



## Charting the attitudes of county child protection staff in a post-crisis environment

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### ABSTRACT

Three children died while in the Erie County Child Protective Services (CPS) system between 2012 and 2014. The purpose of this mixed-methods study is to understand the impact on CPS workers in the post-crisis environment. The results of the ProQOL Ver. 5.0 survey we administered to Erie County CPS workers revealed low levels of compassion satisfaction, but surprisingly low levels of burnout and compassion fatigue as well. The qualitative phase of this study, consisting of 10 focus groups, revealed dissatisfaction with continued high caseloads, bureaucratic and punitive agency practices, work-life imbalance, inconsistent and inadequate supervision, unsafe work environments, unappealing office conditions and lack of workplace amenities, weak organizational support, inconsistent procedures and policies, limited opportunities for peer support, and shuffling of work teams with little to no input from CPS workers. We conclude that Erie County's CPS Division adheres to an antiquated machine bureaucracy (top-down) organizational structure which is out of step with efficient and effective management of the contemporary workforce in a field where child abuse and maltreatment is a persistent if not growing problem.

### 1. Background to the crisis in Erie County's Child Protective Services

The number of children in the United States who received a child protective service (CPS) investigation response or alternative response (focus on the service needs of the family) increased 9% from 2011 (3,081,000) to 2015 (3,358,000) and an estimated 1670 children died of abuse and neglect, a rate of 2.25 per 100,000 children in the U.S. population (U.S. Department of Health & Human Services, 2017, p. 7). The current CPS system is further strained by the ongoing opiate and heroin epidemic.

New York State is no exception to this trend, with an uptick in reports of children in the CPS system abused, maltreated, and in the ultimate failure to protect, killed by their caregivers. Such a failure to protect occurred between April 17, 2012 and May 14, 2014, when three children died who had open cases at Erie County Department of Social

Services (ECDSS), CPS Division (Buffalo News, 2014; McNeil, 2014).<sup>2</sup> State and county officials, politicians, and journalists have weighed in with opinions on the underlying causes of the crisis (see, for example, Buffalo News, 2014; Erie County Department of Social Services - Child Protective Services, 2014; Fetouh & Caya, 2015; Keith, 2015a, 2015b; Michel, 2013; New York State Office of Children and Family Services, 2014). Yet missing from the discussion has been the impact of the crisis on CPS workers' feelings, well-being, and attitudes about the agency in which they work. This paper reports on research conducted during the immediate post-crisis period, and particularly focuses on the attitudes and perceptions of CPS workers one year after Erie County received a good report from its oversight agency, New York State Office of Children and Family Services (OCFS). This paper is also timely because the debate over CPS workloads has become particularly contentious nationwide with local government accusations of unfunded mandates promulgated by their state governments. At the time of this writing

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<sup>1</sup> The lead author (Sharon Rochelle) is writing in a private capacity and her views in this paper do not reflect those of Erie County, Erie County Department of Social Services, or the County's administration.

<sup>2</sup> Erie County, located in Western New York, is a mixture of urban (City of Buffalo), suburban, and rural.

(January 2018), a bill mandating a monthly caseload limit of 15 for each full-time CPS worker per month is on the desk of New York State Governor Andrew Cuomo awaiting his signature<sup>3</sup>; therefore, the results of this research should be useful both for New York State and policy-makers in other states facing similar challenges as they struggle to reduce child abuse, maltreatment, and fatalities.

Anderson (2000) argued that child abuse cases and the attendant moral outrage serve as a means for legislative and judicial actions and can also motivate structural and procedural changes in CPS operations. The more typical response, however, is to “manage” outrage through public education or public relations campaigns and to allow the outrage to influence only the more immediate and exceptional decisions in a “social outrage routinization process.” Reforms in New York State did occur at both the state and local levels—a new hotline for child abuse and maltreatment reporting, mandated monthly reports comparing New York State’s counties on three measures (percentage of workers with > 15 CPS investigations, percentage of overdue investigations, and percentage of timely safety assessments), and increased funding for CPS workers. Would Erie County’s own experience with moral outrage, too, fail to go beyond the “immediate”—firing CPS workers who failed to protect these three children, hiring new CPS workers, attempting to bring caseloads into alignment with guidelines promulgated by OFCS? Or would the County attempt to “get into the blackbox” of the CPS division in order to seek out and remedy structural and procedural processes that undermine the practice of public administration—economy, effectiveness, ethics, equity, and efficiency (Norman-Major, 2011)—to which all public servants should aspire? Equity is particularly salient for families served by public welfare agencies because they are more likely to experience the most extensive interventions. But when child welfare workers are disempowered, they are less able to empower their clients and could actually further disempower their clients. Empowered workers, who believe in their ability to make a difference in their own lives as well as the lives of others, are more likely to empower those with whom they work (Galant, Trivette, & Dunst, 1999; Hegar & Hunzeker, 1988). Thus, it stands to reason that empowered child welfare workers are in a better position to help achieve the desired outcome – stable families who can permanently care for their children.

Were Erie County CPS workers feeling disempowered? What can this post-crisis case study inform us about the ability of counties to reform their (often) antiquated processes and procedures in CPS systems? A “classic” window of opportunity had opened (Kingdon, 2011) with the merging of the problem (the public perceives a problem), politics (political actors recognize the issue’s saliency), and policy (ideas floating around seeking a solution – e.g. the 12 caseload ideal) streams: did Erie County’s Department of Social Services take advantage of this opportunity to effect system reform?

<sup>3</sup>In 2016, the NYS legislature passed A.10506/S.2691 the *Child Protective Services Caseload Standards Bill*, which would have required OCFS to establish a monthly caseload limit of 15 for all NYS CPS workers, with a two-year implementation period (CSEA, 2016). Governor Cuomo vetoed the bill on December 31, 2016, describing it as an unfunded state mandate on local government and explaining that the bill’s provisions were not backed by a comprehensive study. With respect to the governor’s first rationale, Albany pays 62% of state mandated child protective expenses to the counties, with the remainder paid from the county budget, and not surprisingly, the New York State Association of Counties opposes this bill (Mahoney, 2017). The second reason offered for the veto seems less defensible because OCFS commissioned a study in 2005, which recommended a caseload of 12 (New York State Office of Children and Family Services, 2006). Cuomo did, however, direct OCFS to begin publishing data on county CPS caseloads—in effect a naming and shaming scoreboard—which OCFS began publishing monthly in January 2017. The bill was reintroduced and passed in the NYS Senate (January 24, 2017) and the NYS Assembly (June 13, 2017), and has been presented for the governor’s signature at the time of this writing in January 2018 (New York State Assembly, 2017). Cuomo’s signature will undoubtedly be contingent on NYS legislative budget negotiations.

## 2. The CPS caseworker

Child welfare agencies are often underfunded and caseworkers are expected to manage large caseloads. Killian (2008) showed that excessive caseloads or work responsibilities may heighten stress, leading to difficulties with concentration, memory problems, or the inability to act compassionately toward clients. Erie County’s total CPS caseload had soared to over 5000 with the average caseload size of 35 in December 2013, with some caseworkers responsible for 80–100 cases (Erie County Department of Social Services - Child Protective Services, 2014, p. 20). An OFCS audit in the fall of 2013 found that nearly 90% of CPS workers had > 15 active CPS investigations (Erie County Department of Social Services - Child Protective Services, 2014, p. 19). Such high caseloads deviated from best practices; specifically, the *New York State Citizen Review Panels* recommended caseloads of 12 active investigations per month for CPS (New York State Citizen Review Panels for Child Protective Services, 2014, p. 7). In the meantime, it was estimated that a CPS worker had only 38.6% of the workday available for investigative work, further contributing to an overburdened CPS workforce. The total workload increased from approximately 5000 h in each of the first three quarters of 2013 to 13,169 and 13,823 h, respectively, for Q4 2013 and Q1 2014, but without an increase in the number of CPS workers (Erie County Department of Social Services - Child Protective Services, 2014, pp. 30–32).<sup>4</sup> Furthermore, at the end of 2014 two-thirds of the CPS caseworkers were new trainees, with only 31% of full-time, frontline CPS workers employed for five or more years with the county (Michel, 2015).

Estimates of turnover rates for child welfare workers vary: according to the Annie E. Casey Foundation (2003, p. 15) child welfare worker turnover rates average 20% at public agencies and 40% at private agencies, while the U.S. Government Accountability Office (2003, p. 5) estimates a 30 to 40% annual turnover with the average length of service for a CPS worker less than two years. Balfour and Neff (1993, p. 474) contextualize these percentages, arguing “turnover rates above 20 percent should be considered a direct threat to the organization’s stock of human capital and its overall effectiveness.”

High turnover of CPS workers should concern both governments and citizens because as Conrand and Kellar-Guenther (2006) point out, the quality of service delivery in response to child maltreatment and abuse is significantly affected by the ability of an organization to recruit and retain competent, committed staff. High turnover places a larger number of less experienced caseworkers into the field than is the norm. Furthermore, an additional burden is placed on those remaining (overloaded) caseworkers (Sage, 2010), and whom less experienced caseworkers seek out for mentorship. In Erie County, it takes between 6 and 12 months to train a CPS caseworker to assume a full caseload (author interview with ECDSS official, May 2015). High turnover rates also have negative implications for budgets of child welfare agencies due to several direct costs: separation (exit interviews, administration, separation pay, etc.), replacement costs (interviews, exams, etc.), and training (formal classroom and on-the-job instruction) in a “weary cycle of recruitment-employment-orientation-production-resignation” (Mor Barak, Nissly, & Levin, 2001, p. 627). Erie County, for example, expends approximately \$50,000 just to train each new caseworker. To put this into perspective, if twenty caseworkers leave their posts during a one-year period, the Erie County budget will need to expend approximately \$1,000,000 for CPS caseworker training. Naturally, without an increase in Erie County’s tax base, these funds will need to be redirected from existing programs – potentially negatively affecting budgetary allocations for libraries, parks and recreation, and cultural agencies – and also risks angering the middle class property tax payers who take advantage

<sup>4</sup>(See New York State Office of Children and Family Services, 2006, pp. 1–11 for NYS’s child protective services report timeline.) Eighty CPS workers were eligible for cases in 2013. In October 2015 this number had increased to 113, with an average caseload of 22 (Michel, 2015).

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