

Child Protective Services of Nevada County

Summary

A complaint was filed with the Nevada County Grand Jury alleging that Child Protective Services had taken no action to investigate a report of suspected child abuse. It was alleged that the complainant at least twice attempted to provide additional information and received no response.

The Nevada County Grand Jury initiated an investigation of the complaint. The Grand Jury determined that Child Protective Services failed to properly process the report. It was only after the Grand Jury encouraged the complainant to contact Child Protective Services management in August 2010 that an investigation of child abuse was initiated. The reasons for this significant delay are described in this report.

The services provided to children of Nevada County by Child Protective Services are important and valued. However in this instance Child Protective Services failed to comply with its policies and procedures. The Grand Jury recommends Child Protective Services management should immediately introduce controls to ensure adherence to their policies and procedures to protect the safety and well-being of the children of Nevada County.

Reasons for Investigation

A complaint was received by the Nevada County Grand Jury (Jury) describing the possible failure of Child Protective Services (CPS) to investigate a report of alleged child abuse.

Background

Nature of Complaint

The complainant informed the Jury of a visit to the offices of CPS to report child abuse, meeting with a social worker and describing to the social worker the reason for concern. According to the complainant, the social worker gave the complainant the social worker's business card. The complainant was encouraged to call if there was additional information. According to the complainant, two telephone calls were made to the social worker and recorded messages were left. Neither telephone call was returned. The complainant was concerned that no action had been taken by CPS in response to the report.

CPS

CPS is the principal county agency that intervenes in cases of child abuse and neglect. Existing law requires CPS to provide services to abused and neglected children and their families. CPS's goal is to keep a child in his/her own home when it is safe or, if the child is at risk, to develop an alternate plan as quickly as possible. If it is determined that a child cannot remain in the home, the child is placed in foster care. Whenever a report indicates the need for protection, CPS will: (a) accept the case; (b) intervene in a crisis; (c) initiate family preservation and support services; (d) assess problems and gather facts; (e) plan and provide services, set goals, and identify resources and timeframes; (f) document the case; and (g) terminate the case or transfer it to another program.

The Child Welfare Services/Case Management System (CWS/CMS) was created by California SB 370, Chapter 1294, Statutes of 1989. The database links all reports of suspected child abuse and neglect throughout the State. CPS policies require the use of CWS/CMS to record all reports of alleged child abuse and neglect.

Procedures Followed

The Jury:

- Conducted interviews with the complainant, a witness and with various CPS management staff.
- Visited the CPS facility.
- Reviewed various CPS policies and procedures and the organization chart.
- Reviewed California Penal Code, Section 273a (Willful Harm or Injury to a Child, etc.) and California Penal Code Sections 11164-11174.3 (Child Abuse and Neglect Reporting Act).
- Reviewed the California Department of Social Services web page describing the development and implementation of CWS/CMS.

Facts

1. The Jury was advised that the complainant walked into the CPS facility to report incidents of suspected child abuse. After screening by a security guard, the complainant was admitted to an office and reported the information to a CPS social worker, who listened to the report, took notes and instructed the complainant to call if there was additional information.
2. The complainant provided the Jury with the business card that the complainant said was received from the CPS social worker during the visit.
3. CPS management stated it is standard practice for social workers to hand their business cards to clients.

4. CPS management provided the Jury with its policies and procedures and social worker performance standards, which clearly describe the requirement that all reports of suspected child abuse/neglect be entered into CWS/CMS. This required use of CWS/CMS applies to reports received telephonically, in writing or in person.
5. During this investigation the Jury was advised by CPS management that the complainant's initial report had not been entered into CWS/CMS.
6. CPS management stated that during the time period under investigation, no complaint was received regarding a lack of response on the part of CPS to any report of child abuse.
7. The complainant advised the Jury that two follow-up phone calls to the social worker were not returned. As a result, the Jury encouraged the complainant to contact CPS management.
8. During this investigation the Jury observed that CPS had no log, recording or other process to determine whether an individual visited the CPS office.
9. There is no procedure at the CPS facility for management to reconcile the total number of reported cases with the number of cases entered into CWS/CMS.
10. CPS management provided the Jury with certain CPS policies and procedures and other administrative documents (see Appendix A for a list of documents relevant to this report).
11. It was reported to the Jury by CPS management that during the time period under investigation, there was no CPS procedure to verify that telephone calls, or voice mails, had been responded to per CPS policy.

Findings

1. The Jury concludes that the visit to CPS took place and the complainant reported suspected child abuse to a CPS social worker.
2. The Jury concludes that a breakdown in the walk-in reporting process allowed this report, and may have allowed other reports, of suspected child abuse to go unrecorded in CWS/CMS.
3. CPS does not have a process in place that would confirm a report is entered into CWS/CMS when an individual visits the CPS facility to file a report of abuse or neglect.
4. CPS failed to document, by entry into CWS/CMS, this complainant's initial report of suspected child abuse.

5. Since the report was not entered into CWS/CMS, CPS took no action to investigate the allegations until the Jury encouraged the complainant to contact CPS management.
6. The actions of CPS personnel, relative to the complainant's initial report, were not in accordance with CPS policies requiring that all reports of suspected child abuse be entered into CWS/CMS.
7. Children remain at risk if CPS fails to reliably record and investigate reports of suspected child abuse or neglect.

Recommendations

The Board of Supervisors should direct staff to:

1. Implement a process to confirm that, if an individual visits the CPS facility and reports suspected abuse or neglect, the report is recorded in CWS/CMS.
2. Review with social workers their responsibilities as users of CWS/CMS. The review should be conducted at least annually.

Responses

Nevada County Board of Supervisors – September 6, 2011

Appendix A

I. Policies and Procedures

Title of Document	Issue Date	Effective Date
CPS Hotline Basics	05/04/09	07/01/09
Hotline: Cross-Reporting Responsibilities	05/04/09	07/01/09
Emergency Response Investigation	03/15/10	03/15/10
Differential Response Path I & Path II	05/01/09	02/16/10
Child Abuse & Reporting Act – Who Must Report	09/01/09	09/01/09
Confidentiality Policy Overview	03/01/10	03/01/10

II. General Administrative Documents

- A. Child Welfare Overview
- B. New Employee Orientation
- C. Nevada County Performance Expectations – Social Worker
- D. Nevada County Performance Expectations – Social Worker Ongoing
- E. Nevada County Performance Expectations – Supervisor
- F. Nevada County Performance Expectations – Office Assistant