**Board of Supervisors' responses to Fiscal Year 2008-2009
Grand Jury Report on "A Child's Death in Foster Care – An Unavoidable Tragedy?"**

Dear Judge McLafferty:

During its regular meeting on August 25, 2009, the Board of Supervisors (Board) adopted the following as the Board's response to the relevant findings and recommendations in their Fiscal Year 2008-2009 Grand Jury Report entitled "A Child's Death in Foster Care – An Unavoidable Tragedy?"

Finding 1

While agency policies and procedures were apparently followed by workers involved in this case, indications that all was not well with the foster family were overlooked.

Response: The Board of Supervisors agrees with the first part of the finding that case workers followed established agency policies and procedures. However, the Board wholly disagrees with the latter part of the finding that indications were overlooked.

Recommendation 1

That Child Welfare Services implement a policy of regular, periodic review of ongoing cases with all involved workers and supervisors to detect patterns or changes in the foster home situation which might give rise to concern for the safety and welfare of the child.

Response: This recommendation has been implemented. The Department of Social Services is in full compliance with federal and state program mandates regarding case review. While the Department already had a policy in place, it has issued an expanded, more detailed policy statement to Child Welfare Services staff to improve information dissemination. This policy, the "Child Abuse/Neglect Referrals on Children in Out of Home Care Policy," emphasizes the need for close communication when multiple caseworkers and supervisors are working on the same case. As noted in the policy, staff involved in case management share information leading to a comprehensive assessment of the child's safety. Santa Barbara County utilizes the evidence-based Structured Decision Making (SDM) tools to assist the social workers and supervisors in their assessment and decision-making.

Finding 2

There is inadequate communication among various workers involved in the care of a foster child.

Response: The Board of Supervisors partially disagrees with this finding. The Department of Social Services may enhance its communication strategies among caseworkers and other service providers. The Department has implemented policies and procedures to strengthen communications as illustrated in the Department of Social Services' response and accompanying attachments.

Recommendation 2

Child Welfare Services implement a policy to ensure there are face-to-face discussions between workers involved with a child, particularly when there is a transfer of the case from one division to another or a complaint is received.

Response: This recommendation has been implemented. While the Department of Social Services already had a policy in place, it has issued an expanded, more detailed policy statement to Child Welfare Services staff to improve information dissemination known as the "Child Abuse/Neglect Referrals on Children in Out of Home Care Policy." In addition, the Department of Social Services has always utilized a formal case transfer proactive that includes both written and verbal (face-to-face contact) between caseworkers and supervisors. These policies are referenced as attachments within the Department's response to the Civil Grand Jury.

Finding 3

Some sources of information about the care of the foster child in the home were overlooked.

Response: The Board of Supervisors wholly disagrees with the finding. The Board does not believe that the Department of Social Services overlooked legally available information about the care of the foster child in question.

Recommendation 3

That Child Welfare Services make it policy to interview periodically all people involved including the foster child, all adults and children living in the home, and extended family, as a means of continually assessing the appropriateness of the placement.

Response: This recommendation will not be implemented because it is not warranted or is not reasonable. There are legal limits regarding whom Child Welfare Services (CWS) workers can interview. Santa Barbara County Child Welfare Services meets all standards dictated by the Federal and State law and complies with the Manual of Policy and Procedures, Division 31 regulations that outline the requirements for social work practice in Child Welfare Services. As required in these State regulations, Child Welfare Services social workers conduct face-to-face contacts with all children, parents, and out of home care providers on at least a monthly basis. These contacts are designed to review and assess the well-being of the child as well as assess any needs evidenced by the caretaker. In order to obtain the most comprehensive picture of a child's situation, the CWS caseworker is also in regular contact with services providers who are working with the child, parent, and/or caretaker and supervisors and managers regularly monitor this contact.

CWS does not have the authority to interview the other children in the home unless there is a suspicion the child is a victim of child abuse/neglect. If there is such a suspicion, all children in the home are interviewed as well as the adults in the home, pursuant to defined State regulations. When issues *are* identified that warrant further, more intensive review, the manager will become involved to conduct a more intensive review with the supervisor and caseworker to reach a decision on what steps or actions CWS will take in this case. In many such cases, a Team Decision Making (TDM) meeting is held that may involve the family, caregiver, service providers such as mental health counselors, attorneys that represent the children, licensing/approval caseworker and supervisor, and any others who may have information about the placement and child. Specially trained facilitators lead TDM meetings and attempt to bring consensus around the best outcomes for the child and the family.

Finding 4

Not all staff were not (sic) aware of policies recently implemented by Child Welfare Services.

Response: The Board of Supervisors partially disagrees with this finding. It is the Board's understanding that the Department of Social Services has strengthened its policies and efforts to increase staff awareness and comprehension of such policies as illustrated within the various attachments to the Department's response to the Civil Grand Jury.

Recommendation 4

That Child Welfare Services management ensure all staff are instructed in new policies and procedures.

Response: This recommendation has been implemented. The Department of Social Services has improved its communication of CWS policies since this event. CWS has strengthened the monitoring and accountability process associated with ensuring that all supervisors and caseworkers are fully aware of any new policy or procedure change, have received a copy (paper or electronic) and have reviewed it and understand it. At unit meetings, the supervisor reviews the new policy or procedure with workers, administers a brief quiz, and then requires each worker to sign an attendance form certifying that they have read, reviewed and understand the new policy or procedure. Additional information is included within the various attachments to the Department's response to the Civil Grand Jury.

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Sincerely,

Joseph Centeno, Chair
Santa Barbara County Board of Supervisors

cc: Grand Jury Foreperson
Kathy Gallagher, Director of Social Services