

**NORTH CAROLINA DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF SOCIAL SERVICES
CHILD WELFARE SERVICES**

**Gaston County Division of Social Services
Child Welfare Program
Evaluation Report**

Background and Purpose

The North Carolina Department of Health and Human Services has the authority under General Statute 108A-74 (<http://www.ncleg.net/gascripts/statutes/statutelookup.pl?statute=108A-740>) to evaluate and provide technical assistance to county social services agencies to assure child welfare programs are in compliance with state law, rules, and policy. The evaluation entails a review of program protocols and practices, including a review of case records, to determine the agency's level of functioning. A plan for improvement is developed and the North Carolina Department of Health and Human Services through the Division of Social Services (NCDSS) provides technical assistance and oversight to ensure plans are implemented and the expected outcomes are achieved.

On November 15, 2013, an employee of the Union County Division of Social Services who was also licensed as a foster parent was arrested on child abuse charges. The Gaston County Division of Social Services (GCDSS) was the supervising agency for this foster parent beginning in August, 2003 until August, 2010. Due to questions regarding the supervision of the foster home and placement of the children in the foster home, a team of reviewers from NCDSS made an onsite visit November 20 and 21, 2013 to conduct a preliminary assessment to determine the program areas that required a further in-depth review. A foster home licensing record and 5 foster care records were reviewed. As a result of this preliminary assessment, the NCDSS developed a detailed plan further evaluation of the GCDSS foster home licensing and oversight, foster care practices and protocols, and the practice of granting guardianship of children to foster parents and other caregivers.

Program Evaluation

The review team, consisting of 6 NCDSS staff, returned to the GCDSS January 6-9, 2014. The team reviewed 9 current or recently closed foster home licensing records, the foster care records of 10 children placed in the foster homes whose records were reviewed, 6 cases in which guardianship of children was granted to the foster parents, and foster care records of 10 children currently open for foster care services.

The review team focused on the required procedures and best practices in child welfare using standardized review tools. The review included examination of records for service delivery to foster families and the children placed with them, compliance with licensing requirements, home visits and face to face contacts with foster families, foster children, the children's parents or caretakers, reasonable efforts to achieve permanent plans for children, case planning with families, use of the court, staff supervision, and the documentation to support case decision making.

Key Findings/Observations and Recommendations

This report contains 7 key findings/observations and recommendations. Each set of key findings/observations and recommendations contain a subset of bulleted details. Key findings 4, 5, 6, and 7 contain introductory information so as to give context for the subset. This information is generally a brief description of state and federal child welfare law, rule, policy or practice guidance.

The 8 key findings/observations and recommendations centered on the following themes:

- Finding/Observation 1: Agency Structure and Administration
- Finding/Observation 2: Case Documentation
- Finding/Observation 3: Quality Assurance
- Finding/Observation 4: Management and Maintenance of Foster Home System
- Finding/Observation 5: Reasonable Efforts to Achieve Permanency
- Finding/Observation 6: Foster Care Case Planning
- Finding/Observation 7: Guardianship

Finding/Observation 1: Agency Structure and Administration

- There was a change in middle management beginning in October, 2013.
- The GCDSS child welfare section has limited capacity to implement a blended team structure. The child welfare section is organized using blended program units. This approach requires supervisors to be familiar with the laws, rules, and policy for the program areas of child protective services assessments, in-home child protective services, and foster care services.
- There was insufficient case documentation regarding supervisory oversight in foster care cases.
- Planning and case management was inconsistent in the absence of well informed supervision.
- There was no evidence in the case records of supervisory oversight or any tools to document supervision time and direction. These tools could guide the supervisor in making inquiries about the status of the agency's work with families.

Recommendations: Agency Structure and Administration

- The GCDSS should expedite the plan for reorganization so that supervisors oversee either child protective services and in home services, or foster care services. The GCDSS has decided to reorganize administratively with the goal of decreasing the range of program areas for which a supervisor has responsibility. It is anticipated that this plan will be implemented within 60 to 90 days.
- The NCDSS will provide any training and technical assistance needed to advance this reorganization and facilitate the implementation.
- The GCDSS should expedite its plans to reorganize so supervisors oversee a narrower range of services in order to more effectively supervise and coach social workers.
- The GCDSS should identify and implement the use of supervision tools so supervisors will have a structure with which to conduct supervision conferences and document performance feedback to the social workers.
- The NCDSS will provide technical assistance support to reduce the range of services managed by supervisors and to identify and implement the use of supervision tools.

Finding/Observation 2: Case Documentation

- The GCDSS did not consistently adhere to its case record organization policy.

Recommendations: Case Documentation

- The GCDSS should monitor and enforce adherence to the GCDSS record organization structure for each program area.
- NCDSS will provide any technical assistance that may be needed to implement a case record organization system including consultation on required case record content outlined in policy.

Finding/Observation 3: Quality Assurance

- The GCDSS has not operated a quality review system for several years.

Recommendations: Quality Assurance

- The GCDSS should move quickly toward identifying staff, tools, and protocols to implement a quality assurance system to monitor child welfare services improvement efforts.
- The NCDSS will provide technical assistance to the GCDSS
 - in developing a quality assurance system to ensure that reviews are in compliance with law, rule and policy;
 - in developing a continuous quality improvement system.

Finding/Observation 4: Management and Maintenance of Foster Home System

The current North Carolina system for family foster homes requires county social services agencies to complete licensing actions as well as provide ongoing supervision and support. Supervision activities include regular contact with foster families through a minimum of quarterly visits with the foster family. The social worker must balance the dual role of supporting the foster parent while monitoring for proper care of children in the home.

- There is concern that the GCDSS foster home social workers did not balance the dual role of supporting the foster parent while monitoring for proper care of children in the home.
- Instances were identified in which information provided to the foster home worker was not properly documented and screened as a child protective services report.
- Instances were identified in which foster home social workers documented that foster parents complained about not seeing the children's social workers and this information was not properly acted upon.
- Records lacked documentation that there were substantive contacts with foster fathers.

Recommendations: Management and Maintenance of Foster Home System

- The GCDSS should require foster home social workers to maintain a case log on which required activities are recorded for easy reference for the social workers and review by supervisors.

- The GCDSS should establish guidelines and a protocol on the management of concerns about care of children in foster homes, including documentation of the responses and a review of actions.
- The GCDSS should establish a regular means by which social workers and supervisors providing foster home supervision and foster care services to children communicate, sharing key information regarding strengths and needs of children and foster parents.
- The NCDSS will provide technical assistance
 - in identifying and implementing use of a log to easily track foster home licensing and supervision activities, and begin periodic reviews of licensing records to assure compliance with supervision requirements;
 - to review guidelines and protocols on the management of information regarding foster homes to assure they are consistent with law, rule, and policy;
 - in developing, implementing, and sustaining means for relevant agency staff to evaluate the foster care program's strengths and concerns and engage in a process for planning program enhancements.

Finding/Observation 5: Reasonable Efforts to Achieve the Case Plan Goal

State and federal law requires that reasonable efforts must be made to reunite children with their families or to achieve alternative permanent plans when reunification efforts are not successful. Evidence of reasonable efforts in documentation includes visits with children, parents, foster parents and relatives, case planning activities, arranging and monitoring services to meet the needs of safety, permanence and well being needs of children, parents, relatives, and foster parents.

- The case review demonstrated
 - a lack of documentation of foster home visits to ensure that the children are receiving proper care and gain insight into each child's needs;
 - a lack of substantive meetings with children to determine what the child's needs are and whether they are being met;
 - minimal home visits to parents or other caregivers to assess their progress on case plans and their current status;
 - lack of documentation that policies and procedures were followed regarding weekend home visits;
 - a large majority of visits with parents were held in the office. Parents came for visits with their children which did not afford sufficient time to assess case status;
 - a heavy reliance on social work paraprofessionals which impacted the social workers' assessment of parental capacities.
- The GCDSS has a Family Finding team which focuses on locating potential family resources for children in accordance with the Fostering Connections Act. This service aims to more quickly achieve permanence and with reduced trauma to the child. However, the case review demonstrated:
 - referrals by children's social workers were not always prompt;
 - the Family Finding Team would locate relatives and send the information back to the children's social workers;
 - the relatives were not always contacted or not contacted within a reasonable time.

Recommendations: Reasonable Efforts to Achieve Permanency

- The GCDSS should identify and implement use of a case tracking log of activities maintained by social workers in order to track their activities which supervisors will use during supervision time to provide oversight and assure that appropriate and substantive contacts are being made and properly documented.
- NCDSS will provide technical assistance
 - in identifying means of case tracking to meet the GCDSS' needs;
 - to supervisors to effectively use the case tracking system in supervision. This will help assure appropriate agency case responses and to provide performance feedback to social workers.
 - to evaluate the protocol for using Family Finding Services and the use of the information to improve family connections for children.

Finding/Observation 6: Foster Care Case Planning

The development of case plans with families is the centerpiece of activity with families, and is a required activity under federal law. The Out of Home Family Services Agreement is the format required by the NCDSS for all foster care cases to clearly define issues that resulted in court action, outline case goals, focus expectations of families, identify needs of children and their caregivers to assure they receive needed services, describe the reasonable efforts the agency will make to support the plan, and provide a means for evaluating case progress.

- There was little evidence of case planning by social workers with families, children, or alternate caregivers.
- Foster care case planning is heavily influenced, and often replaced, by the court's Permanency Mediation Program. The purpose of this Permanency Mediation Program is to resolve issues in cases to expedite court proceedings. While this is a means to more effectively use court time, social workers are foregoing family engagement for case planning and relying on the Mediation Program which outlines what the attorneys will present to the court in adjudications and initial dispositions. The resulting "agreements" were found by the reviewers to lack case specific language.

Recommendations: Foster Care Case Planning

- The GCDSS should develop a plan to implement case specific Out of Home Family Services Agreements targeted to address the issues found during the child protective services assessments and court findings.
- The GCDSS should engage the court's Permanency Mediation Program in partnership to include the case plans in the deliberations by the Permanency Mediation Center;
- The GCDSS should implement feedback loops to supervisors and social workers on the findings of those reviews to continuously improve quality in planning and service delivery.
- The NCDSS will provide technical assistance in the areas of quality assurance and continuous quality improvement systems.

Finding/Observation 7: Guardianship

County social services agencies are required to individualize their work with families to ensure that each foster child's permanent plan provides the greatest level of permanency reasonably available, taking into consideration the child's individual needs. When efforts to reunite children and parents are exhausted, a transparent discussion must take place with foster parents and potential permanent placement providers regarding all the options for permanency. Whether the plan ends up being adoption, guardianship, custody, or another permanent plan, full disclosure about how each option would financially and legally impact the child and permanent placement provider, is intrinsic to the placement provider's ability to give informed consent to the permanent plan.

The most permanent plan for a child is reunification; however, when reunification cannot be accomplished in a timely manner, adoption is preferred. In fact, under N.C.G.S. § 7B-906.1(f), a county social services agency must initiate a termination of parental rights proceeding when a child has been placed outside of his home 12 of the last 22 months, unless one of three exceptions applies. The three exceptions are (1) the permanent plan for the child is guardianship or custody with a relative or other suitable person, (2) the court has made findings specifying that termination of parental rights would not be in the best interest of the child; or (3) the county social services agency has not provided services to the family deemed necessary for the safe return of the child to the child's home.

- In some instances, the GCDSS awarded guardianship of children to foster parents or other caregivers:
 - without fully informing them of the financial and legal impact for them and the child;
 - when there were seemingly appropriate relatives who were not evaluated;
 - with little notice to the foster parents and relatives by a means that did not offer the families any options or opportunity for feedback;
 - by informing them summarily that it would be easier for them to accept guardianship and pursue termination of parental rights later on their own than it would be for the agency to clear the children for adoption, even though it was the agency's responsibility to do just that.

Recommendations: Guardianship

- The GCDSS should evaluate this practice and develop guidelines as to when foster parents or other caregivers would be considered for guardianship.
- The GCDSS should develop and implement a means to provide information on foster home licensing to caregivers when children are initially placed with them.
- The GCDSS should fully disclose information on permanency alternatives to foster parents in pre-service and in-service training and to other caregivers when case plans change from reunification.
- NCDSS will provide technical assistance regarding the development and implementation of guidelines and means of information sharing with foster parents and caregivers.
- The NCDSS will request the Guardian Ad Litem (GAL) Program through the Administrative Office of the Courts to review the local GAL program's protocols on making recommendations on guardianship to the Court.

Next Steps

The NCDSS will provide a staff person to develop these findings/observations and recommendations into a plan and assist with implementing actions. This includes working with the GCDSS staff to provide or arrange for any of the training or technical assistance outlined in the plan. The plan will be reviewed weekly for the first 3 months at which time the review schedule will be re-evaluated.