



SUMMARY

A Review of Child Welfare Services at the Department of Social Services



INTRODUCTION

Members of the S.C. General Assembly asked the Legislative Audit Council to review child welfare services, procurement, and agency management at the Department of Social Services.

Child welfare services focus on protecting children under the age of 18 from abuse and neglect. Examples of these services include:

- Assessment of abuse and neglect reports.
- Family preservation services.
- Foster care.
- Alternative care.
- Adoption.
- Community based services.

DSS is based in Columbia with 5 regional offices and 46 county offices. For FY 12-13, the department's reported spending was approximately:

CHILD PROTECTIVE SERVICES
\$34.3 million

FOSTER CARE
\$68.9 million

ADOPTIONS
\$30.0 million

Federal funds comprised approximately 54% of these expenditures.

MAJOR FINDINGS

THROUGH ITS CHILD WELFARE SERVICES, DSS HAS THE GOAL OF PROTECTING CHILDREN FROM ABUSE AND NEGLECT. AGENCY STAFF ARE REQUIRED TO OPERATE IN A COMPLEX, HIGH-STRESS ENVIRONMENT, ACCOMPANIED BY POTENTIALLY SEVERE CONSEQUENCES FOR CHILDREN WHEN MISTAKES ARE MADE.

- DSS has not ensured that its workforce is well-qualified and compensated competitively when compared with similar positions in South Carolina and other states.
- South Carolina has child welfare caseloads that are excessive and inequitable from county to county.
- There is not an adequate system for screening, investigation, treatment, and placement of children in safe homes when abuse and neglect are reported.
- Data on child maltreatment deaths, particularly those with prior DSS involvement, is not reliable and should not be used as a measure of agency performance.
- Not all violent, unexpected, and unexplained child fatalities are being reported and reviewed, as required by law.

OCTOBER 2014

INADEQUATE QUALIFICATIONS AND COMPENSATION OF COUNTY CHILD WELFARE STAFF

DSS does not require that new caseworkers have college degrees in social work or a behavioral science, nor does it, as an alternative, require previous relevant experience. As a result, there may be a decreased ability of new caseworkers to effectively assess and respond to child abuse and neglect. The department has unclear policies regarding training and certification for caseworkers after they have been hired. It also does not maintain central records that document whether caseworkers have been trained and certified.

The salaries of county child welfare employees are not competitive with the salaries paid by other employers, making it more difficult to recruit and retain qualified staff.

DSS has publicly reported inaccurate employee turnover data. In addition, the state government information system does not contain the data necessary to accurately calculate employee turnover. LAC calculations show that the DSS caseworker turnover rate over a three-year period from 2011–2013 exceeded 65%. The county director turnover rate over a four-year period from 2011–2014 exceeded 58%. High turnover of county staff reduces the average level of experience, increasing the probability of mistakes.

When a caseworker leaves DSS employment, it can take up to nine months to hire and train her replacement. This extended period can increase the caseloads of the remaining workers, reduce the quality of services they provide, and lead to additional resignations.

EXCESSIVE CASELOADS

Until June 2014, the department did not have maximum caseload standards for its caseworkers, which we recommended in 1985 and 2006. Although the department recently established caseload standards, it reports not having sufficient staff to meet the standards. The following table shows the percentage of county caseworkers whose caseloads exceeded the standards recommended by the Child Welfare League of America (CWLA) and the new standards developed by DSS.

Statewide, 19.3% of caseworkers were assigned more than 50 children, 11.3% had more than 60 children, and 2.8% had more than 75 children.

MAY 2014							
PERCENTAGE OF CASEWORKERS STATEWIDE WHOSE CASELOADS EXCEEDED CWLA STANDARDS				PERCENTAGE OF CASEWORKERS STATEWIDE WHOSE CASELOADS EXCEEDED DSS STANDARDS			
EXCEEDED	EXCEEDED BY 50% OR MORE	EXCEEDED BY 100% OR MORE	EXCEEDED BY 150% OR MORE	EXCEEDED	EXCEEDED BY 50% OR MORE	EXCEEDED BY 100% OR MORE	EXCEEDED BY 150% OR MORE
52.7%	27.3%	8.8%	1.8%	57.8%	38.5%	21.9%	11.3%

Source: LAC based on DSS data

INEQUITABLE CASELOADS BETWEEN COUNTIES

Caseloads vary significantly between counties, reducing the likelihood of equitable protection of abused and neglected children across the state.

MAY 2014							
COUNTIES WITH THE LOWEST AND HIGHEST PERCENTAGES OF CASEWORKERS WHOSE CASELOADS EXCEEDED CWLA STANDARDS				COUNTIES WITH THE LOWEST AND HIGHEST PERCENTAGES OF CASEWORKERS WHOSE CASELOADS EXCEEDED DSS STANDARDS			
COUNTY POPULATION >100,000		COUNTY POPULATION <30,000		COUNTY POPULATION >100,000		COUNTY POPULATION <30,000	
DORCHESTER COUNTY	AIKEN COUNTY	UNION, ABBEVILLE, FAIRFIELD, SALUDA, BAMBERG, CALHOUN, ALLENDALE, MCCORMICK COUNTIES	HAMPTON COUNTY	BEAUFORT COUNTY	AIKEN COUNTY	ABBEVILLE, BAMBERG, ALLENDALE, MCCORMICK COUNTIES	HAMPTON COUNTY
40.0%	85.7%	0.0%	66.7%	45.5%	92.9%	0.0%	66.7%

Source: LAC based on DSS data

UNRELIABLE CHILD FATALITY STATISTICS FROM DSS

We found that data provided by DSS to the General Assembly and the public regarding child maltreatment deaths, particularly those with prior DSS involvement, is not reliable and should not be used as a measure of agency performance.

The department's child death statistics are not the result of an exhaustive search for maltreatment deaths and include some deaths unrelated to maltreatment.

INCOMPLETE CHILD FATALITY DATABASE

State law requires that county coroners report violent, unexpected, and unexplained child fatalities to the State Law Enforcement Division (SLED). From 2009 through 2013, however, we identified 152 fatalities in those categories that were not in the SLED database.

INADEQUATE SCREENING OF REPORTS OF ABUSE AND NEGLECT

When DSS receives reports of child abuse and neglect, they are investigated, screened out, or referred to community based prevention services. Currently, DSS screens abuse and neglect in each of South Carolina's 46 counties. Central or regional screening could increase the thoroughness and consistency of the process across the state.

Although state law requires that DSS initiate an investigation of child abuse or neglect within 24 hours of receiving a report, there is no legal requirement that face-to-face contact be made with the child. In 2013, almost one in four children whose abuse or neglect reports were accepted for investigation were not seen by DSS within 24 hours. In addition, DSS allows county staff who screen abuse and neglect reports to delay the decision on whether to investigate for up to 24 hours after a report is received. Between July 1, 2013 and May 31, 2014, the department delayed decisions on 281 reports for more than 24 hours, 80 of which were later accepted for investigation by DSS.

IMPLEMENTATION OF COMMUNITY BASED PREVENTION SERVICES (CBPS)

In FY 11-12, DSS implemented a program, in which parents reported to have abused or neglected a child are offered community based prevention services when the department determines that an investigation is not warranted because there is not “substantial risk” of harm to the child. From FY 10-11 through FY 12-13, the number of children receiving CBPS services increased from 0 to 23,198. Although we do not recommend that the CBPS program be discontinued, we found that the manner by which DSS has implemented the program has caused a significant decline in the number of children included in abuse and neglect investigations and has placed them at greater risk.

When looking at positive effects of the CBPS program, we found evidence that many of the children whose families received CBPS services would have been screened out prior to implementation of the program because the department deemed them not to be at substantial risk of harm from abuse and neglect. From FY 10-11 through FY 12-13, the number of children in abuse and neglect reports that were screened out decreased by 10,920 (54.4%).

We also found significant negative effects of the CBPS program. There is evidence that many of the children whose families received CBPS services would have, instead, been included in abuse and neglect investigations prior to implementation of the program. From FY 10-11 through FY 12-13, there was a 12,839 (33.7%) decrease in the number of children included in child abuse and neglect investigations and a 1,186 (10.4%) decrease in the number of children included in founded reports following investigations. The probability that a child in a report of abuse or neglect would be included in a DSS investigation declined from 65.5% to 43.9%. And the probability that a child listed in a report of abuse or neglect would be included in a founded investigation declined from 19.5% to 17.7%.

NUMBER OF CHILDREN IN DSS ABUSE AND NEGLECT REPORTS SORTED BY DSS SCREENING DECISION						
SCREENING DECISION	FISCAL YEAR					CHANGE FROM FY 10-11 THROUGH FY 12-13
	08-09	09-10	10-11	11-12	12-13	
Screened Out	18,610 (33.1%)	19,061 (32.1%)	20,080 (34.5%)	16,694 (29.1%)	9,160 (15.9%)	-10,920 (-54.4%)
Accepted for Investigation by DSS	37,534 (66.9%)	40,378 (67.9%)	38,120 (65.5%)	34,037 (59.2%)	25,281 (43.9%)	-12,839 (-33.7%)
Sent to Community-Based Prevention Services*	-	-	-	6,720 (11.7%)	23,198 (40.2%)	-
TOTAL CHILDREN	56,144	59,439	58,200	57,451	57,639	-561 (-1.0%)
Founded for Abuse/Neglect After Investigation	12,358 (22.0%)	11,832 (19.9%)	11,372 (19.5%)	11,682 (20.3%)	10,186 (17.7%)	-1,186 (-10.4%)

* The Community Based Prevention Services Program was implemented statewide on June 1, 2012.

Source: DSS

In addition, from FY 10-11 through FY 12-13, the number of children who became victims of abuse and neglect after being screened out or referred to CBPS in the previous 12 months increased from 1,173 to 2,508 (114%).

NUMBER OF CHILDREN WHO BECAME VICTIMS OF ABUSE OR NEGLECT AFTER BEING SCREENED OUT OR REFERRED TO CBPS IN THE PREVIOUS 12 MONTHS			
FISCAL YEAR	VICTIMS PREVIOUSLY SCREENED OUT	VICTIMS PREVIOUSLY REFERRED TO CBPS	TOTAL
08-09	1,260	NA	1,260
09-10	1,398	NA	1,398
10-11	1,173	NA	1,173
11-12	1,269	219	1,488
12-13	702	1,806	2,508

Source: DSS

INADEQUATE OVERSIGHT OF CHILDREN PLACED WITH ALTERNATIVE CAREGIVERS

State law authorizes removal of a child from her home when there is probable cause to believe that the child is in imminent and substantial danger from child abuse or neglect. However, the child will be given a significantly different level of oversight depending on whether she is placed in a foster home or in “alternative care” with a relative or another person.

FOSTER HOME PLACEMENTS

State law and DSS provide a structured oversight process when a child believed to be in “imminent and substantial danger” is removed from her home and placed in a foster home.

For example, state law requires a family court hearing within 72 hours after a child is taken into “emergency protective custody” to determine whether there was probable cause for the removal. A family court hearing regarding the merits of the removal must be held within 35 days of a removal petition from DSS. A guardian ad litem is appointed by the court to monitor the case and to advise on what is best for the child, and legal representation is appointed for the parent(s) if she cannot afford it. The court also issues an order with a “placement plan” setting forth the actions that must occur before the child can be returned home. Under state law, violation of a court-ordered placement plan may result in contempt of court charges with sanctions.

DSS issues licenses to foster homes and reports statewide statistics on the extent of abuse and neglect perpetrated by foster parents.

ALTERNATIVE CAREGIVER PLACEMENTS

State law and DSS provide only limited oversight when a child believed to be in “imminent and substantial danger” is removed from her home and placed in “alternative care” with a relative or other person.

For example, state law does not require a family court hearing to determine whether there was probable cause to remove the child from her home. State law also does not require the appointment of a guardian ad litem for the child or legal representation for the parent(s) if she cannot afford it.

FOR MORE INFORMATION

Our full report, including comments from relevant agencies, is published on the Internet. Copies can also be obtained by contacting our office.

LAC.SC.GOV

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Instead of a “placement plan” that would be included in an order from a family court judge if the child were in a foster home, DSS implements a “safety plan” that is not part of a court order and not addressed in state law. The safety plan is signed by DSS, the parent(s), the alternative caregiver(s), and other relevant persons, who agree to take specific actions to protect the child, including restrictions on parental visitation. It expires after a maximum of 90 days. Following the expiration of the safety plan, DSS may extend the alternative caregiver placement. Violation of a safety plan may result in a request by DSS to the court for legal custody of the child and placement of the child in a foster home.

DSS does not maintain a statewide list of alternative caregivers nor of the children placed in alternative care. The department also does not report data on the extent of abuse and neglect committed by alternative caregivers against children placed in their care.

NON-COMPETITIVE CHILD WELFARE CONTRACTS

DSS entered into non-competitive contracts of approximately \$71 million with two state universities. The department also made a non-competitive “emergency” procurement of \$719,000 that did not meet the definition of an emergency under state law. Non-competitive procurement methods:

- Restrict other qualified providers from offering their services.
- Reduce the probability that the providers selected are the best combination of quality and price.
- Can create the perception that contract awards are based on favoritism.

INADEQUATE DATA AND USE OF PERFORMANCE MEASURES

The department does not routinely collect key categories of performance data on a periodic basis. Examples include salaries paid by employers with whom the department competes for employees, training and certification records, and a central listing of alternative caregivers who care for children removed from their homes due to abuse or neglect. In addition, some of the data reported by the department is unreliable, such as child abuse and neglect deaths and employee turnover.

DSS has developed multiple measures of child welfare service performance. Although these measures can be useful in quantifying underperformance, the department has given insufficient attention to determining systems and processes that may be root causes of underperformance. Examples of root causes could include, but would not be limited to, excessive caseloads, inadequate employee qualifications, and inadequate training, as described above. Without addressing root causes, the probability of significant long-term improvement may be diminished.