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October 14, 2014

Spencer P. Hellwig, County Administrator
County of Saratoga
Office of the County Administrator
40 McMaster Street
Ballston Spa, NY 12020

Report Number: S9-13-34

Dear Administrator Hellwig and Members of the Legislature:

A top priority of the Office of the State Comptroller is to help county officials manage their resources efficiently and effectively and, by so doing, provide accountability for tax dollars spent to support county operations. The Comptroller oversees the fiscal affairs of counties statewide, as well as compliance with relevant statutes and observance of good business practices. This fiscal oversight is accomplished, in part, through our audits, which identify opportunities for improving county operations and governance. Audits also can identify strategies to reduce costs and to strengthen controls intended to safeguard county assets.

In accordance with these goals, we conducted an audit of eight counties throughout New York State. The objective of our audit was to determine if actions taken by the Child Protective Services (CPS) units are sufficient to reduce Saratoga County's (County) abuse and neglect recurrence rate. The objective included determining if CPS units established measurable recurrence rate reduction goals, implementation plans and progress tracking mechanisms and if the recurrence rate is declining as a result. We included the County in this audit. Within the audit scope, we examined the County's policies and procedures and reviewed a sample of indicated cases for the period January 1, 2011 through December 31, 2012.

This report of examination letter contains our findings and recommendations specific to the County. We discussed the findings and recommendations with County officials and considered their comments, which appear in Appendix A, in preparing this report. County officials agreed with our findings and recommendations and plan to initiate corrective action. At the completion of our audit of the eight counties, we prepared a global report that summarizes the significant issues we identified at all of the counties audited.

Summary of Findings

The County's actions have not been sufficient to reduce its child abuse and neglect recurrence rate. The County's recurrence rate has increased from 14.9 percent as of March 2008 to 21.5 percent as

of September 2012. While many factors may affect recurrence rates, we found the County did not fully implement its program improvement plan (PIP),¹ which was designed to reduce past recurrence rates. A significant component of the PIP focused on the rollout of family meetings, which were designed to increase the use of kinship care, capitalize on family strengths and create a partnership and shared decision-making process between the family and the CPS unit. County officials experienced significant delays in attaining required training from the New York State Office of Children and Family Services (OCFS) necessary to implement the family meetings component of their PIP.

In addition, the County should perform certain best practices that we identified during our audit. For example, the County should reexamine recurrence cases. While they began to track recurrence cases as of May 2012, they could also analyze the recurrences to better understand and reduce child abuse and neglect recurrences.

Background and Methodology

The County, governed by a 23-member Board of Supervisors, covers 810 square miles and has approximately 220,000 residents, including 48,500 children younger than 18 years of age. The County Administrator, along with other administrative staff, is responsible for the County's day-to-day operations. The County's Department of Social Services' budgeted appropriations totaled \$56.2 million for fiscal year 2012.

OCFS oversees the State's child welfare service programs that are administered by the County, including the CPS program. Each county has its own CPS unit and must adhere to the OCFS CPS Program Manual (Manual), which incorporates current laws and regulations, as well as relevant CPS guidelines and procedures. Each CPS unit is required to investigate child abuse and maltreatment reports, to protect children from further abuse or maltreatment and to provide rehabilitative services to children, parents, and other involved family members.

OCFS states that recurrence rates are the percentage of children that were victims of a substantiated allegation of child abuse or neglect in an indicated report during a six-month period that had another substantiated allegation in an indicated report within six months of the date of the first indicated oral report. According to OCFS records, as of September 2012, the County's recurrence rate was 21.5 percent and the State's recurrence rate was 12.4 percent. The national standard² was 5.4 percent.

Federal reviews of OCFS's child and family services conducted in 2001 and 2008 found the State did not comply with federal child welfare requirements. The reviews found the State did not meet the national standards for maltreatment recurrence. In fact, the State's recurrence rate has been much higher than the national standard for several years and, in many districts, is on the rise. As a result, each county's CPS unit was required to develop and implement its own PIP to help in reducing recurrence rates.

¹ A written strategy for improving safety outcomes

² The Children's Bureau of the U.S. Department of Health and Human Services set a National standard for recurrence of maltreatment, which is measured using data from the National Child Abuse and Neglect Data System (NCANDS).

The CPS Manual sets forth many laws and regulations on how CPS investigations and services are performed. These include completing child abuse or neglect investigations, preparing Risk Assessment Profiles and provision of necessary services, developing Family Assessment and Services Plans, requirements for frequency and type of face-to-face worker-client interactions and the monitoring of services when the CPS worker is not the direct provider of rehabilitative services.

We conducted our audit in accordance with generally accepted government auditing standards (GAGAS). To complete our audit objective we conducted interviews with County officials, reviewed adopted policies and procedures and identified case management requirements per the Manual. We reviewed a sample of indicated cases, including a sample of recurrent cases, and related documentation. More information on such standards and the methodology used in performing this audit is included in Appendix C of this report.

Audit Results

Program Improvement Plans – The County’s PIP established an implementation plan, progress tracking mechanisms and a recurrence rate reduction goal of 10 percent. In September 2012, the County’s recurrence rate was 21.5 percent, and its average recurrence rate since March 2008 was 18.6 percent. The County’s recurrence rate is more than three times greater than the national standard of 5.4 percent.

A major focus of the PIP was to train CPS staff to facilitate family meetings, which are designed to increase the use of kinship care, capitalize on family strengths and create a partnership and shared decision-making process between the family and the CPS unit. In a family meeting, parents, children (if age-appropriate), and relevant extended family members or others identified as important to finding solutions plan for protecting the child and keeping them safe.

County officials shared that the PIP was not effective in achieving the target recurrence rate because of significant delays in attaining required training from OCFS in order to implement the family meetings components of their PIP. County officials applied for training in October 2009 upon filing their PIP; however, they did not receive the necessary family meetings training until September 2010, almost halfway through the PIP implementation period. In addition, the County’s Family Meeting Facilitator was promoted to a new position, causing additional delays as a new facilitator required appointment.

Child Abuse and Neglect Recurrence Tracking and Analysis – According to the National Resource Center on Child Maltreatment (Center)³ every state has a wealth of information from the data maintained on families within the child welfare system, and analyzing this information allows for better knowledge of why states or local units, are experiencing specific outcomes, both positive and negative. The Center asserts that combining the use of historical data and programmatic knowledge can help maximize the impact of interventions.

Between March 2008 and September 2012, the County’s average number of child abuse and neglect indications was 361 with a rate of child abuse and neglect recurrence averaging 18.6 percent. To determine why a recurrence occurred we randomly sampled 10 recurrence cases for the

³ Operated by the Child Welfare Institute and Action for Child Protection, a service of the Children’s bureau, U.S. Department of Health and Human Services

January 1, 2011 through December 31, 2012. We examined the case files to determine if the caseworker complied with the Manual's requirements, completed the investigation properly, developed Risk Assessment Profiles appropriately with the provision of services where necessary, designed Family Assessment and Service Plans and met the face-to-face communication requirement. We found the caseworkers complied with the Manual and managed the cases in accordance with the County's policies and procedures.

We also interviewed the caseworker who managed each case and/or the case supervisor who oversaw the case to learn why they believe the recurrence occurred and what they may have done differently to prevent the recurrence. These caseworkers and supervisors often told us that the caregiver or other individual residing in the home had mental health issues or a drug use condition. However, in all cases, the caseworker and supervisor could not think of any other actions they may have taken to prevent a recurrence. The County does not require reexamination of recurrence cases and does not do so. While County officials began to track recurrence cases as of May 2012, they do not analyze the recurrences to better understand and reduce child abuse and neglect recurrences.

Understanding and analyzing a county's historical data could also help a county reduce its child abuse and neglect recurrence rate. Doing so could help develop a better understanding of why the recurrence occurred or what historically has or has not worked to prevent recurrence. For example, tracking and analyzing child abuse and recurrence data based on the type of abuse or neglect, defining the abuser (including such characteristics as the relationship with the victim, age, gender, mental health status, previous abuse or neglect findings or substance abuse issues), family culture, demographics and family history with the CPS unit are all valuable for understanding the family environment and abuse or neglect triggers. Correlating such known information with previous services offered and received could lead to a better understanding of the abuse or neglect. Such actions may allow for more proactive and preventive measures and services that could lead to lower recurrence rates.

We encourage the County, when a recurrence occurs, to reexamine the case and the actions taken and consider what might have prevented the recurrence. Such actions could help the County reduce its recurrence rate by learning from past actions.

Recommendations

County officials should:

1. Work with OCFS to develop additional strategies to achieve a long-term recurrence rate reduction.
2. Examine each recurrence case and determine, based on the actions taken and outcomes, what actions may have prevented the recurrence. Using the information gathered during this process, officials should adjust future actions accordingly.
3. Continue tracking recurrence cases, but also analyze recurrence data to identify historical trends, actions and data correlations to help predict future outcomes and provide more proactive and preventive measures to reduce recurrences of child abuse and neglect.

The Board has the responsibility to initiate corrective action. A written corrective action plan (CAP) that addresses the findings and recommendations in this report should be prepared and forwarded to our office within 90 days, pursuant to Section 35 of the New York State General Municipal Law. For more information on preparing and filing your CAP, please refer to our brochure, *Responding to an OSC Audit Report*, which you received with the draft audit report. The Board should make the CAP available for public review in the Clerk's office.

We thank the officials and staff of Saratoga County for the courtesies and cooperation extended to our auditors during this audit.

Sincerely,

Gabriel F. Deyo

APPENDIX A

RESPONSE FROM SARATOGA COUNTY OFFICIALS

The County officials' response to this audit can be found on the following page.

Services

Child Protective 884-4151
 Preventive 884-4152
 Foster Care 884-4157
 Family/Adult 884-4159
 Fraud 884-4163
 Support/Collection 884-4142

Tina Potter
 Commissioner

**DEPARTMENT OF SOCIAL SERVICES**

152 West High Street
 Ballston Spa, New York 12020
 (518) 884-4140
 Fax:# 884-4199

Eligibility

Food Stamps -
 Ballston Ofc 884-4155
 Saratoga Ofc 587-3030
 HEAP 884-4146
 Medicaid 884-4148
 Public Assistance 884-4144
 Managed Care 884-4153

Patrick Maxwell
 Deputy Commissioner

November 26, 2013

Andrew S. SanFilippo
 Executive Deputy Comptroller
 Office of the State Comptroller
 Division of Local Government and School Accountability
 110 State Street
 Albany, NY 12236

Dear Mr. SanFilippo:

We have reviewed the report of findings and recommendations made as a result of the audit conducted by the Office of the State Comptroller with Saratoga County Department of Social Services in April 2013. Following a conference to discuss the draft report with [REDACTED] and [REDACTED] and some amended wording, we approve of the draft report. We will begin to prepare our corrective action plan in anticipation of the final report that will be issued by your office.

Thank you for considering our views in preparation of your final report of examination for Saratoga County. If you have any questions or need any additional information, please feel free to contact me at 518-884-4140.

Sincerely,

Tina Potter
 Commissioner

APPENDIX B

ADDITIONAL INFORMATION ABOUT CHILD PROTECTIVE SERVICES PROGRAMS

Child Abuse Reporting and Investigations

The State Central Register (SCR), also known as the Hotline, receives telephone calls alleging child abuse or neglect within the State. The SCR relays information from the calls to the local CPS units for investigation. It also monitors for a prompt response and identifies if there are prior child abuse or neglect reports associated with the report subject. The SCR receives calls 24 hours a day, seven days a week, from two sources: persons who are required by law to report suspected cases of child abuse and neglect and calls from non-mandated reporters, including the public. In addition to the SCR Hotline, Onondaga and Monroe County each maintain an independent hotline. These counties are required to report all hotline calls they receive that allege child abuse or neglect to the SCR.

Once the SCR notifies a county of an alleged abuse, the CPS unit should assign the case to an investigative unit or Family Assessment Response (FAR) unit of the county. When the CPS unit refers the case for investigation, the investigation must be conducted within specified time periods and should determine if some credible evidence exists to conclude that an abuse or neglect occurred (indicated) or did not (unfounded).

When the CPS unit concludes the case is indicated, the CPS worker (worker) must provide or arrange for services for the children, parents and other involved family members (client). These services typically include case management and supervision, individual and family counseling, respite care, parenting education, housing assistance, substance abuse treatment, childcare and home visits. Staff may provide or arrange for any appropriate rehabilitative services for their clients, including foster care and mandated preventive service. Workers must monitor the services when they are not the primary services provider. The CPS unit also provides preventive services to high-risk families.⁴

In certain circumstances, the CPS unit may not investigate a report of abuse or neglect to determine if it actually occurred but instead will handle the report through FAR, the State's optional alternative response program that counties can use with State approval. FAR does not require an investigation to determine if abuse or neglect occurred. FAR is intended to provide protection to children by engaging families in an assessment of child safety and of family needs, to help find solutions to family problems, and to identify informal and formal support mechanisms to meet the family's needs and increase the parent's/guardian's ability to care for their children. Reports of inadequate guardianship, excessive corporal punishment and educational neglect are examples of abuse or neglect allegations that the CPS unit may handle with FAR. As a part of the State's FAR approval process, each county defines the specific allegations that they will allow to be covered by the FAR approach. CPS officials have not implemented FAR in the County.

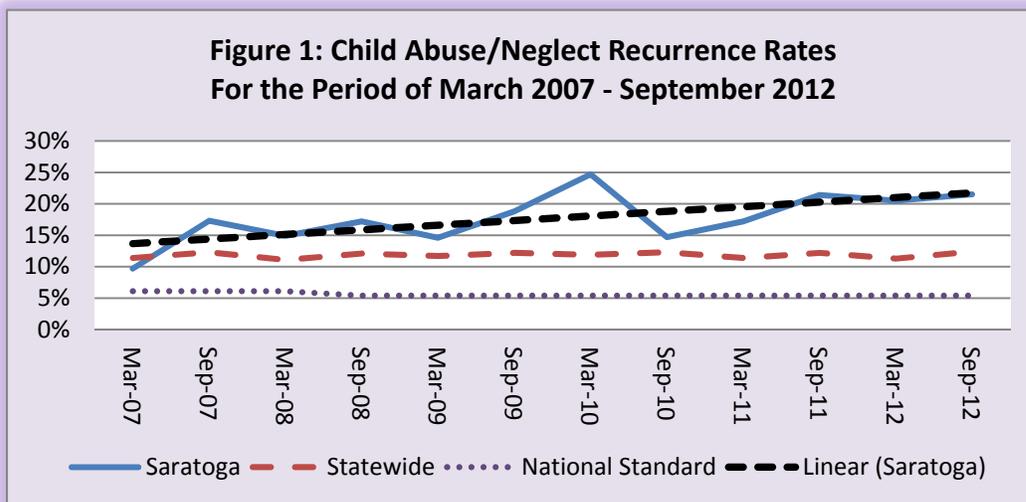
⁴ Risk categories are low, moderate, high and very high. They are determined by assessing 15 preliminary risk factors (six risk factors pertain to the family unit and nine risk factors pertain to caretaker specific behaviors) which are considered to arrive at the overall risk rating.

Federal Reviews

The Children's Bureau and the Administration for Children and Families (ACF),⁵ part of the U.S. Department of Health and Human Services, conduct Child and Family Service Reviews (Review). They conduct the Review in partnership with the State and counties to ensure conformity with federal child welfare requirements and to assist states in improving safety, permanency, and well-being outcomes for children and families that receive child welfare services.

ACF conducted its first Review in 2001. In addition to ensuring conformity with federal child welfare requirements, the review was designed to determine what is actually happening to children and families as they are engaged in a state's child welfare services and to assist states in enhancing their capacity to help children and families achieve positive outcomes. The Review determined the State was not in substantial conformity with national standards and required the State to develop a PIP. As part of ongoing efforts to make improvements in child welfare systems, ACF conducted a second round of Reviews in 2008. Again, the Reviews found the State's recurrence rate of abuse and neglect was high. In fact, the State's recurrence rate has been much higher than the national standard⁶ for several years and, in many counties, is on the rise.

Figure 1 compares the County's recurrence rates to the State's recurrence rate and the national standard recurrence rate. The County has consistently exceeded the national standard. Historically, its recurrence rate has been higher than the State's recurrence rate and increasing, as depicted by the linear line for the County.



⁵ The ACF is responsible for federal programs that promote the economic and social well-being of families, children, individuals and communities.

⁶ The Children's Bureau set a national standard for recurrence of maltreatment, which is measured using data from the National Child Abuse and Neglect Data System (NCANDS).

APPENDIX C

AUDIT METHODOLOGY AND STANDARDS

We interviewed County CPS staff for general background information and to determine CPS unit activities with respect to child abuse and neglect, recurrences, training, report intake and management oversight. We reviewed the CPS Manual and any local policies and procedures the County had regarding child abuse and neglect. We reviewed the County's PIP and the quarterly reports to ensure compliance with the PIP. We also reviewed certain controls over computerized data that OCFS uses to calculate a county's child abuse and neglect recurrence rate and traced records to and from the system to determine if the records appear reasonably accurate and complete.

To determine if the County followed the requirements set forth in the CPS Manual, we randomly selected and reviewed 10 cases to confirm a Risk Assessment Profile was developed and the caseworker completed a thorough safety assessment and investigation of child abuse and neglect in a timely manner. We randomly selected and reviewed 10 different cases to determine if the caseworker developed a Family Assessment Services Plan and randomly selected an additional 10 cases to confirm that caseworkers maintained face-to-face contact with the family. We also examined training records for 10 caseworkers to determine whether caseworkers met their various training requirements.

We conducted this performance audit in accordance with GAGAS. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objective. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objective.