
**Report to
The Vermont Legislature**

**Implementing Policy, Procedure and Practice Changes in
the Family Services Division**

**In Accordance with 2015 Act 60 Sec 22(b): An act relating to improving
Vermont's system for protecting children from abuse and neglect**

**Submitted to: House Human Services Committee
House Judiciary Committee
Senate Health and Welfare Committee
Senate Judiciary Committee**

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I. Summary of Act 60, Section 22 (b):

In 2015, the Legislature passed Act 60 into law. This comprehensive legislation aimed to improve the State’s approach to preventing child abuse and neglect, and protecting children from abuse. Section 22(b) of this Act directed the Commissioner of the Department for Children and Families to:

- (1) Ensure that Family Services Division policies, procedures, and practices are consistent with the best interests of the child and are consistent with statute;
- (2) Ensure that Family Services Division policies, procedures, and practices are consistent with each other and are applied in a consistent manner in all Department offices and in all regions of the State;
- (3) Develop metrics as to the appropriate caseload for social workers in the Family Services Division that take into account the experience and training of a social worker, the number of families and the total number of children a social worker is responsible for, and the acuity or difficulty of cases;
- (4) Ensure that all Family Services Division employees receive training on:
 - (A) relevant policies, procedures, and practices; and
 - (B) the employees’ legal responsibilities and obligations;
- (5) Determine how to improve data sharing between the Department, courts, treatment providers, the Agency of Education, and other branches, departments, agencies, and persons involved in protecting children from abuse and neglect, including:
 - (A) Determine the data that should be shared between parties;
 - (B) Investigate regulatory requirements and security parameters;
 - (C) Investigate the potential costs of creating a platform to share data; and
 - (D) Make recommendations to address these issues and to improve the system for protecting children from abuse and neglect;

- (6) Develop policies, procedures, and practices to:
- (A) Ensure the consistent sharing of information among treatment providers, courts, State's Attorneys, guardians ad litem, law enforcement, and other relevant parties in a manner that complies with statute;
 - (B) Encourage treatment providers and all agencies, departments, and other persons that support recovery to provide regular treatment progress updates to the Commissioner;
 - (C) Ensure that courts have all relevant information in a timely fashion, and that Department employees file paperwork and reports in a timely manner;
 - (D) Require that the Family Services Division assesses a child's safety if:
 - (i) the child remains in a home from which other children have been removed; or
 - (ii) the child remains in the custody of a parent or guardian whose parental rights as to another child have been terminated;
 - (E) Improve information sharing with mandatory reporters who have an ongoing relationship with a child;
 - (F) Ensure that mandatory reporters are informed that any confidential information they may receive cannot be disclosed to a person who is not authorized to receive that information;
 - (G) Ensure all parties authorized to receive confidential information are informed of their right to receive that information; and
 - (H) Apply results-based accountability or other data-based quality measures to determine if children who receive services from the Family Services Division in different areas of the State have different outcomes and the reasons for those differences;
- (7) Ensure that all employees assigned to carry out investigations of child abuse and neglect have training or experience in conducting investigations and have a master's degree in social work or an equivalent degree, or relevant experience; and
- (8) On or before September 30, 2015, develop and implement a Family Services Division policy requiring a six-month supervision period by the Department after a child is returned to the home from which he or she was removed due to abuse or neglect.

Further, Act 60 requires the Commissioner to provide a written response regarding the policy issues noted above, including language of any new or amended policies and procedures.

II. Best Interests of Children and Consistency with Statute

Act 60 made changes to the definitions of child abuse and thus impacted how the division screens intakes, conducts child safety interventions, and makes substantiation decisions. Seven interim policies were posted on July 1, 2015 and distributed to Family Services Division staff and partners for comment. We are in the process of incorporating this feedback; final policies will be issued in the near future. An additional finalized reunification policy (#98) was posted on September 30, 2015 after a draft was distributed and comments were provided by staff and partners.

Family Services Policy 50 was promptly updated upon the enactment of Act 60 in order to adapt criminal code definitions for use in child welfare context. Existing definitions of incest and risk of harm were revised to be consistent with statute. New definitions were

created for child pornography, lewd and lascivious conduct, luring, sex trafficking of minors, molestation, obscenity, serious physical injury, sexual act, sexual assault, and voyeurism.

Family Services Policy 51 was updated to reflect language from statute and the newly adopted definitions as guidance for screening reports of child abuse and neglect. This policy clarifies that staff from Centralized Intake and Emergency Services (CIES) will notify mandated reporters if a report is not accepted for intervention. Family Services district offices and Residential Licensing and Special Investigations (RLSI) will provide notification about accepted reports.

Family Services Policy 52 describes the requirements for conducting child safety interventions. Considerable revisions were made to this policy, including the following processes:

- reporting to and receiving assistance from law enforcement;
- conducting child safety interventions in cases with no identifiable victim;
- sharing information with mandated reporters who have ongoing working relationships with the child or youth and family; and
- tracking law enforcement notifications.

To fulfill part of our notification requirements under Act 60, the division is working with Special Investigation Units (SIUs) and Child Advocacy Centers (CACs) to ensure timely communication and collaborations for cases under the SIUs' purview.

Family Services Policy 56 provides information on processes for substantiating child abuse and neglect. Definitions were updated to be consistent with statute and other policy revisions.

Family Services Policy 58 was newly developed to provide guidance on child safety interventions when there are no children or no identified children. Examples of these types of situations include luring when the "victim" is a police officer impersonating a child or possession of child pornography when the child is not identifiable.

Family Services Policy 68 provides specific policy guidelines for investigating allegations of serious physical injury to a child caused by abuse, as well as guidance on engaging in case planning for victims of serious physical injury. This policy was amended to incorporate the new definition of serious physical injury from statute.

Family Services Policy 157 was created to inform division staff about what information must be shared with whom, and in what time frame. The policy covers redacted information files, guidance on redacting, records, and information for families, professionals involved with the family, and other stakeholders.

III. Consistent Application of Policies, Procedures and Practices

The Family Services Division is committed to ensuring the consistent design and application of policies, procedures and practices. This is essential in ensuring the safety, well-being, permanence and law abidance of children and youth, as well as supporting families involved with the division. Consistency of practice is supported through central office oversight and district management. In 2014, the division restructured central

office staffing to augment the operations team in order to: maximize operational support to district offices; establish practice consistency; and to ensure the leadership capacity needed to implement ongoing policy and practice changes. Three Policy and Operations Managers supervise the division's 12 district offices and provide consultation and support related to policies, procedures and practices.

The implementation of new policies and practices fosters a learning culture through intentional practice dialogue statewide. Family Services' policies are reviewed on an ongoing basis, with each policy being reviewed in detail at least every three years. Policies are updated as best practice as the state of social work practice evolves. Additionally, policy revision occurs in response to federal laws and state statutes. When policy updates are made, staff and community partners review each policy, have the opportunity to provide feedback and make recommendations. The best interests of children and youth are the priority when developing and revising these policies.

The oversight function of central office has been strengthened by adding policy, quality assurance, and other central office positions through the use of position pilot requests. These actions were responsive to feedback from system reviews conducted by the Agency of Human Services' Secretary Chen (October 2014), the Vermont Citizen's Advisory Board (November 2014), and Casey Family Programs (December 2014).

While front-line staff in district offices may always avail themselves of consultation, division policy requires this consultation in cases of serious physical abuse. Additionally, Family Services' leadership uses several mechanisms to disseminate information about policy, procedures, and practices. GoToMeeting sessions are held regularly with staff across the state to share information about major policy changes and provide opportunities for feedback. Monthly meetings are held with the University of Vermont's Child Welfare Training Partnership staff to discuss policy changes required by state and federal laws to ensure that all trainings will be updated as necessary.

In addition, Family Services has executed a contract with the University of Kansas for Results Oriented Management (ROM). This is a data reporting tool that will support quality assurance efforts at the district, unit, and individual social worker levels. Staff at all levels of the division will be able to view outcomes and have access to real-time data and information about the children and families they are working with. This data reporting tool will automate many manual processes required to target quality assurance inquiries. For example, quality assurance staff will be able to identify anomalies in case outcomes or processes (face-to-face contact, timely closure of child safety interventions, etc.) to better target oversight and support from central office staff. The implementation date for statewide use of ROM is September 30, 2016.

The division's Continuous Quality Improvement (CQI) Steering Committee includes at least one representative from each district office, Woodside Juvenile Rehabilitation Center, and central office. Membership includes a variety of roles – administrative staff, resource coordinators, social workers, supervisors, district directors, and program managers from central office – aimed at ensuring that a range of perspectives are included in the quality improvement work occurring throughout the division. The development of a statewide qualitative case review system is the focus of the CQI Steering Committee within the next 12-18 months. The need for enhanced case review capabilities has been highlighted in two consecutive federal Child and Family Services Reviews (CFSR) conducted by the Children's Bureau.

The Joint Legislative Child Protection Oversight Committee will also play a role in ensuring the consistent application of policies. The Committee is charged with:

- (i) evaluating whether the branches, departments, agencies, and persons that are responsible for protecting children from abuse and neglect are effective;
- (ii) determining if there are deficiencies in the system and the causes of those deficiencies;
- (iii) evaluating which programs are the most cost-effective;
- (iv) determining whether there is variation in policies, procedures, practices, and outcomes between different areas of the State and the causes and results of any such variation;
- (v) evaluating whether licensed mandatory reporters should be required to certify that they completed training on the requirements set forth under 33 V.S.A. § 4913; and
- (vi) evaluating the measures recommended by the Working Group to Recommend Improvements to CHINS Proceedings established in Sec. 24 of this act to ensure that once a child is returned to his or her family, the court or the Department for Children and Families may continue to monitor the child and family where appropriate.

(Act 60 of 2014, Sec. 23)

Division leadership reports regularly to the Joint Legislative Child Protection Oversight Committee on demographics of children in custody, caseloads, workforce issues, and other ongoing operational concerns.

Together, these activities support ongoing efforts to ensure that policies, procedures, and practices are applied in a consistent manner. However, there is a natural and acceptable degree of variation, due to community factors and local needs. For example, different communities may have particular challenges and/or different services available to families. We aim for a clear, even-handed application of a consistent set of policies.

IV. Workload Metrics

The Family Services Division has devoted considerable time and effort into developing metrics to appropriately assess workload. Factors under consideration included the experience and training of social workers, number of families, and type and acuity of cases.

In June 2015, Family Services management spent a day on this issue with its Labor-Management Committee. Casey Family Programs supported this meeting, sending several consultants to present information about the state of workload management in the field of child welfare. As part of the agenda, a \$500,000 workload study that was recently conducted in Colorado was reviewed. Although the committee felt that a workload study would be beneficial for Vermont, we have determined that we lack the budgetary resources to contract for such a study.

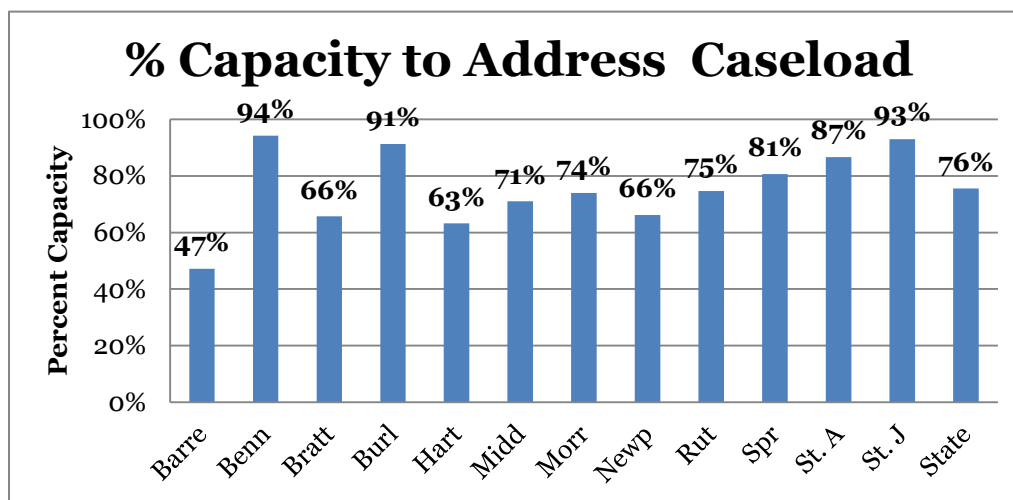
In order to receive information about areas of practice needing further study, district offices were asked to identify areas of practice in which we lack good information about impact on workload. Staff identified travel, case documentation and “paperwork” generally, supervising parent-child contact, meetings, and waiting for court hearings as

consuming large amounts of time which detracts from what they consider to be their core work.

District staff was also asked to discuss how to count new employees in a workload measurement system. With that input, it was determined that new social work staff should be counted as 0.5 FTE for the first six months; during this time these staff spend a considerable amount of time in classroom and on-the-job training. The division has also developed a workload metric that calculating the percent capacity each district has to serve the children and families open for ongoing services after a child safety intervention. For a district to be at 100% capacity, all of the following must be true:

- The district is fully staffed to conduct all child safety interventions (investigations and assessments) at no more than 100 interventions per year per front-end social worker;
- Caseloads for social workers are at 15 families per ongoing social worker (compared to the average of 17.7 families per worker today);
- All positions are filled; and
- All staff have completed a six-month training period. (Staff with less than 6 months experience are counted as 0.5 FTE.)

The division was at 76% capacity on 8/25/2015 to do the work required to carry out our core mandates. There is significant variation in capacity between districts, due to staff turnover and local caseload pressures.



The division intends to do further work on this issue during the next few months to more accurately capture and articulate workload information. At this time, given the division's current capacity, the focus will continue to be on essential duties and tasks as defined in state and federal statute/regulation. During the past year, the use of temporary Human Services Case Aide positions was piloted in district offices with high levels of vacancies coupled with difficulty hiring Social Workers. Those districts have found that Human Services Case Aides can be immediately helpful in assisting with lower level duties that do not require the education and training of a Social Worker.

V. Training for Family Services Division Employees

All new Family Services employees initially receive a general orientation at their work site within the first two weeks of employment, coordinated by their supervisor.

Additional training for both new and ongoing Family Services employees is designed, facilitated, and presented through a collaborative partnership between the division and the Child Welfare Training Partnership which is housed in the University of Vermont's School of Social Work.

All new Family Service Division employees are required to attend two division-level trainings as well as other mandatory trainings provided by the Department for Children and Families and Agency of Human Services. The first mandatory training is the two-day Family Services New Employee Orientation. At the New Employee Orientation participants are provided a new employee training manual; they review mandatory new employee training requirements; learn about the roles and responsibility of all staff positions in Family Services; receive an overview of Vermont's court system and juvenile court processes; relate their personal values and learning styles to the work of Family Services; complete a mock centralized intake process and review decision criteria; and practice navigating several Family Services databases and data reporting systems.

All new Family Services social workers and supervisors are required to attend a three-week course titled "Foundations for Family Centered Practice" (FFCP) during their first six months of hire. New staff members filling other roles, such as a resource coordinator role, are encouraged to attend some or the entire FFCP course depending on their level of previous experience in a child welfare organization. At a minimum, all new Family Service Division (non-social worker) employees are required to attend 25 class hours of FFCP. Those staff members work with their supervisor to choose those class hours that are most relevant to their daily work. The course provides the foundational knowledge needed for a new child welfare and youth justice social worker.

The course objectives are intended to provide new social workers with the basic day-to-day information they need to perform their jobs and that they will receive annual performance evaluations on from their supervisors. Topics covered in FFCP include: child development; developmental trauma; assessment and investigation policy and practice; assessment and engagement skills and strategies; physical abuse; sexual abuse; chronic neglect; case planning and permanency; working with adolescents; working with the court; an introduction to domestic violence; an introduction to substance abuse; family time coaching; working with kin; facilitating successful placements; monitoring and planning for change; ethics of social work practice,; teaming and self-care.

After accomplishing the initial training described above, division employees are required to complete a minimum of 50 hours of advanced practice courses every five years they are employed with Family Services. Topics covered include: working with families affected by substance abuse; serious physical abuse; chronic neglect; responding to domestic violence; developing and supporting kin networks for safety and permanency; supervising youth with sexually harmful behaviors; sexual abuse assessment/safety planning/case planning; advanced topics in child safety interventions; using data to improve outcomes; safety organized practice; family safety planning; youth assessment screening instrument and case planning; engaging and assessing children and youth; and family engagement skills and strategies.

The Child Welfare Training Partnership also works closely with each district office to provide additional training and support to new and seasoned social workers when requested.

VI. Improving Data Sharing

It is our understanding section 22(b)(5) of Act 60 is focused on the automated exchange of data. Currently, the division lacks the capacity to automate data sharing with this broad range of partners. The new Integrated Eligibility system, part of the Health and Human Services Enterprise System being developed by the Agency of Human Services, will be critical to achieving this capacity. As such, Family Services' management and representatives across all DCF divisions have been actively engaged in requirements gathering sessions to ensure that the Integrated Eligibility system will support the data sharing processes envisioned by Act 60. In the meantime, as highlighted in other sections of this report, considerable work has been done to enhance the exchange of information among the professionals in the child protection system.

VII. Consistent Sharing of Information

As mentioned in Section II of this report, the division developed a new policy to inform staff about what information must be shared, with whom, and in what time frame. This policy speaks to notifying and sharing information with mandated reporters. Mandated reporters are informed whether their report was accepted as a valid allegation of abuse or neglect; if so, whether it was assigned for investigation or assessment; if an assessment was conducted, whether a need for services was found; and if an investigation was conducted, whether it was substantiated. If mandated reporters have an ongoing working relationship with the child/youth or family, they are entitled to receive additional information about the case and are encouraged to speak with the assigned Family Services social worker.

A new webpage was created for Vermont's mandated reporters containing the latest information on reporting child abuse and neglect; a sign-up option for email updates and links to relevant information; and a link to the upcoming online mandated reporter. The mandated reporter webpage may be viewed here:
<http://dcf.vermont.gov/fsd/reporting/mandated>.

The online mandated reporter training is under development. It will inform mandated reporters of their legal obligations and highlight the changes related to Act 60. The online mandated reporter training will be finalized and available to the public in November 2015. In the interim, requests for mandated reporter trainings are being addressed by district offices and central office.

Additionally, an online portal is being developed to provide mandated reporters information regarding their reports or calls. Through this IT solution, they will be able to log in using their unique email address and password and check the status of reports they've made. The mandated reporter portal is expected to be completed by summer 2016.

VIII. Assessment of Child Safety

In consultation with the Children's Research Center (CRC), the division is currently revising our Structured Decision Making (SDM) tools. CRC works in partnership with child-serving agencies to improve direct practice and organizational operations through models that integrate evidence-based assessments, family-centered engagement

strategies, and implementation science. CRC created the SDM system used by division staff to assess risk.

In response to feedback from system reviews, the division formed a workgroup comprised of district staff, Child Welfare Training Partnership staff, and CRC support to enhance the division's SDM instruments and integrate practice. Training and coaching will be provided to staff during the implementation of the revised SDM instruments. In addition to the existing *Assessment of Danger and Safety* and the *Family Risk Assessment* tools, a Reunification tool is being added. Training and coaching related to the SDM implementation has begun; full implementation statewide is expected by September 2016.

The focus on child safety during reunification is discussed in Section X.

IX. Qualifications of Social Workers Conducting Investigations

Family Services' social workers provide professional level social services casework involving the management and delivery of services to children and families. Social workers may be assigned to intake and investigation, child protective services, juvenile justice services, or residential licensing and special investigations. Staff who are responsible for child safety interventions (including investigations, assessments, and family assessments) do not handle ongoing cases. Work is performed under the supervision of a supervisor, allowing staff to gain skill and expertise in front-end work. Social worker qualifications for both child safety interventions and ongoing social work functions include a Master's degree in social work or a Bachelor's degree with eighteen months of experience in human services casework, including at least six months with a child or youth services caseload.

Within these minimum qualifications, staff may have particular aptitudes and express specific interest in either front-end work or ongoing work with families. When possible, within operational needs, district leadership grants these requests.

Social worker responsibilities in child safety interventions include:

- Receiving reports of abuse or neglect of children;
- Ensuring that all relevant information is gathered from reporter;
- Investigating accepted reports through interviews with family members, school officials, police, medical practitioners and others as needed;
- Recommending substantiation or un-substantiation; and
- Assessing the child and family situation to determine the potential for improvement, stability, or continued deterioration.

In addition, significant on-the-job training and supervision is provided to ensure front-end staff acquire the skills needed to conduct effective child safety investigations and assessments. All social workers complete Foundations for Family Centered Practice training, as described in Section V this report.

All front-end social workers receive training on the forensic interviewing of children, provided by the National Children's Advocacy Center (NCAC). This training includes the following topics: child forensic interview structure, forensic questioning, child development, memory and suggestibility, pre-interview planning, strategies for

reluctantly disclosing children, strategies for actively disclosing children, interview practicum and peer review, potential challenges in forensic interviewing, effective courtroom testimony, and mock court. NCAC also provides an advanced forensic interviewing training to supplement the initial training. Each district office has at least one supervisor specializing in the supervision of front-end social workers.

X. Six-Month Supervisory Period for Children after Reunification

Family Services Policy 98 was developed to ensure focus on the continued safety and well-being of children who have been physically returned to the parent from whom they were removed due to abuse or neglect. The policy provides a thoughtful approach to reunification including a reunification case plan, the establishment of a safety network, and a “step-down” to a Conditional Custody Order (CCO)¹ for the child and family. The policy provides guidance on planning for reunification, requirements of conditional reunification and supervision, reviewing or modifying the CCO for newly identified dangers or risks, and vacating the CCO.

This policy ensures that criminal history and safety risks are considered by social workers when a child removed from a home due to abuse or neglect is reunified to that same home. Policy 98 includes the following direction:

“The division shall ensure that all persons living in the household with the child or persons who will have child care responsibilities are assessed for criminal history and potential safety risks. The Vermont Child Protection Registry, SSMIS, DOC, and VCAS should be checked for each individual 16 years and older. If indicated, the division may also conduct background checks on household members younger than sixteen.”

These procedures will support ongoing efforts to comprehensively assess safety concerns and use this information when a child is returned home. The new reunification policy will result in cases remaining open for longer periods of time. This is important to ensure the safety of children returning to the care of adults who previously abused or neglected them. However, it is also one more factor contributing to workload pressures.

XI. Additional Resources

Family Services Division Policies: <http://dcf.vermont.gov/fsd/policies>

Family Services Policy 50:

<http://dcf.vermont.gov/sites/DCF/files/pdf/fsd/policies/50%20%28Child%20Abuse%20and%20Neglect%20Definitions%29%20Interim%207.1.2015.pdf>

Family Services Policy 51: <http://dcf.vermont.gov/sites/DCF/files/pdf/fsd/policies/51-Screening-Reports.pdf>

Family Services Policy 52: <http://dcf.vermont.gov/sites/DCF/files/pdf/fsd/policies/52-Investigations-Assessments.pdf>

¹ An order issued by the court in a juvenile proceeding conferring legal custody of a child to a parent, guardian, relative, or a person with a significant relationship with the child subject to such conditions and limitations as the court may deem necessary to provide for the safety and welfare of the child.

Family Services Policy 56: <http://dcf.vermont.gov/sites/dcf/files/pdf/fsd/policies/56-Substantiating.pdf>

Family Services Policy 58: <http://dcf.vermont.gov/sites/dcf/files/pdf/fsd/policies/58-CSA-Investigations-NI-Child.pdf>

Family Services Policy 68: <http://dcf.vermont.gov/sites/dcf/files/pdf/fsd/policies/68-Serious-Physical-Injury.pdf>

Family Services Policy 98:
<http://dcf.vermont.gov/sites/dcf/files/pdf/fsd/policies/98.pdf>

Family Services Policy 157: <http://dcf.vermont.gov/sites/dcf/files/pdf/fsd/policies/157-Records-Info-Sharing.pdf>

Vermont Child and Family Services Review Final Report (2015):
<http://dcf.vermont.gov/sites/dcf/files/pdf/fsd/fed/VT-CFSR-2015.pdf>

Vermont Mandated Reporter Webpage:
<http://dcf.vermont.gov/fsd/reporting/mandated>