



John Keel, CPA
State Auditor

An Audit Report on

Staffing and Caseloads at the Department of Family and Protective Services

March 2009

Report No. 09-021



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Overall Conclusion

The Department of Family and Protective Services (Department) has implemented legislatively mandated reforms and strategies to its Child Protective Services (CPS) division that were intended to improve its service delivery to children by increasing caseworker staffing levels and decreasing caseloads. Staffing levels, as measured by the average number of caseworkers statewide, increased from 3,139 employees in fiscal year 2004 to 4,104 employees in fiscal year 2007, a 31 percent increase. Caseloads for CPS caseworkers who perform investigations significantly decreased from a daily average of 42.8 cases per investigator in fiscal year 2005 to a daily average of 25.3 cases per investigator in fiscal year 2007.

The average base salary for a CPS caseworker increased 3 percent from \$32,803 in fiscal year 2004 to \$33,815 in fiscal year 2007. However, this does not include an additional stipend that was authorized by the Legislature to help retain staff. Beginning in fiscal year 2005, the Department began offering eligible CPS caseworkers a \$3,000 retention bonus in addition to their base pay. The 79th Legislature authorized an annual stipend of \$5,000 to eligible CPS caseworkers and supervisors, and the 80th Legislature reauthorized the \$5,000 stipend. The Department pays the stipend in monthly increments. In fiscal year 2007, the Department spent more than \$10 million on these stipends.

Even as the Department increased hiring and decreased caseloads, it did not experience significant improvement in CPS caseworker turnover rates or total overtime paid. Specifically:

- CPS caseworker turnover rates increased from 23.0 percent in fiscal year 2004 to 34.1 percent in fiscal year 2007.
- Total overtime paid to CPS caseworkers increased 298 percent from \$1,754,474 in fiscal year 2004 to \$6,982,650 in fiscal year 2007.

Child Protective Services

The purpose of the Department's Child Protective Services (CPS) division is to protect children and act in the children's best interest. In 2004, several high profile abuse and neglect cases focused attention on CPS's level of staffing and caseloads. In 2005, the 79th Legislature enacted Senate Bill 6, which instructed the Department to improve the services it provides to children. In 2007, the 80th Legislature enacted Senate Bill 758, a continuation of the Department's reform, focused primarily on the CPS program. The Legislature earmarked approximately \$343 million for these reforms as follows:

- Fiscal year 2006 - \$100,504,746
- Fiscal year 2007 - \$147,595,803
- Fiscal year 2008 - \$ 41,401,368
- Fiscal year 2009 - \$ 53,560,879

This audit was conducted in accordance with Texas Government Code, Section 321.0134.

For more information regarding this report, please contact Sandra Vice, Assistant State Auditor, or John Keel, State Auditor, at (512) 936-9500.

Caseworkers leaving the Department from fiscal year 2004 to fiscal year 2008 consistently cited poor working conditions, supervisory issues, and better pay/benefits offered elsewhere as the top reasons for leaving.

Key Points

The Department implemented key reforms related to CPS staffing and caseload levels.

In 2005, the 79th Legislature enacted legislation directing the Department to implement reform initiatives to address concerns about the State's ability to protect children. The Department created 30 reform initiatives to address the legislation. The Department substantially implemented all nine reform initiatives reviewed by auditors related to improving staffing and caseload levels at the Department. The Department implemented four initiatives during fiscal years 2005 and 2006, and it implemented four initiatives during fiscal years 2007 and 2008. Implementation of one initiative is ongoing. (See Appendix 2 for list of reform initiatives.)

The Department increased caseworker staffing levels and decreased caseloads, but regional differences indicate that CPS reforms need to be targeted.

The Department implemented several recruitment initiatives and hiring strategies, such as creating hiring specialist positions. The Department substantially increased the total number of CPS caseworkers hired from fiscal year 2004 (pre-reform) to fiscal year 2007 (post-reform). The Department should continue to address staffing issues by analyzing regional differences to identify region-specific issues and replicate successful strategies. Regional targeted reforms may help the Department achieve a positive effect on statewide results. (See Chapter 2 for discussion of regional differences.)

CPS caseworkers and Adult Protective Services caseworkers are grouped in one classification series.

CPS caseworkers are grouped in a broad classification series, Protective Services Specialists, which includes both child protective and adult protective caseworkers. Turnover and salary data for CPS caseworkers is difficult to analyze because they are grouped within this classification. Based on Department-provided data, auditors found that CPS caseworker turnover rates were higher than the turnover rates for the Protective Services Specialist classification, the Department turnover rates, and the state employee turnover rates in Texas.

The Department reported reliable results for four of five key performance measures and implemented new measures that more accurately reflect the workloads of CPS caseworkers.

The Department reported reliable results for four of five (80 percent) key performance measures tested for fiscal year 2007. A performance measure is considered reliable if it is certified or certified with qualification. Factors prevented certification of one measure, CPS Workload Equivalency Measure (WEM), because the Department did not follow the measure definition listed in the Automated Budget and Evaluation System of Texas (ABEST) and based its calculations on outdated methodologies and incorrect data extracted from the Department's database. (See Chapter 3 for performance measure results.)

During fiscal year 2007, the Department added and changed some performance measures to more accurately reflect CPS caseload levels and workloads, including adding CPS daily caseload level measures. Department management actively uses the results of some daily measures to make decisions. The Department should consult with the Legislative Budget Board and the Governor's Office of Budget, Planning, and Policy to discontinue calculating the monthly caseload levels.

Newly hired CPS employees were appropriately cleared through pre-employment criminal history checks.

CPS employees with direct access to Department clients or sensitive client-related information who were hired during the last five months of fiscal year 2008 were appropriately cleared for hire after undergoing pre-employment criminal history checks, in accordance with Health and Human Services Commission (Commission) policy. Auditors reviewed 1,047 CPS employees hired from April 1, 2008, through August 31, 2008, and verified that the hiring decisions were made in accordance with the Commission's criminal history policy.

Summary of Management's Response

The Department generally agreed with the recommendations in this report. Its responses to the specific recommendations in this report are presented immediately following each set of recommendations in the Detailed Results section of this report.

Summary of Information Technology Review

Auditors assessed information technology (IT) controls over the Department's information systems and other automated processes used for performance measure data. Auditors evaluated general IT controls, including logical access, program change management, physical security, and disaster recovery. Because the Department's process for calculating performance measure results is highly automated, auditors also reviewed application controls, including input controls,

process controls, and output controls. The Department's overall IT controls are adequate to ensure the security and reliability of performance measure data, and the Department should continue to manage the Information Management for the Protection of Adults and Children in Texas (IMPACT) system and monthly data compilation so that staff can maintain effective documentation and change controls.

Summary of Objectives, Scope, and Methodology

The objectives of this audit were to:

- Analyze staffing levels and caseloads at the Department to compare the results and evaluate the effectiveness of staffing strategies and enhancements over time.
- Verify whether current caseload-per-worker performance measures, definitions, and methodologies accurately reflect the workloads of protective services caseworkers. Provide recommendations on how these measures might be improved.

The audit scope included reviewing and analyzing CPS staffing and caseloads at the Department for fiscal years 2004 through 2008, when available. In addition, auditors certified 5 key performance measures for fiscal year 2007 and performed a limited review of 16 performance measures for fiscal years 2007 and 2008 that the Department reported in ABEST.

The audit methodology included collecting and reviewing information and documentation; analyzing CPS caseworker staffing levels and caseloads prior to fiscal year 2004 (pre-reform) and fiscal year 2007 (post-reform); conducting interviews with Department management and staff; and determining the implementation status of nine reform initiatives related to improving staffing levels and caseloads. Auditors also reviewed Department data related to salaries, overtime, and turnover. In addition, auditors selected five key performance measures and reviewed controls over the collection, calculation, and submission of data used in reporting performance measures and traced performance measure documentation to the original source when available. Auditors also selected 16 performance measures for more limited review.

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Detailed Results

Chapter 1

The Department Has Implemented Various Strategies to Increase Caseworker Staffing Levels and Decrease Caseloads

The Department of Family and Protective Services (Department) has implemented legislatively mandated reforms and strategies to its Child Protective Services (CPS) division that were intended to improve its service delivery to children by increasing caseworker¹ staffing levels and decreasing caseloads. Since implementing the reforms, the Department has experienced increased staffing levels and decreased caseloads. Even with these changes, the Department has not experienced significant improvements in caseworker turnover, base salaries, or overtime paid.

A comparison of pre-reform (fiscal year 2004) and post-reform (fiscal year 2007) CPS indicators shows the following:

- Hiring of entry-level (CPS Specialist II) caseworkers increased from 825 hired in fiscal year 2004 to 1,944 hired in fiscal year 2007, a 136 percent increase.
- Staffing levels, as measured by the average number of caseworkers statewide, increased from 3,139 employees in 2004 to 4,104 employees in 2007, a 31 percent increase.
- Caseloads for caseworkers who perform investigations significantly decreased from a daily average of 42.8 cases per investigator in fiscal year 2005 to a daily average of 25.3 cases per investigator in fiscal year 2007. The fiscal year 2008 target for investigative caseloads was 22.9 cases per investigator.
- Caseworker turnover rates increased from 23.0 percent in fiscal year 2004 to 34.1 percent in fiscal year 2007. The caseworker turnover rate was 30.5 percent in fiscal year 2008, the first decrease since fiscal year 2004.
- Caseworker average base salaries increased 3 percent from \$32,803 in fiscal year 2004 to \$33,815 in fiscal year 2007, while average base salaries for supervisors increased 2 percent from \$41,571 in fiscal year 2004 to \$42,373 in fiscal year 2007. These amounts do not include other supplemental pay or monthly stipends.

¹ For purposes of this report, “caseworker” refers to Child Protective Services (CPS) caseworkers, unless specified otherwise.

- Total overtime that the Department paid to caseworkers increased 298 percent from \$1,754,474 in fiscal year 2004 to \$6,982,650 in fiscal year 2007.

Chapter 1-A

The Department Implemented Key Reforms Related to CPS Staffing Levels and Caseloads

The Department accomplished all key tasks related to the following nine reform initiatives reviewed by auditors:

- Strengthening CPS investigations.
- Improving CPS risk and safety assessments.
- Supporting quality casework.
- Improving the management of human capital.
- Designing and implementing CPS training innovations.
- Improving the management of employee and program performance.
- Improving communications.
- Updating resource and funding allocation processes.
- Improving information technology innovation and support.

Significant Dates for CPS Reforms

- **July 2004** - Governor Rick Perry issued Executive Order RP 35, which called for the reform of CPS.
- **September 2004** - The Health and Human Services Commission (HHSC) reviewed CPS operations and issued a recommended implementation plan for reforms.
- **January 2005** - HHSC issued a final report containing recommendations for reforming CPS.
- **September 2005** - Senate Bill 6 (79th Legislature, Regular Session), which incorporated many of the HHSC recommendations, went into effect.
- **September 2007** - Senate Bill 758 (80th Legislature), which was the continuation of CPS reforms, went into effect.

These reform initiatives were based on recommendations made in a January 2005 report by the Health and Human Services Commission for reforming CPS (see text box).

To implement the initiatives, the Department created and followed a structured process that included all areas of management. This process included the creation and filing of initiative charter documents, work plans, status reports, and close-out reports. Additionally, an oversight steering committee consisting of members of the Department's executive management was assigned to each initiative.

To achieve the stated goals of each initiative, the Department created a list of key tasks to be completed. As of August 2008, the Department had sufficient documentation showing that it had accomplished all of its key tasks related to the nine reform initiatives that auditors reviewed (see Appendix 2 for a list of all

key tasks associated with the reform initiatives reviewed by auditors). These tasks included:

- Creating a Division of Investigations to strengthen policies and procedures and to standardize investigations.
- Developing and implementing protocols for joint investigations with law enforcement to clarify the respective roles of each agency in conducting investigations, provide for mutual training and agreements, and incorporate the use of forensic methods in determining the occurrence of child abuse and neglect.
- Assessing and extending the use of SpeakWrite, a mobile dictation service, to help caseworkers more efficiently meet documentation requirements.
- Implementing salary enhancements, in the form of merits and bonus payments, for caseworkers.
- Establishing training plans for each CPS position. This includes designing and implementing a training program for all new and experienced staff that corrects identified deficiencies and provides staff with the knowledge and skills required for their positions.
- Distributing Tablet PC hardware to caseworkers statewide to streamline procedures and to support access to CPS policies and procedures during times when caseworkers are away from their offices.

Chapter 1-B

The Department Improved CPS Staffing and Caseload Levels

A comparison of CPS staffing and caseload levels in fiscal year 2004 (pre-reform) to levels in fiscal year 2007 (post-reform) shows that the Department has made strides toward increasing caseworker staffing and decreasing caseloads.

Staffing

As a result of the reform initiatives, the Department has created hiring specialist positions and implemented new recruitment initiatives and hiring strategies. For example, the Department now uses a hiring process that better identifies which candidate has the skills and characteristics that will most likely help the candidate be successful and stay long-term at the agency.² The Department also increased the total number of caseworkers hired. The Department hired 875 caseworkers in fiscal year 2004 and 2,001 caseworkers in fiscal year 2007. Ninety-six percent of the Department's new caseworker hires from fiscal year 2004 to fiscal year 2007 were entry-level caseworkers (CPS Specialist II) (see Table 1 on the next page). Increased hiring and retention are necessary to decrease CPS caseloads.

² The employment and recruiting process for health and human services agencies is generally outsourced through a third-party vendor (Convergys); however, the Department is responsible for hiring its own CPS caseworkers and investigators.

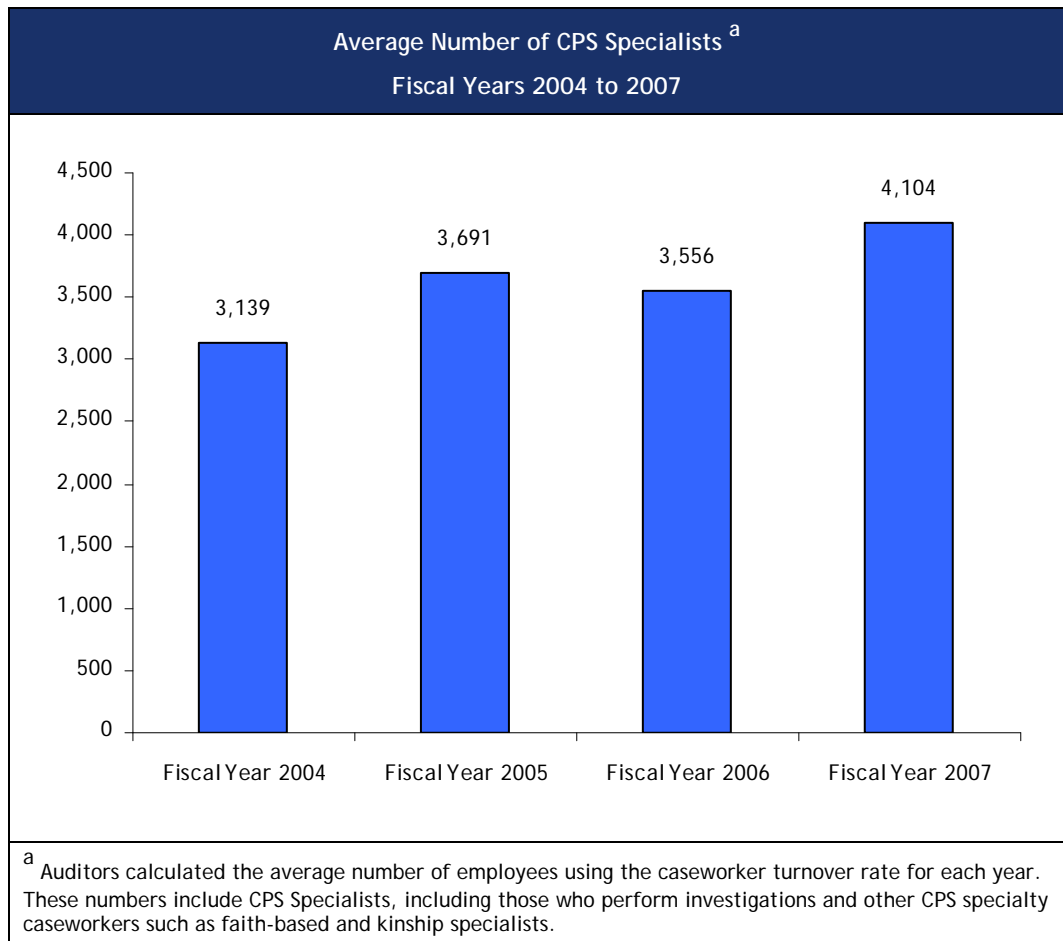
Table 1

Number of Caseworkers Hired Fiscal Years 2004 to 2007					
Job Title	Fiscal Year 2004	Fiscal Year 2005	Fiscal Year 2006	Fiscal Year 2007	Total Hired
CPS Specialist II	825	1,361	1,519	1,944	5,649
CPS Specialist III	30	40	18	23	111
CPS Specialist IV	19	39	23	34	115
CPS Specialist V	1	2	0	0	3
Totals	875	1,442	1,560	2,001	5,878

Source: Unaudited data from the Department.

The average number of caseworkers employed statewide increased from fiscal year 2004 to fiscal year 2007. The Department employed 3,139 caseworkers in fiscal year 2004, and it employed 4,104 caseworkers in fiscal year 2007 (see Figure 1).

Figure 1



Source: Auditors' analysis based on unaudited data from the Health and Human Services Commission.

The Department substantially met its staffing level targets for the average number of caseworkers employed in both fiscal year 2006 and fiscal year 2007. (The Department did not set staffing level targets for fiscal years 2004 or 2005.) The staffing level targets were:

- Fiscal year 2006: 3,636.0 average number of caseworkers employed.
- Fiscal year 2007: 4,212.5 average number of caseworkers employed.

The Legislature appropriated the Department additional full-time equivalent (FTE) positions and related salaries for CPS direct delivery staff. These included:

- 822 FTEs and \$28,745,567 for fiscal year 2006.
- 1,519 FTEs and \$61,780,156 for fiscal year 2007.
- 1,519 FTEs and \$67,712,007 for each of fiscal years 2008 and 2009.

Caseloads

Based on information provided by the Department, as of fiscal year 2007, average caseloads for the caseworkers performing investigations

(investigators) significantly decreased between fiscal year 2005 and fiscal year 2007.

CPS Caseworker Groupings

Beginning in 2006, the Department grouped caseworkers by the type of casework or caseload they were assigned. The groupings include Investigations, Family Based Safety Services, Substitute Care (also known as conservatorship), and Foster/Adoptive Services. Auditors reviewed data related to Investigations, Family Based Safety Services, Substitute Care, and Foster/Adoptive Services. (See Appendix 3 for more information about the activities and services performed by each caseworker grouping.)

There is not a federally mandated standard for caseload ratios for child protection caseworkers. The Child Welfare League of America, a nonprofit coalition of private and public children service agencies, is considered a reliable source of information for caseload ratios; it acknowledges that there is no universally accepted formula for computing caseloads and recommends a standard of 12 cases for investigative caseworkers per month. A case is defined by the Child Welfare League of America as a child. The Department divides caseworkers into groupings based on the type of casework they are assigned (see text box), and it calculates the average daily caseloads

for each grouping. The average daily caseload for caseworkers assigned to investigations has decreased from 42.8 cases per investigator in fiscal year 2005 to 25.3 cases per investigator in fiscal year 2007, a 40.9 percent decrease.

The legislatively set daily caseload target for investigators in fiscal year 2008 was 22.9 cases, a goal the Department was close to achieving. In addition, the Legislature and the Department have set caseload targets for other caseworker groupings. The reported caseloads for Family Based Safety Services caseworkers remained nearly unchanged from fiscal year 2005 to fiscal year 2007; however, the caseloads were lower than legislatively set targets. The daily caseloads for Substitute Care caseworkers increased slightly from fiscal

year 2005 to fiscal year 2007; however, the caseloads also were lower than legislatively set targets.

The average daily caseloads for Foster/Adoptive Services caseworkers increased significantly from 22.9 cases per caseworker in fiscal year 2005 to 30.1 cases per caseworker in fiscal year 2007. However, the larger caseload is close to an internal target that the Department set for fiscal year 2008 (see Table 2).

Table 2

Average Daily Caseworker Caseloads Fiscal Years 2005 to 2007				
Caseworker Group	Fiscal Year 2005	Fiscal Year 2006	Fiscal Year 2007	Fiscal Year 2008 Target
Investigations	42.8	34.7	25.3	22.9
Family Based Safety Services	20.7	20.3	20.4	25.9
Substitute Care	40.4	44.5	43.3	45.5
Foster/Adoptive Services	22.9	32.5	30.1	29.3 ^a

^a The Foster/Adoptive Services daily caseload is not a key measure; therefore, it does not have a legislatively set target. The Department internally set the target shown here.

Sources: Unaudited Department data books and the Automated Budget and Evaluation System of Texas (ABEST).

Auditors estimated that during fiscal year 2007 a caseworker performing investigations was assigned 89 cases a year on average. Similarly, a Foster/Adoptive Services caseworker was assigned 128 cases on average during fiscal year 2007. Auditors based these estimates on the total number of caseworkers assigned to Investigations and Foster/Adoptive Services during fiscal year 2007 and the number of cases that were open during that year. These counts do not include cases that were carried over from previous years. In addition, some caseworkers may not have been assigned to these groupings for the entire year.

Chapter 1-C

The Department Has Not Seen Significant Improvements in Caseworker Turnover, Base Salaries, or Overtime Paid

Even as the Department has increased hiring and decreased caseloads, it has not seen significant improvement in caseworker turnover, base salaries, and overtime paid. In addition, although there has been a significant increase in total overtime paid by the Department, more than 50 percent of caseworkers surveyed responded that, even working overtime, they still cannot finish all of their work (see Chapter 1-E for discussion of survey results).

Caseworker Turnover

Caseworker turnover rates increased each year between fiscal year 2004, when it was 23.0 percent, and fiscal year 2007, when it peaked at 34.1

percent. In fiscal year 2008, the Department experienced a decrease in its caseworker turnover rate, when it was 30.5 percent. While the causes of this decrease cannot be definitively determined, the economic downturn may be decreasing caseworkers' ability to find other employment. In addition, the 79th and 80th Legislatures authorized a stipend program to provide CPS investigators and supervisors with a \$5,000 annual stipend to be paid in monthly increments.

In fiscal year 2004, 721 caseworkers terminated employment with the Department, while 1,399 caseworkers terminated employment in fiscal year 2007. The Department calculates turnover rates for various caseworker and investigator job titles, including CPS Specialists and CPS Investigators. Caseworker turnover rate is a key performance measure for the Department (see Chapter 3 for a discussion of the Department's performance measure results).

In fiscal year 2007, entry-level caseworkers (CPS Specialist II) and CPS investigators with law enforcement backgrounds (CPS Senior Investigator)³ both had turnover rates of more than 40 percent—the highest rate among caseworkers. The remaining caseworker positions had turnover rates that were lower than the overall caseworker turnover rate of 34.1 percent in fiscal year 2007 (see text box).

CPS Specialist II	40.8%
CPS Specialist III	27.7%
CPS Specialist IV	16.7%
CPS Specialist V	20.9%
<u>CPS Senior Investigator</u>	<u>41.1%</u>
Overall	34.1%
Sources: ABEST and the Department.	

Turnover rates for CPS caseworkers in fiscal years 2004, 2006, 2007, and 2008 were higher than turnover rates for all Protective Services Specialists, which is the broad job classification series that includes both child protective and adult protective caseworkers. In addition, CPS caseworker turnover rates in fiscal years 2004 through 2008 were

higher than turnover rates for the Department and for all state employees in each year (see Table 3 on the next page).

³ Other investigator positions are grouped within the CPS Specialist's functional titles.

Table 3

Turnover Rates for CPS Caseworkers, Protective Services Specialists, Department, and State Employees					
Fiscal Years 2004 to 2008					
Group ^a	Fiscal Year 2004	Fiscal Year 2005	Fiscal Year 2006	Fiscal Year 2007	Fiscal Year 2008
CPS Caseworkers (including transfers) ^b	23.0%	29.3%	29.8%	34.1%	30.5%
Department Protective Services Specialists (including transfers)	21.7%	30.7%	27.4%	31.7%	28.4%
Department (including transfers)	18.8%	24.0%	20.7%	23.2%	21.2%
State Employees (excluding transfers)	15.1%	16.9%	15.8%	17.4%	17.3%

^a Interagency transfers (employees transferring from one state agency to another) are excluded from the calculation of the State's overall turnover rate because employees who transfer from one state agency or institution of higher education to another are not considered a loss to the State as a whole. However, in determining turnover rates by agency, these transfers are included because they are considered a loss for the agency.

^b CPS caseworkers include those with the functional job titles of CPS Specialist II, CPS Specialist III, CPS Specialist IV, CPS Specialist V, and CPS Senior Investigator.

Sources: Department data books, ABEST, and the State Classification Team's Electronic Classification Analysis System (E-Class).

CPS Stipends

From January 2005 to August 2005, the Department offered \$3,000 retention bonuses to eligible investigative caseworkers in Protective Services Specialist III, IV, and V classifications to help address the high turnover the Department was experiencing in those positions.

The 79th Legislature authorized an annual stipend of \$5,000 for approximately 2,413 CPS investigation caseworkers and supervisors. The 80th Legislature authorized the continuation of the annual \$5,000 stipends to CPS investigation caseworkers and supervisors.

The Department pays these stipends to eligible caseworkers and supervisors in monthly increments. This stipend is in addition to a caseworker's or supervisor's base salary rate.

Salaries

Between fiscal years 2004 and 2007, the estimated average annual base salary paid to caseworkers increased by \$1,012; the estimated average base salary paid to supervisors increased by \$802 during the same time period⁴ (see Table 4 on the next page). However, this does not include stipends that the Department began paying eligible caseworkers after fiscal year 2004. The Department paid a retention bonus of \$3,000 to eligible CPS caseworkers. The 79th Legislature authorized the Department to pay eligible investigative caseworkers and supervisors an annual stipend of \$5,000; this stipend was reauthorized by the 80th Legislature. Eligible caseworkers and supervisors received this stipend in monthly increments (approximately \$417 per month).⁵ In fiscal year 2007, the Department paid a total of \$10,452,231 in stipends to caseworkers and supervisors. The stipends are in addition to the

⁴ The average monthly base salaries were calculated for CPS caseworkers and supervisors employed during the fiscal year. The average annual base salaries were calculated by averaging the actual monthly base salary of each regional caseworker and multiplying that amount by 12. The monthly base salary amounts were as of the last day of each fiscal year, or an employee's date of termination. These amounts do not include other supplemental pay such as longevity pay, overtime pay, or monthly stipends.

⁵ CPS employees who were not eligible for the stipends received the across-the-board base salary increases in fiscal years 2006 and 2007 that other state agency employees received: a 4 percent increase with a minimum of \$100/month increase in fiscal year 2006 and a 3 percent increase with a minimum of \$50/month increase in fiscal year 2007.

caseworkers' and supervisors' base pay and are not included in auditors' calculations of average annual salaries.

Table 4

Average Annual Base Salaries for Caseworkers and Supervisors ^a				
Fiscal Years 2004 and 2007				
Position	Fiscal Year 2004		Fiscal Year 2007	
	Average Monthly Base Salary	Average Annual Base Salary	Average Monthly Base Salary	Average Annual Base Salary
All CPS Caseworkers	\$2,733.55	\$32,802.57	\$2,817.91	\$33,814.93
CPS Caseworkers Receiving Stipends	Not Applicable	Not Applicable	\$2,646.95 (\$3,063.62 with stipend)	\$31,763.35 (\$36,763.35 with stipend)
All CPS Supervisors ^b	\$3,464.23	\$41,570.79	\$3,531.07	\$42,372.80

^a The average monthly base salaries were calculated for CPS caseworkers and supervisors employed during the fiscal year. The average annual base salaries were calculated by multiplying the average monthly base salary by 12.

^b Stipend totals for supervisors are not listed because the stipends paid to CPS supervisors could not be differentiated from those paid to Adult Protective Services supervisors.

Sources: Unaudited data from the Department and the Uniform Statewide Accounting System (USAS).

CPS caseworkers are classified under the Protective Services Specialist job classification series in the State's Position Classification Plan. This job classification series also includes caseworkers for Adult Protective Services. Detailed salary information for CPS caseworkers must be obtained from the Department. Because of this, it may be difficult for decision makers outside the Department to independently identify and analyze salary trends and turnover specific to CPS caseworkers. According to *A Biennial Report on the State's Position Classification Plan* (State Auditor's Office Report 09-701, October 2008), to maintain competitive pay ranges, as well as address positions with low market averages (which include CPS caseworkers), the Legislature should consider splitting the Protective Services Specialist series into a five-level Adult Protective Service Specialist series and a five-level Child Protective Service Specialist series.

Overtime

The amount of overtime that the Department paid to its CPS caseworkers increased 298 percent from \$1,754,474 in fiscal year 2004 to \$6,982,650 in fiscal year 2007.

Caseworkers are covered under the federal Fair Labor Standards Act (FLSA), which regulates overtime for workers, including state employees. According to the Department's current overtime policy, most health and human services non-management employees are covered by FLSA. Under FLSA and Department policy, caseworkers can accrue up to 240 hours of compensatory

time (1.5 hours of compensatory time for each hour of overtime worked). If the employee leaves state employment or transfers to another agency, the Department must compensate the employee for any unused FLSA compensatory time.

Auditors did not calculate the amount of compensatory time that caseworkers accrued. The Department's predecessor agency, the Department of Protective and Regulatory Services, issued an overtime policy in 2003 that acknowledged that large compensatory time balances were a fiscal liability for the Department. It also stated that it would limit compensatory time accruals and payments to operate within available funding and to sustain an acceptable level of services to clients.

The Department's current overtime policy places responsibility on its managers and supervisors to effectively allocate workloads so that employees are allowed or required to work overtime only when there is a business need. The policy also states that the Department should grant employees leave for compensatory time "unless to do so would unduly disrupt the activities of the agency."

According to Department policy, overtime is paid to employees under different circumstances. Specifically:

- Employees are paid for any hours worked beyond the 240-hour limit on compensatory time accrual.
- Employees assigned to special projects may be paid overtime with prior supervisory approval.
- Employees are paid for any overtime hours accrued when they transfer to another state agency or when they terminate employment with the State.

Recommendations

The Department should:

- Ensure that employees are correctly classified in Child Protective Service Specialists and Adult Protective Services positions if the recommended changes to the Classification Plan are approved by the Legislature.
- Identify the reasons paid overtime is increasing, develop strategies to limit the Department's fiscal liability, and ensure that it is in compliance with the federal Fair Labor Standards Act.

Management's Response

The Department should ensure that employees are correctly classified in Child Protective Service Specialists and Adult Protective Services positions if the recommended changes to the Classification Plan are approved by the Legislature.

DFPS acknowledges the benefit and need to have separate series for Child Protective Services and Adult Protective Services. There are two other classifications that are currently in the protective service series, Statewide Intake Workers and Child Care Licensing Investigators. DFPS would like the State Classification Office (SCO) to consider options to make changes to those series in the future. DFPS will work directly with the SCO to explore those opportunities.

The Department should identify the reasons paid overtime is increasing, develop strategies to limit the Department's fiscal liability, and ensure that it is in compliance with the federal Fair Labor Standards Act.

In 2006 CPS, in line with legislative mandates, created a Family Focus Division that included the expansion of the Family Group Decision Making Model (FGDM), greater support of kinship caregivers, and increased cultural competency of staff. These practice models have resulted in a cultural shift in CPS' practice with children, youth, and families that are evidenced by a greater understanding of the need for flexibility in working with families. Some examples of this:

- Caseworkers are conducting FGDM conferences after working hours and on weekends to better accommodate parents and extended family;
- Caseworkers are making home visits after hours so that families/kinship care providers do not have to miss work;
- Caseworkers are visiting children and arranging family/child and sibling visits after school hours;
- Caseworkers are making home visits in Family Based Safety Services cases after working hours and some weekends to ensure all children are seen and assessed for safety in the home.

Although these efforts have resulted in an increase in paid overtime hours, the changes in practice have resulted in more children remaining safely in their own homes or with kinship caregivers, a reduced length of stay in foster care, and a savings to the State in the amount of \$61.8 million in foster care dollars over a two year period.

Additional reasons for overtime increasing are numerous. Three specific reasons are as follows:

- *FY2005 contained increased actions to respond to scrutiny associated with the Governor’s order and high levels of media attention on child deaths. Caseworkers had extremely high caseloads and worked hard to perform casework in order to protect children. In some areas, significant vacancies contributed to overtime.*
- *FY2006 contained the first introduction of new staff and caseworkers worked to cover caseloads prior to new staff assuming full casework responsibilities. There was a shift to functional units. The transition from 10 days to a 72 hour Priority 2 response time began in FY2006, with a shift to a five day response time. CPS leadership began utilizing specific reports, available weekly, to emphasize the critical need to reduce delinquent investigations and increase face-to-face contacts with children.*
- *FY2007 showed the impact of CPS Reform I on the “front end” of the system, with an increase in tasks and responsibilities for conservatorship staff. Reports that measured compliance with face to face contacts or other critical actions were introduced, requiring staff to increase casework. Caseloads began to decrease, but still were challenging. Initiatives, such as projects to increase adoptions, preparation for the medical model or Kinship caregiver assistance, required increased training.*

DFPS has adopted the FLSA policy (HR-1103) and has regular communication and training efforts with supervisors and higher levels of management regarding overtime. DFPS will continue its efforts to monitor overtime in order to limit the agency’s fiscal liability, while ensuring compliance with the Federal Fair Labor Standards Act.

Chapter 1-D

The Impact of Reforms on Additional Service Delivery Indicators Is Unknown

In addition to increasing staffing levels and decreasing caseloads, the goals of the CPS reforms include improving the delivery of services to abused and/or neglected children in the state. However, the reforms’ impact on service delivery was unclear as of October 2008. Specifically:

- **Confirmed Cases.** The Department reports that the number of confirmed victims, or the number of children involved in cases that meet the definition of abuse and neglect, decreased 7 percent statewide from 76,541 in fiscal year 2004 to 71,344 in fiscal year 2007.
- **Open Cases.** The total number of open cases—which are cases assigned to a caseworker but not closed because the child continues to be monitored—for the Investigations, Family Based Safety Services, Substitute Care, and

Foster/Adoptive caseworker groupings increased 19 percent from 307,480 in fiscal year 2004 to 365,175 in fiscal year 2007 (see Table 5).

Table 5

Number of Open Cases ^a			
Fiscal Years 2004 and 2007			
Type of Case	Open Cases in Fiscal Year 2004	Open Cases in Fiscal Year 2007	Percent Increase
Investigations	208,443	235,064	13%
Family Based Safety Services	36,733	53,880	47%
Substitute Care	33,862	47,591	41%
Foster/Adoptive	28,442	28,640	1%
Totals	307,480	365,175	19%

^a This does not include intake activity, adoption cases outside the Foster/Adoptive grouping, or preparatory adult living cases.

Source: Unaudited data from the Department.

- **Percent of CPS Priority 1 Reports Initiated within One Day.** The Department has not met its 100 percent target of initiating an investigation for its most serious cases—CPS Priority 1—within 24 hours. A CPS Priority 1 Report is initiated when the Department receives a report that a child may be facing an immediate risk of abuse or neglect that could result in death or serious harm. The Department’s self-reported compliance rate was 92.6 percent in fiscal year 2006 and 94.6 percent in fiscal year 2007. Priority 1 cases generally comprise 30 percent of all Priority 1 and Priority 2 calls (see Appendix 3 for more information on priority levels).
- **Number of Children Removed from the Home.** The number of children removed from their homes as a result of a completed CPS abuse/neglect investigation increased 19 percent from 13,431 in fiscal year 2004 to 15,920 in fiscal year 2007 (see Table 6).

Table 6

Number of Children Removed from the Home	
Fiscal Years 2004 to 2007	
Fiscal Year	Number of Children Removed
2004	13,431
2005	17,428
2006	17,536
2007	15,920

Source: Unaudited, self-reported data from the Department.

- **Repeat Maltreatment.** The percent of repeat maltreatment cases—cases in which children are confirmed to be victims of repeat maltreatment within a six-month period—decreased slightly from 4.4 percent in fiscal year 2006 to 4.0 percent in fiscal year 2007. This measure is one of six National Standard Data Indicators used by the Children’s Bureau within the Administration for Children and Families at the U.S. Department of Health and Human Services to assess performance on the Federal Child and Family Service Review. This review is a federal-state collaborative effort administered by the Children’s Bureau, is administered approximately every three years, and consists of a statewide assessment and an on-site review.

- **Number of Child Deaths as a Result of Abuse/Neglect.** The number of child deaths for which the cause can be attributed to the statutory definition of abuse and/or neglect increased 9 percent from 204 in fiscal year 2004 to 223 in fiscal year 2007. It should be noted that the Department must wait until a complete investigation is finished and a legal determination for cause of death is made before a death can be included in this measure.

Surveys Show Continued Concerns by CPS Employees About Working Conditions, Supervisory Issues, and Pay

Surveys

Employee Exit Survey - Texas Government Code, Section 651.007, requires state agencies to provide an opportunity to complete an exit survey to employees who voluntarily leave state employment. The survey provides employees with a mechanism that allows them to record their reasons for leaving state employment in their own words. Agencies receive quarterly reports summarizing employees' reasons for leaving.

Research and Evaluation Section - CPS has a Research and Evaluation Section that conducts statistical analyses, as well as research and evaluation activities (such as surveys), on the topic of child abuse and neglect.

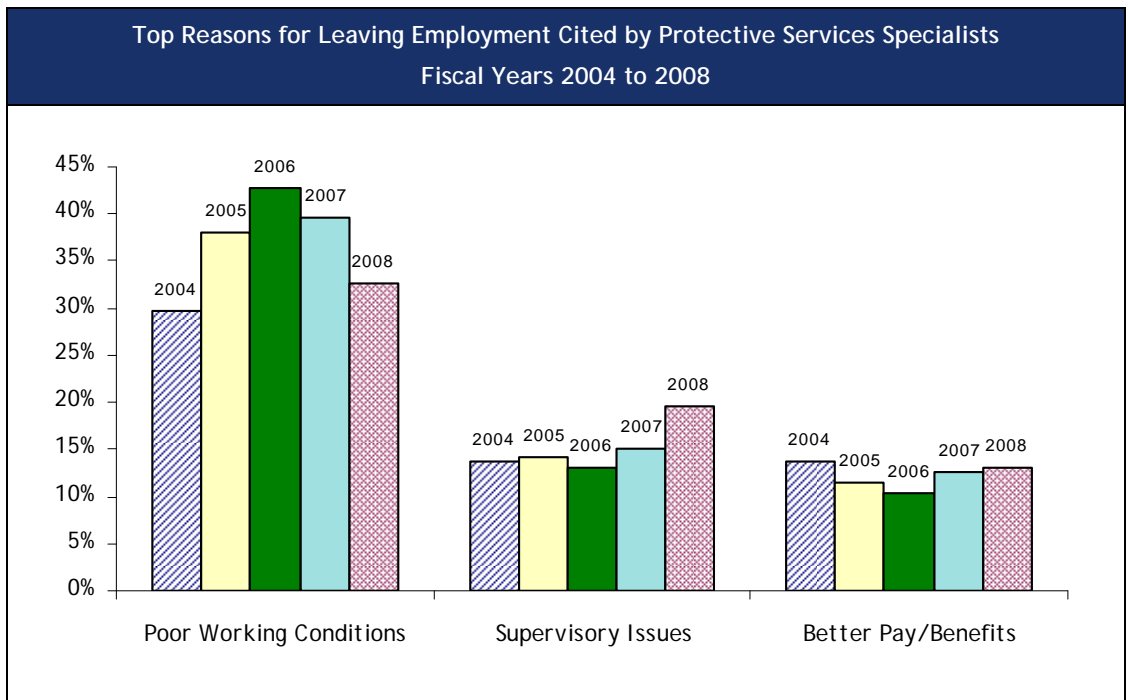
Survey of Organizational Excellence - This is a survey that measures employees' workplace satisfaction and employees' perceptions of the effectiveness of their workplace. It is administered by the University of Texas at Austin.

Sources: Texas Government Code, Department Web site, and the University of Texas at Austin Survey of Organizational Excellence Web site.

CPS employees consistently respond on surveys that they have concerns about working conditions, supervisory issues, and pay. The Department uses a variety of employee surveys to identify areas that work well and areas that need improvement. These surveys include the State Auditor's Office's employee exit surveys, CPS Research and Evaluation Section surveys, and the University of Texas at Austin's Survey of Organizational Excellence (see text box).

Employee Exit Survey. Employee exit surveys are administered by the State Auditor's Office to employees voluntarily leaving a state agency. A review of 1,073 exit surveys of Protective Services Specialists (which includes both adult protection and child protection caseworkers) leaving employment at the Department from fiscal year 2004 to fiscal year 2008 showed that the top three reasons 689 (64 percent) Protective Services Specialists consistently cited for leaving were (1) poor working conditions/environment, (2) issues with supervisors/issues with employees supervised, and (3) better pay/benefits (see Figure 2).

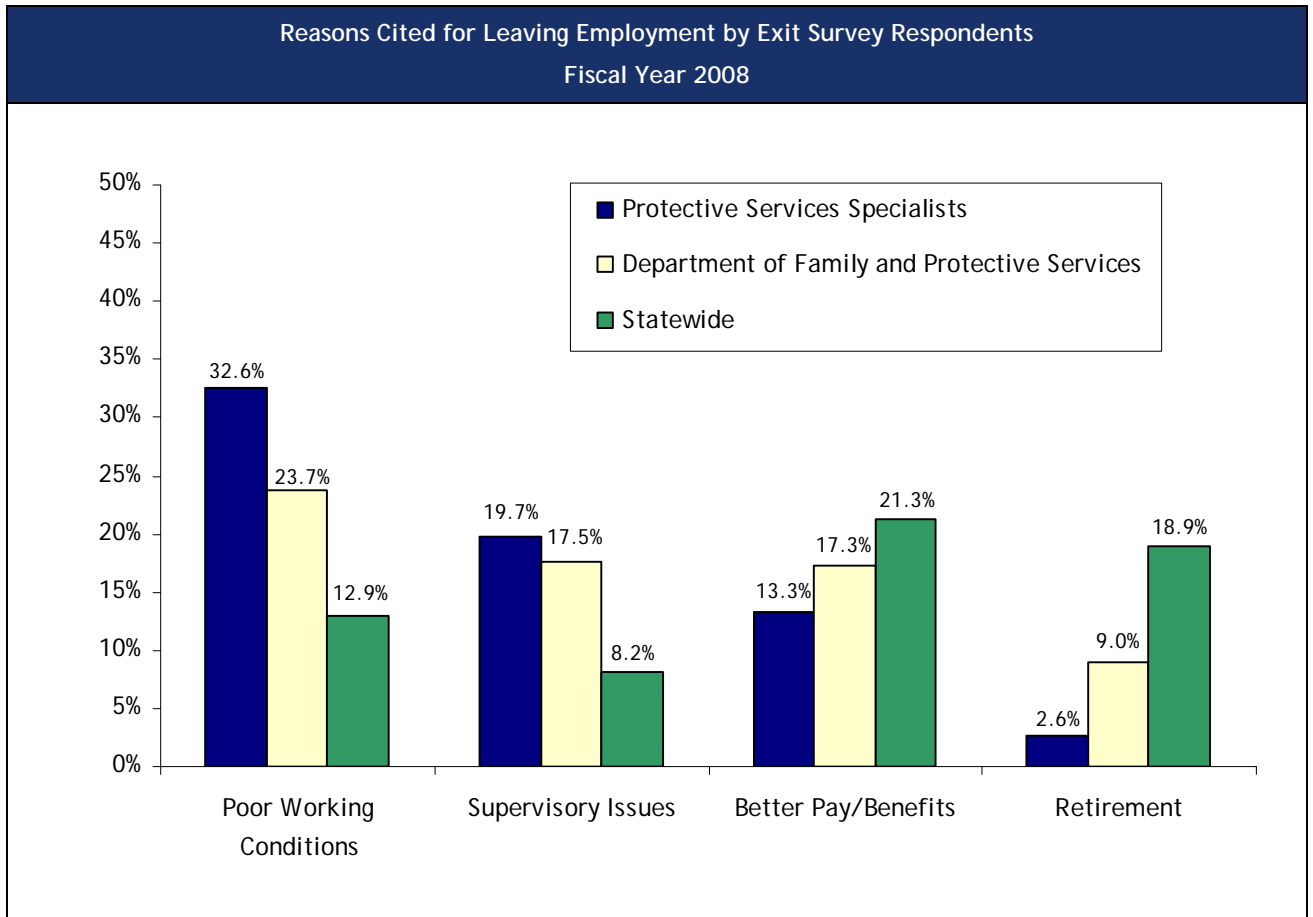
Figure 2



Source: State of Texas Online Exit Survey System.

The top reasons cited by Protective Services Specialists for leaving state employment in fiscal year 2008 differed from the top reasons most commonly cited by all state agency employees (see Figure 3). Specifically, state employees most often cited (1) better pay/better benefits (21.3 percent) or (2) retirement (18.9 percent) as the top reasons they were leaving state employment. Protective Services Specialists listed poor working conditions (32.6 percent) and supervisory issues (19.7 percent) as the top reasons for leaving state employment.

Figure 3

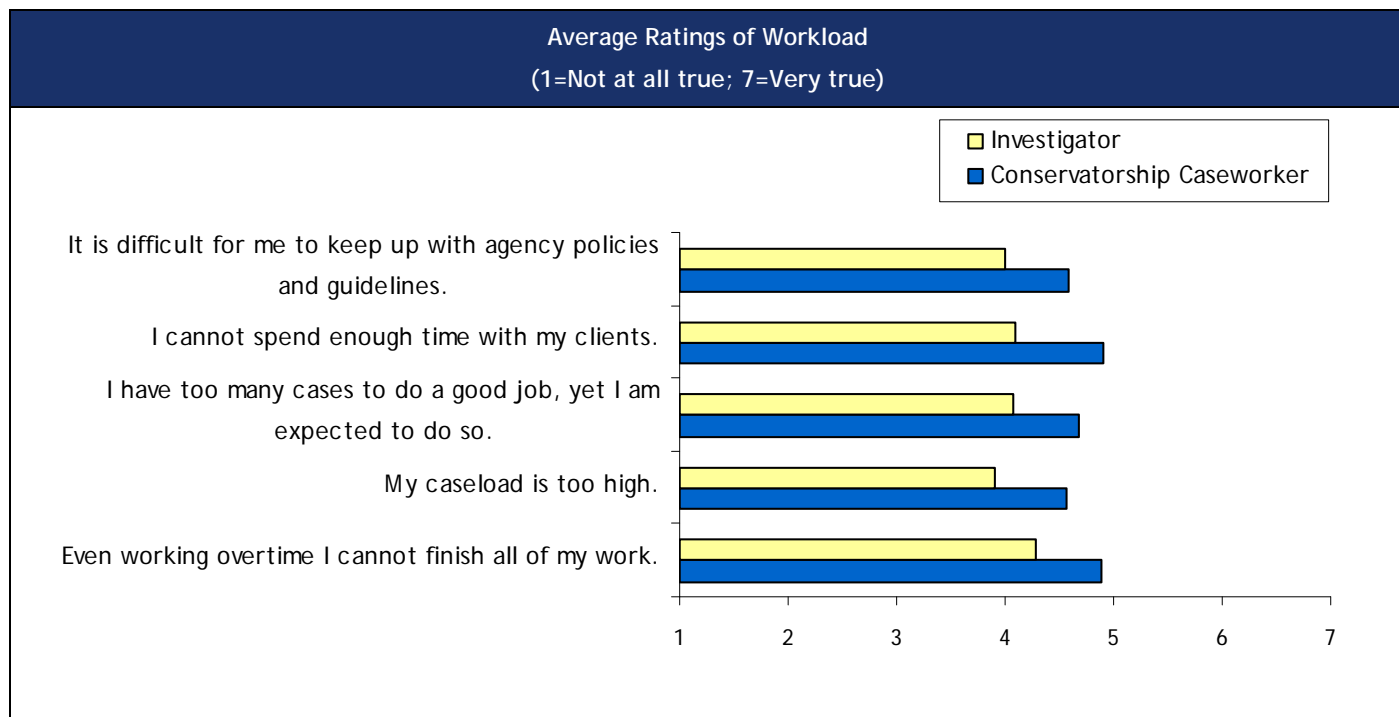


Source: State of Texas Online Exit Survey System.

Research and Evaluation Section. The CPS Research and Evaluation Section conducted a survey in the fall of 2007 asking conservatorship caseworkers and CPS investigators to rate the accuracy of statements about workload on a scale from 1 (not at all true) to 7 (very true). Conservatorship caseworkers are also known as Substitute Care caseworkers because they manage cases involving children who have been removed from their homes and for whom placement with a substitute caregiver must be found.

Auditors consolidated the seven survey ratings into three groups to indicate whether the respondent disagreed (statement is not true—rankings 1, 2, and 3); agreed (statement is true—rankings 5, 6, and 7); or was neutral (statement is neither untrue nor true—ranking 4). Based on this consolidation, conservatorship caseworkers found their workloads to be more challenging than did caseworkers who perform investigations. In addition, 61.6 percent of conservatorship caseworkers agreed with the statement that, “Even working overtime I cannot finish all of my work.” Similarly, 63.9 percent of conservatorship caseworkers agreed with the statement, “I cannot spend enough time with my clients.” In contrast, 50.7 percent of investigators agreed with the statement that “Even working overtime I cannot finish all of my work,” while 47.1 percent agreed with the statement, “I cannot spend enough time with my clients” (see Figure 4 below and Table 7 on the next page).

Figure 4



Source: Department Research and Evaluation Section’s 2007 surveys.

Table 7

Caseworkers' Rating on Statements about Workload				
Statement	Job Title of Respondent	Response ^a		
		Not True	Neutral	True
It is difficult for me to keep up with agency policies and guidelines.	Conservatorship Caseworker	31.5%	12.4%	56.0%
	Investigator	42.2%	13.5%	44.3%
I cannot spend enough time with my clients.	Conservatorship Caseworker	27.0%	9.1%	63.9%
	Investigator	40.9%	11.8%	47.1%
I have too many cases to do a good job, yet I am expected to do so.	Conservatorship Caseworker	31.6%	11.2%	57.2%
	Investigator	41.6%	13.7%	44.8%
My caseload is too high.	Conservatorship Caseworker	31.2%	15.2%	53.7%
	Investigator	43.6%	14.8%	41.5%
Even working overtime I cannot finish all of my work.	Conservatorship Caseworker	28.3%	10.2%	61.6%
	Investigator	38.4%	10.8%	50.7%

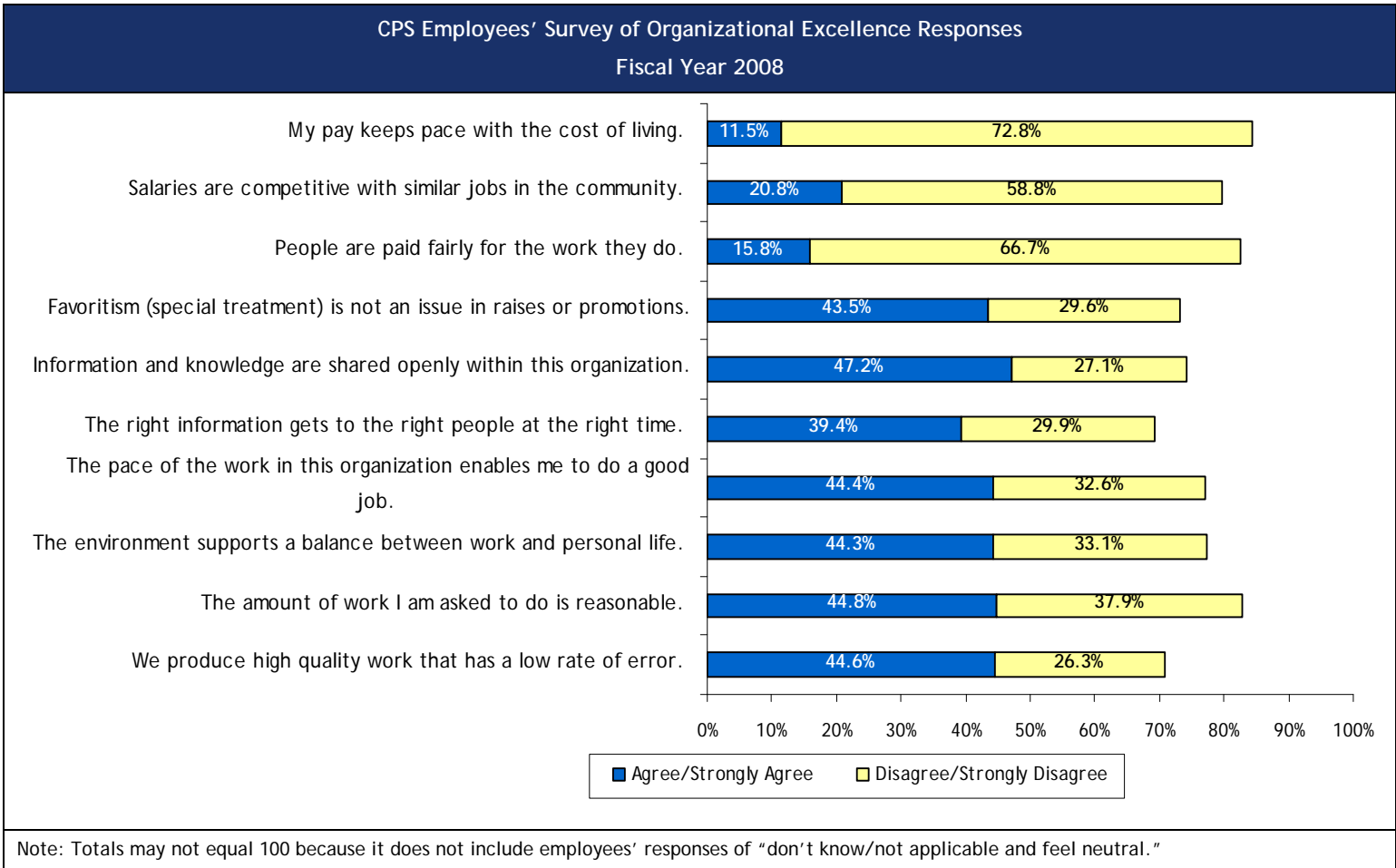
^a For purposes of this analysis, ratings of 1, 2, and 3 (which could range from "not at all true" to "somewhat untrue") were categorized together as "not true"; ratings of 4 ("neither not true or true") were categorized as "neutral"; and ratings of 5, 6, and 7 (which could range from "somewhat true" to "very true") were considered "true."

Source: Department Research and Evaluation Section's 2007 surveys.

Survey of Organizational Excellence. The results of the fiscal year 2008 Survey of Organizational Excellence indicate that CPS employees have concerns about their pay (see Figure 5). Specifically, of CPS employees surveyed:

- 66.7 percent of respondents disagreed that people are paid fairly for the work they do.
- 72.8 percent of survey respondents disagreed that their pay keeps pace with the cost of living.

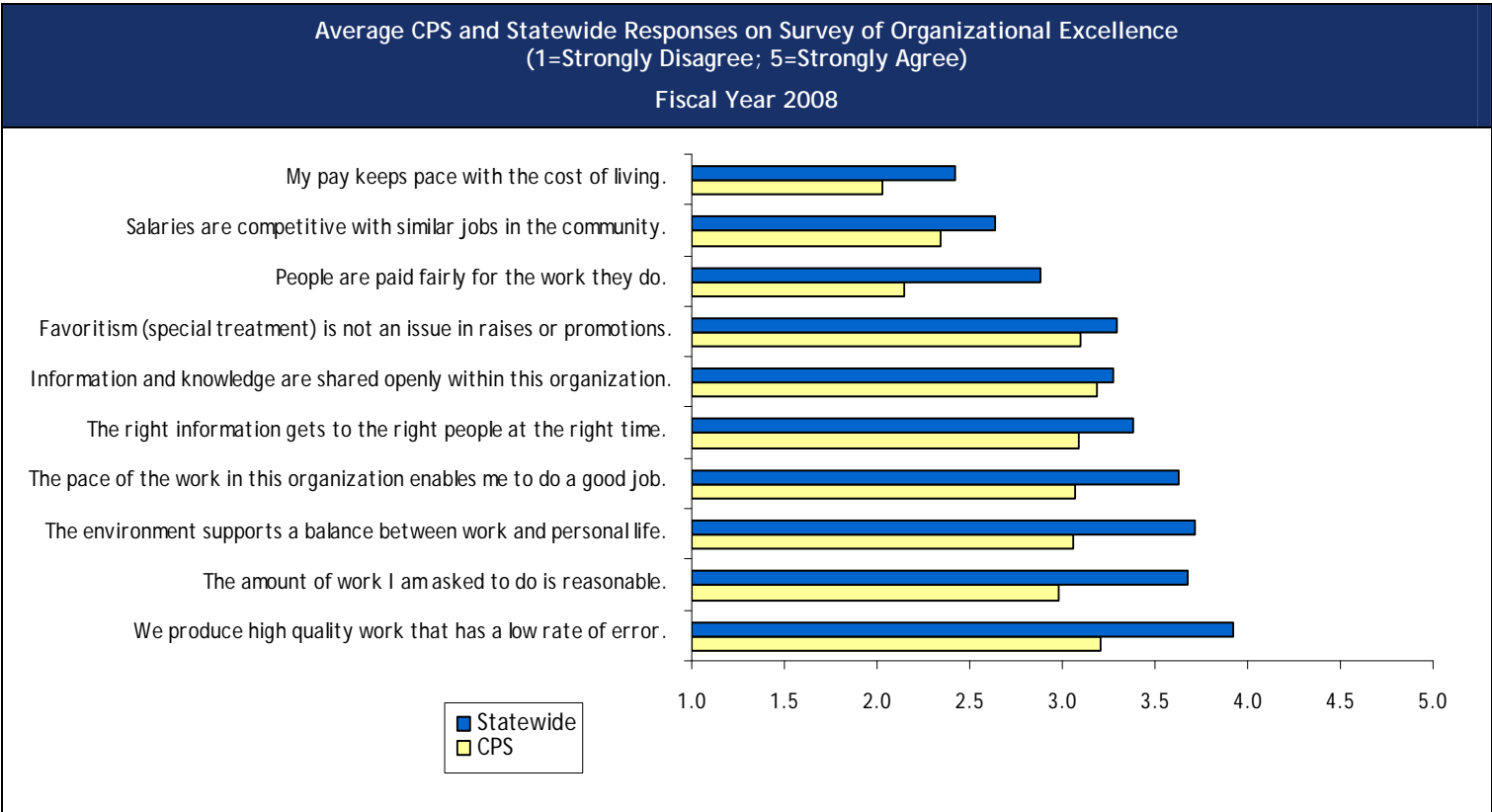
Figure 5



Source: Survey of Organizational Excellence survey responses, fiscal year 2008.

Survey responses for fiscal year 2008 also indicate that CPS employees have greater concern about their pay and other workplace issues than their statewide peers (see Figure 6).

Figure 6



Source: Survey of Organizational Excellence survey responses, fiscal year 2008.

Regional Differences Indicate That CPS Strategies Need to be Targeted

While staffing levels have increased since fiscal year 2004 and caseloads have decreased statewide since fiscal year 2005, the Department has not experienced significant improvements in caseworker turnover rates, base salaries, or overtime paid.⁶ Regional targeted strategies may help the Department achieve a positive effect on statewide results. Examples of regional differences include:

- The San Antonio region had the highest increase in caseworker turnover rates, from 21 percent in fiscal year 2004 to 41 percent in fiscal year 2007. The San Antonio region also had the highest turnover rate among all the regions in fiscal year 2007. By comparison, the Beaumont region's turnover rates were 11 percent in fiscal year 2004 and 17 percent in fiscal year 2007, both of which were lower than the statewide caseworker turnover rates for those fiscal years.
- The San Antonio region's caseworkers had the lowest average annual base salary (\$33,103) in fiscal year 2007, while caseworkers in the Beaumont region had the highest average annual base salaries (\$35,247). The Abilene region was the only region in which average annual base salaries decreased for both caseworkers (\$172 less) and supervisors (\$1,270 less) from fiscal year 2004 to fiscal year 2007.
- The Houston region, which paid the most overtime in fiscal year 2004, dropped to fourth-highest in the amounts of overtime paid to caseworkers in fiscal year 2007. It also had the largest decrease in overtime paid between fiscal years 2004 and 2007 among all the regions.

Auditors reviewed the regional effects of Department reforms on several caseworker-related areas by comparing statistics from fiscal year 2004 (pre-reform) to those from fiscal year 2007 (post-reform). (See Appendix 4 for a map of the regions and key statistics for each region.) The specific areas reviewed were:

- Total cases.
- Number of caseworkers.
- Caseworker turnover.
- Caseworker and supervisor average base salaries.
- Paid caseworker overtime.

⁶ Turnover rates are based on self-reported data provided by the Department.

This chapter summarizes the variations among the 11 CPS regions.

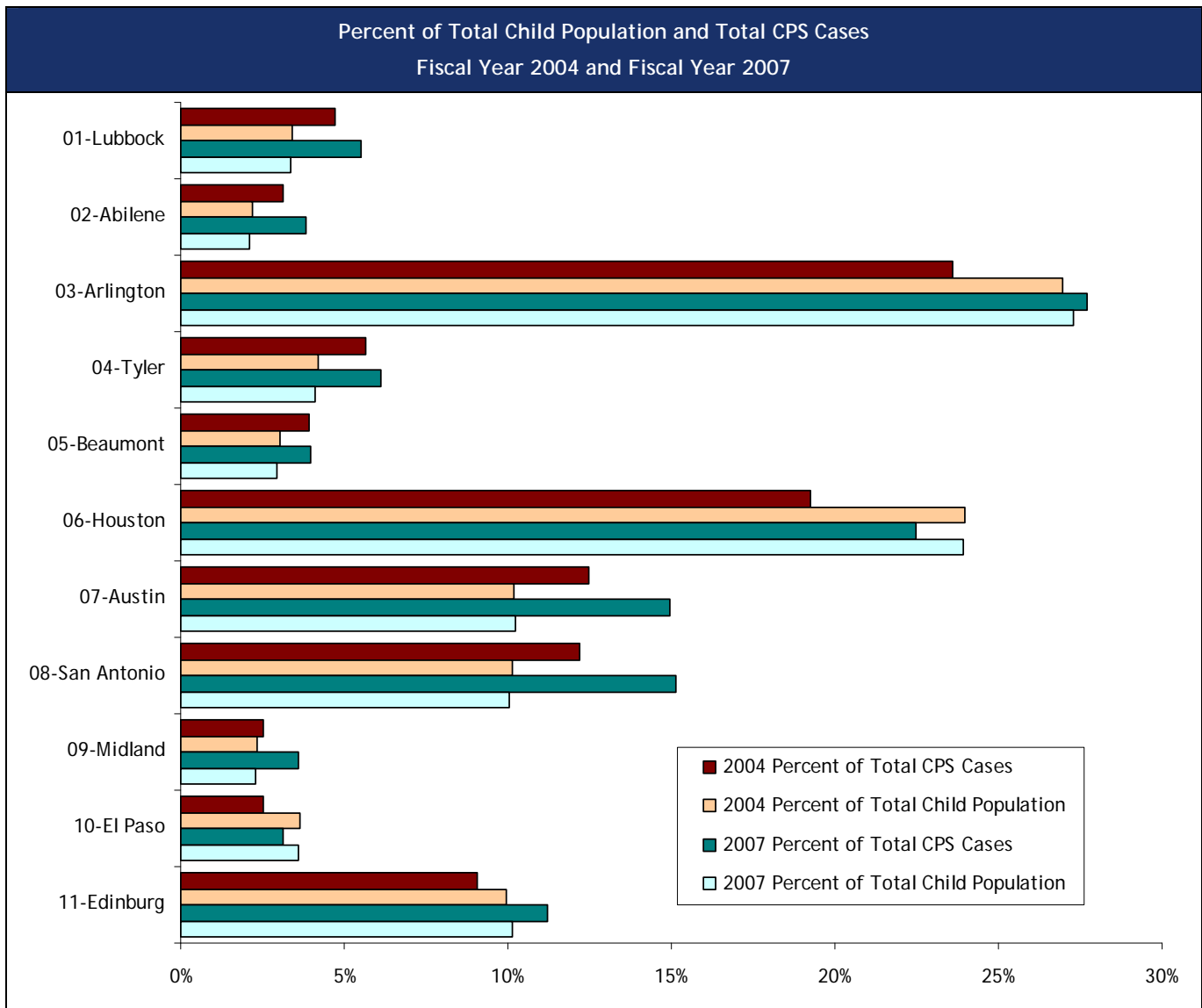
Total Cases

The total number of abuse/neglect cases that the Department received increased 17 percent from 206,980 in fiscal year 2004 to 241,126 in fiscal year 2007. The Arlington, Houston, and Austin regions had the highest percentages of cases in the state in both fiscal years 2004 and 2007 (see Figure 7 on the next page). The El Paso, Abilene, and Midland regions experienced the biggest increase in Investigations, Family Based Safety Services, Substitute Care, and Foster/Adoptive cases between fiscal year 2004 and fiscal year 2007. The Midland region had the highest increase in the number of cases, with a 61 percent increase between fiscal year 2004 and fiscal year 2007. The El Paso region's total cases increased 25 percent, while the Abilene region's total cases increased 28 percent between these two fiscal years.

Statewide, the total child population increased by 3 percent, or 186,309 additional children, between fiscal years 2004 and 2007. For the same time period, the child population decreased in the Abilene, Beaumont, and Midland regions, while the Arlington, Houston, and Edinburg regions experienced the highest increases in child population.

Auditors compared the child population per region to the total number of CPS cases per region to determine whether there were disparities, which may indicate that cases are not proportionate to the child population. Auditors considered a significant disparity to be a difference of 5 percent or more. Overall, in fiscal year 2004, the Houston region was the only region with more than a 5 percent disparity between total cases and child population (see Figure 7 on the next page), indicating that it had fewer cases than might be expected based on child population. In fiscal year 2007, the Austin and San Antonio regions had more than a 5 percent disparity, indicating that both regions had more cases than might be expected based on child population.

Figure 7



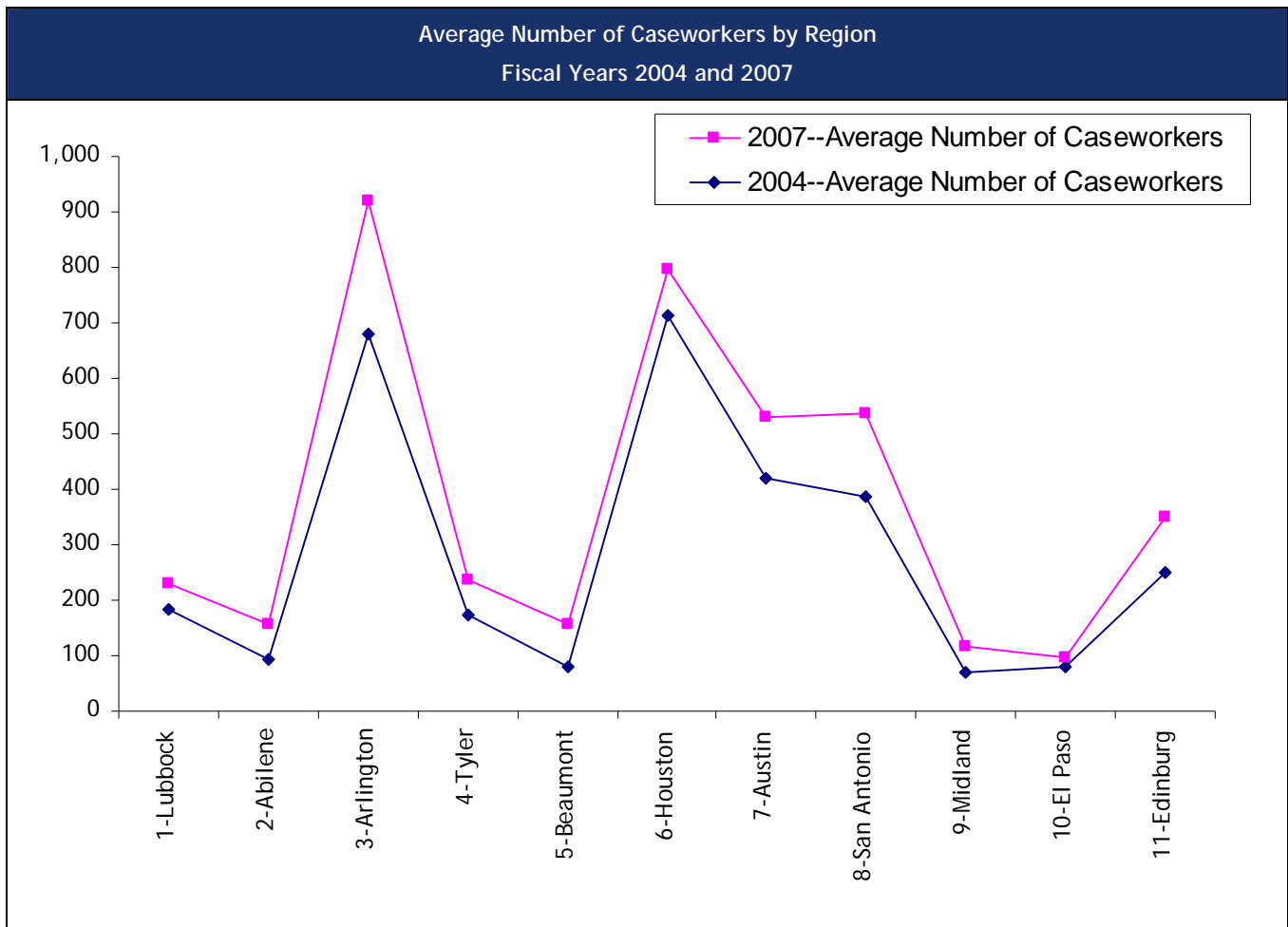
Source: Unaudited data from the Department.

Number of Caseworkers

The average number of CPS caseworkers statewide increased by 965, or 31 percent⁷, from fiscal years 2004 to 2007. The Arlington and San Antonio regions had the highest increases in the average number of caseworkers with 239 and 151 more caseworkers, respectively (see Figure 8 on the next page).

⁷ This figure represents the average number of caseworkers calculated from the caseworker turnover formula used by the Department.

Figure 8



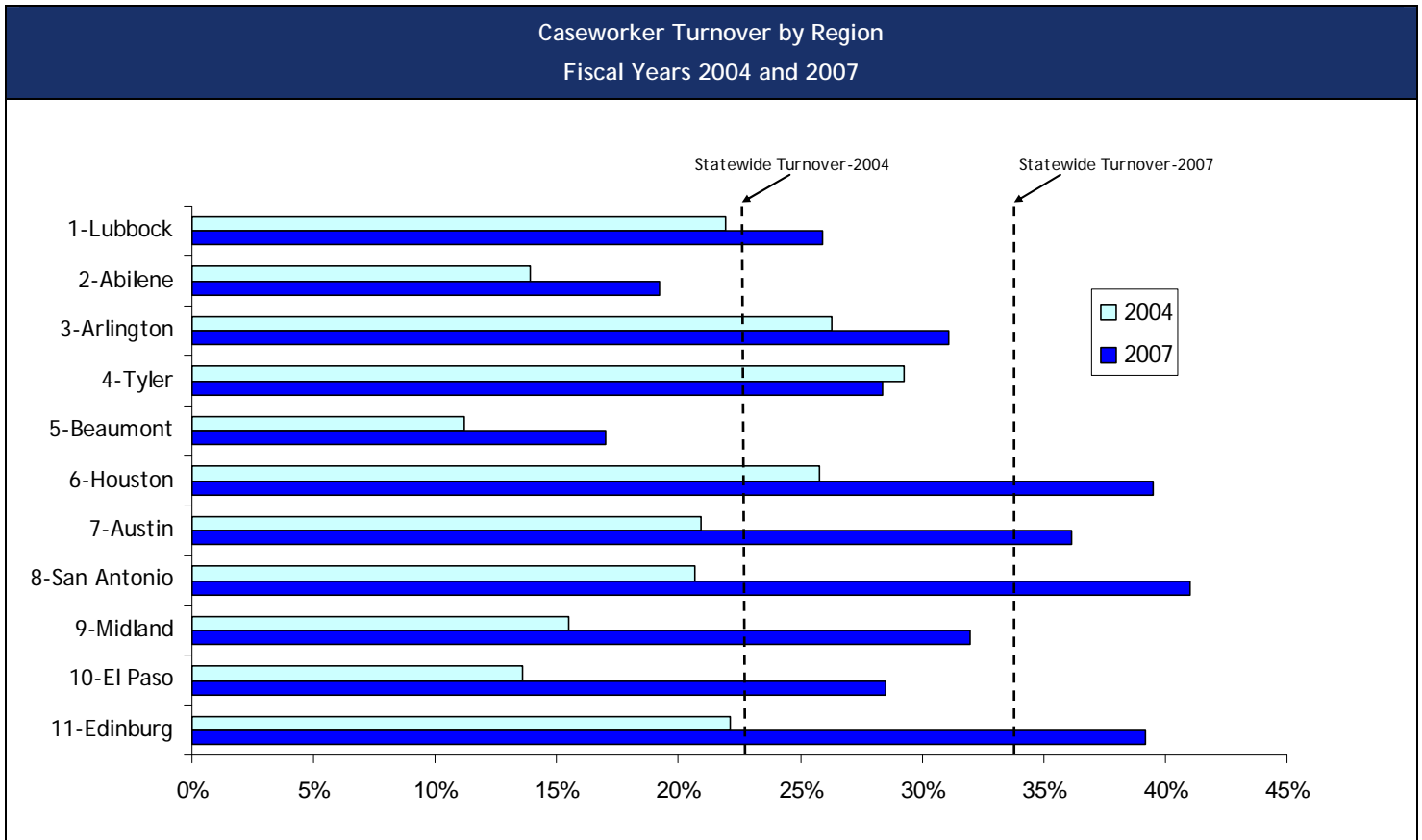
Source: Auditors' analysis based on unaudited data from the Health and Human Services Commission.

Caseworker Turnover

Caseworker turnover, or the percentage of CPS caseworkers who left employment at the Department during the fiscal year, increased in 10 of the 11 Department regions between fiscal years 2004 and 2007 (see Figure 9). The three regions with the highest turnover rates in fiscal year 2004 were: Tyler (29 percent), Arlington⁸ (26 percent), and Houston (25 percent). The three regions with the highest turnover rates in fiscal year 2007 were: San Antonio (41 percent), Houston (39 percent), and Edinburg (39 percent). Only the Tyler region, which had the highest turnover rate among the regions in fiscal year 2004, showed a decrease in 2007 (down 1 percent). (See Figure 9 on the next page for more information on turnover rates for each region.)

⁸ The Arlington region includes the cities of Dallas and Fort Worth.

Figure 9



Source: Auditors' analysis based on unaudited data from the Health and Human Services Commission.

Caseworker and Supervisor Average Base Salaries

The statewide average base salary earned by a CPS caseworker increased 3 percent from fiscal year 2004 to fiscal year 2007. In fiscal year 2004, the Beaumont region paid caseworkers the highest average annual base salary (\$34,691), while the Lubbock region paid the lowest average annual base salary (\$32,182). In fiscal year 2007, the Beaumont region again paid caseworkers the highest average annual base salary (\$35,247), while the San Antonio region paid the lowest average annual base salary (\$33,103). Also, as discussed at the beginning of this chapter, the Beaumont region had the lowest turnover rate among all regions in both fiscal years 2004 and 2007; while the San Antonio region had the highest turnover rate in fiscal year 2007.

The statewide average base salary earned by a CPS supervisor increased less than 2 percent from fiscal year 2004 to fiscal year 2007. In fiscal year 2004, the Abilene region paid the highest average annual base salary to CPS supervisors (\$44,204), while the Austin region paid the lowest average annual base salary (\$40,799). In fiscal year 2007, the Lubbock region paid the highest average annual base salary to CPS supervisors (\$43,137), while the Edinburg region paid the lowest average annual base salary (\$41,477).

The Lubbock region paid caseworkers less than the statewide average base salary for CPS caseworkers in both fiscal years 2004 and 2007. Specifically, in fiscal year 2004, the Austin, Houston, Lubbock, and Tyler regions paid caseworkers less than the statewide average annual base salary of \$32,803. In fiscal year 2007, the Abilene, Edinburg, Lubbock, Midland, and San Antonio regions paid caseworkers less than the statewide average annual base salary of \$33,815.

Table 8 lists the average base salaries earned by CPS caseworkers and supervisors in each region.

Table 8

Caseworker and Supervisor Average Annual Base Salaries by Region Fiscal Years 2004 and 2007 ^a						
Region	Caseworkers			Supervisors		
	Fiscal Year 2004 Average Salary	Fiscal Year 2007 Average Salary	Difference between 2004 and 2007 Salaries	Fiscal Year 2004 Average Salary	Fiscal Year 2007 Average Salary	Difference between 2004 and 2007 Salaries
Region 1-Lubbock	\$ 32,182	\$ 33,131	\$ 949	\$ 42,220	\$ 43,137	\$ 917
Region 2-Abilene	\$ 33,845	\$ 33,673	\$ (172)	\$ 44,204	\$ 42,934	\$ (1,270)
Region 3-Arlington	\$ 32,981	\$ 34,274	\$ 1,293	\$ 41,504	\$ 42,846	\$ 1,342
Region 4-Tyler	\$ 32,225	\$ 34,157	\$ 1,932	\$ 40,946	\$ 41,568	\$ 622
Region 5-Beaumont	\$ 34,691	\$ 35,247	\$ 556	\$ 41,948	\$ 42,567	\$ 619
Region 6-Houston	\$ 32,553	\$ 33,981	\$ 1,428	\$ 41,862	\$ 42,699	\$ 837
Region 7-Austin	\$ 32,461	\$ 34,157	\$ 1,696	\$ 40,799	\$ 41,741	\$ 942
Region 8-San Antonio	\$ 32,942	\$ 33,103	\$ 161	\$ 41,955	\$ 42,188	\$ 233
Region 9-Midland	\$ 33,219	\$ 33,323	\$ 104	\$ 43,103	\$ 41,763	\$ (1,340)
Region 10-El Paso	\$ 34,251	\$ 34,172	\$ (79)	\$ 41,787	\$ 42,606	\$ 819
Region 11-Edinburg	\$ 32,900	\$ 33,326	\$ 426	\$ 40,939	\$ 41,477	\$ 538
Statewide Average	\$ 32,803	\$ 33,815	\$ 1,012	\$ 41,571	\$ 42,373	\$ 802

^a The average monthly salaries were calculated for every CPS caseworker and supervisor employed during the fiscal year. The average annual salaries were calculated by multiplying the actual average monthly salary by 12. These amounts do not include other supplemental pay amounts such as stipends or overtime.

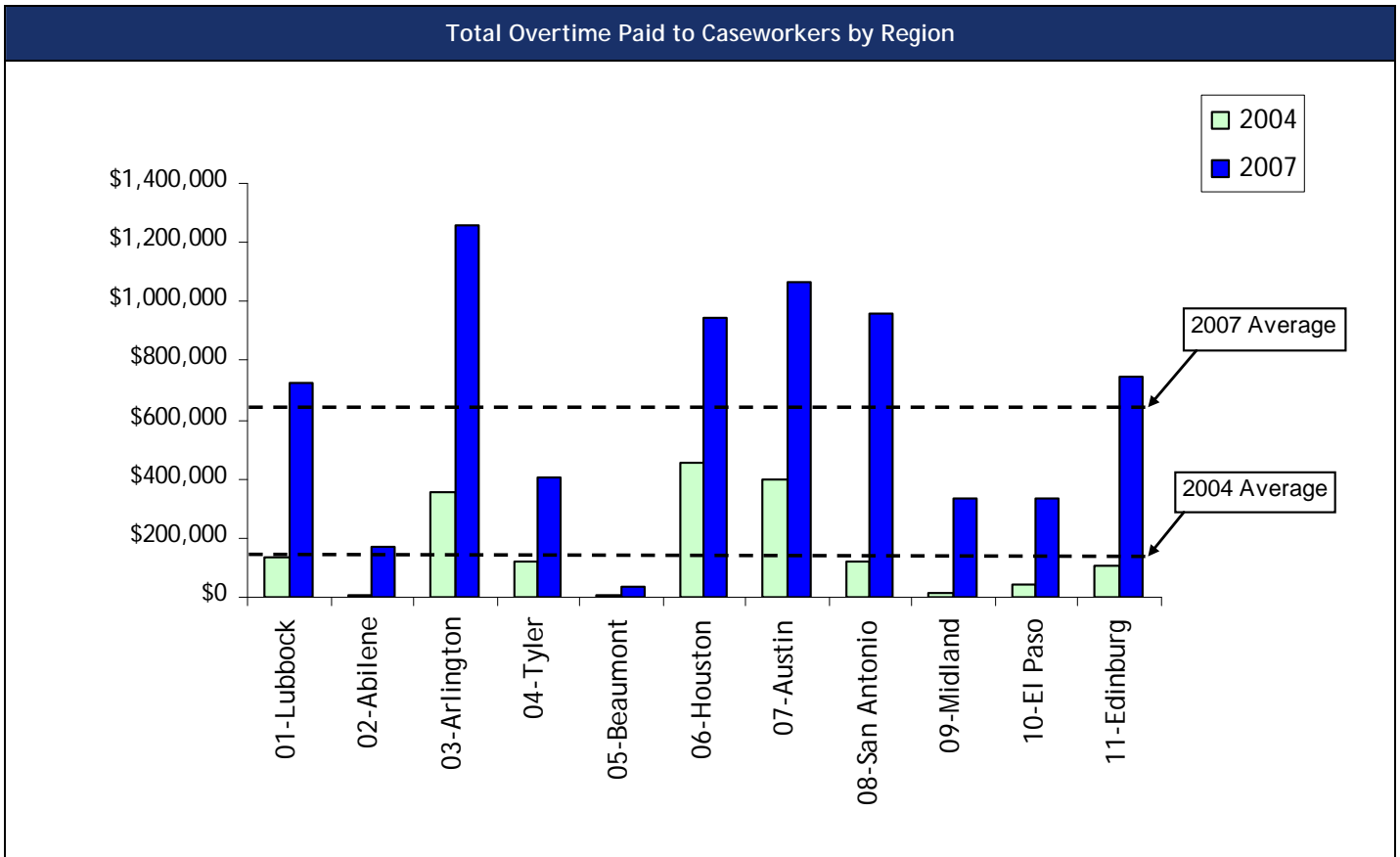
Source: Unaudited data from the Department and USAS.

Paid Caseworker Overtime

All 11 regions experienced significant increases in overtime paid from fiscal year 2004 to fiscal year 2007 (see Figure 10). The four regions with the largest child populations and the highest number of CPS cases were also the four regions with the highest total amounts of overtime paid in both fiscal years 2004 and 2007: Arlington, Austin, Houston, and San Antonio.

Together, these four regions accounted for 61 percent of all overtime paid to CPS caseworkers in fiscal year 2007.

Figure 10



Sources: Unaudited data from the Department and USAS.

Recommendation

The Department should analyze regional differences to identify and replicate successful strategies and identify and address region-specific issues.

Management's Response

This chapter details variances in average salary for caseworkers and supervisors. It is important to note that while there are variations when regions are analyzed, the variations in average salary are small. The Department employs a consistent compensation philosophy across the state. The Department gives hiring managers some discretion in increasing a caseworker's starting salary; however, managers are restricted to increasing the salary only by certain percentages above the minimum amount when applicants have particular education, experience or skills that merit the increase. The Department's certification tracks allow caseworkers to earn pay

increases as they accumulate tenure and complete required training. Higher turnover in a region means that there are less tenured staff. Since a worker's salary is highly correlated with tenure, higher turnover in a region leads to lower average salaries there, despite the Department's consistent compensation philosophy.

The agency's programs have worked within regions toward many retention efforts and strategies at the local level. This has been going on for many years. Last year the agency embarked on an agency-wide retention strategy, the Workforce Support and Retention Initiative (WSRI). The WSRI is an agency-wide effort aimed at reducing turnover and improving employee morale, particularly among caseworkers. Bexar County implemented many different strategies aimed at retention in their specific area while they also served as an incubator for ideas and best practices that could be duplicated across programs and throughout the state.

From fiscal year 2007 to 2008 CPS turnover in Bexar County decreased from 47.5 percent to 32.4 percent. APS turnover in Bexar County decreased from 43.6 percent to 29.6 percent over the same period.

With the success in Bexar County, the agency shifted focus to another large county to facilitate local retention efforts. Meanwhile, the local retention work group in Bexar County will continue to function on its own with the support and participation of local leadership. The WSRI will continue to monitor and report on progress in Bexar County.

In reviewing data from the five largest counties, Tarrant County was the only area to show increases in turnover rates from 2007 to 2008 for CPS and APS, while all of the other major counties showed decreases. CCL turnover for 2008 was also high in Tarrant County. Turnover data from the five largest counties suggested that Tarrant County was the most logical place to implement the next county retention effort supported by the WSRI.

Leadership of the Department's abuse and neglect call center, Statewide Intake, became interested in conducting their own retention initiative upon hearing about the success in Bexar County. This retention group is being supported by the WSRI as well.

As of March 2009, work groups in Tarrant County and Statewide Intake had been established and focus groups were being conducted with caseworkers, supervisors and other staff in all programs to gather data about what changes employees felt would positively impact turnover. The work groups have been able to learn from the successes and shortcomings in Bexar County and are genuinely excited about the work ahead.

The Department plans to conduct county retention in the remaining three of the five largest counties – Dallas, Harris and Travis.

The Department Reported Reliable Results for Four of Five Key Performance Measures and Implemented New Measures That More Accurately Reflect Caseworker Workloads

The Department reported reliable results for four of five (80 percent) key performance measures tested for fiscal year 2007. A performance measure is considered reliable if it is certified or certified with qualification. Factors prevented certification of one measure.

Specifically:

- Factors prevented certification of one key performance measure—CPS Workload Equivalency Measure (WEM)—because the Department did not follow the measure definition listed in the Automated Budget and Evaluation System of Texas (ABEST) and based its calculations on outdated methodologies and incorrect data extracted from the Department’s database. Recalculating the correct measure result would require substantial recoding of the extraction program.
- Four key performance measures were certified with qualification:
 - ♦ Child Protective Services Caseworker Turnover Rate.
 - ♦ Number of CPS Reports of Child Abuse/Neglect.
 - ♦ Number of Completed CPS Investigations.
 - ♦ Number of Confirmed CPS Cases of Child Abuse/Neglect.

For all five key performance measures tested, the Department could ensure the continued reliability of its measures by developing detailed written procedures for its highly automated process for the collection and calculation of the Department’s performance measure data.

Table 9 on the next page summarizes the certification results for the five key performance measures from audit testing.

Auditors also performed a limited review of 16 key and non-key performance measures for fiscal years 2007 and 2008 relating to the CPS division and noted that the Department should consult with the Legislative Budget Board and the Governor’s Office of Budget, Planning, and Policy to discontinue the calculation of some measures that have been replaced by more accurate calculations of caseworker workload. Overall, new caseload-per-worker performance measures, definitions, and methodologies more accurately reflect the workloads of caseworkers.

Table 9

Department of Family and Protective Services (Agency 530)					
Related Goal or Strategy, Classification	Description of Measure	Fiscal Year	Results Reported in ABEST	Fiscal Year 2007 Target	Certification Results
A.2.1., Efficiency	CPS Workload Equivalency Measure (WEM)	2007	26.20	26.00	Factors Prevented Certification
Goal A, Outcome	Child Protective Services Caseworker Turnover Rate	2007	34.10%	23.00%	Certified with Qualification
A.1.1., Output	Number of CPS Reports of Child Abuse/Neglect	2007	203,587	234,902	Certified with Qualification
A.2.1., Output	Number of Completed CPS Investigations	2007	163,471	192,619	Certified with Qualification
A.2.1., Output	Number of Confirmed CPS Cases of Child Abuse/Neglect	2007	42,445	48,155	Certified with Qualification

A measure is **Certified** if reported performance is accurate within 5 percent of actual performance and if it appears that controls to ensure accuracy are in place for collecting and reporting performance data.

A measure is **Certified with Qualification** when reported performance appears accurate but the controls over data collection and reporting are not adequate to ensure continued accuracy. A measure is also certified with qualification when controls are strong but source documentation is unavailable for testing. A measure is also certified with qualification if the agency's calculation of performance deviated from the measure definition but caused less than a 5 percent difference between the number reported in ABEST and the correct performance measure result.

A measure is **Inaccurate** when the actual performance is not within 5 percent of reported performance, or when there is more than a 5 percent error in the sample of documentation tested. A measure is also inaccurate if the agency's calculation deviated from the measure definition and caused more than a 5 percent difference between the number reported in ABEST and the correct performance measure result.

A **Factors Prevented Certification** designation is used if documentation is unavailable and controls are not adequate to ensure accuracy. This designation also will be used when there is a deviation from the measure definition and the auditor cannot determine the correct performance measure result.

Chapter 3-A

The Department Reported Reliable Results for Four of Five Key Performance Measures

For all five key performance measures tested for fiscal year 2007, the Department developed general written policies for performance measure analysts to follow. The Department's process for calculating performance measure results is highly automated. However, the Department does not have detailed written procedures listing the steps analysts must take to calculate the results or detailing how the automated system calculates the results. The Department created a template for analysts to use as written procedures for the collection and calculation of each measure; however, Department management said analysts did not use this template in fiscal year 2007.

Recommendation

The Department should develop and implement detailed written procedures for the collection and calculation of each performance measure. It could use the template as a tool to do this.

Management's Response

Each analyst assigned to a performance measure is responsible for doing an annual review of the measure. A performance measure checklist is completed, signed and then placed in the performance measure folder. Per SAO's recommendation, the agency will create detailed instructions for how to calculate each performance measure. The agency will keep electronic versions of those instructions and also printed versions in each performance measure folder. Detailed instructions will be completed for the FY10/11 version of the measures.

Key Measures

CPS Workload Equivalency Measure (WEM)

Factors prevented certification of this measure because the Department's calculation deviated from the measure definition listed in ABEST.

Specifically:

- The Department did not follow the method of calculation as stated in the definition. The definition states that the denominator is the total number of filled caseworker positions; however, because newly hired caseworkers do not typically carry caseloads, the Department did not include them in the calculation.
- In its calculation, the Department changed the weighting factors that resulted from a time study conducted in 2004 without documentation to support the changes and without prior approval from the Legislative Budget Board or Governor's Office of Budget, Planning, and Policy. While the definition can be interpreted to allow the Department to change the methodology without notifying the Legislative Budget Board or Governor's Office, this practice increases the risk that the measure's results may not be comparable from year to year.
- The Department developed programming to extract data that uses yearly averages for the number of cases and caseworkers instead of using the actual number of cases and caseworkers as stated in the ABEST definition. Recalculating the correct measure result would require substantial recoding of the extraction program.

- In fiscal year 2008, the Department changed the monthly CPS Workload Equivalency Measure (WEM) from a key measure to a non-key measure, and it added a new daily CPS Workload Equivalency Measure (WEM) as a key measure. The new daily measurement's ABEST data source allows the Department to exclude trainees with fewer than 85 days of service. However, the new measure is based on a time study that was conducted in 2004. This study recorded participants' activities at random times throughout the work day to identify the amount of time dedicated to specific tasks. However, the Department has implemented several reform initiatives that have changed caseworker workloads since 2004, and this is not reflected in the results for this measure.

In addition, the monthly and daily workload equivalency measures do not provide an accurate depiction of workloads because each combines the different types of caseworkers into one aggregate total that does not reflect the different demands and responsibilities placed on each type of caseworker.

In fiscal year 2006, the Department began classifying caseworkers based on their individual job categories; however, this change was not reflected in the methodology for the monthly or daily CPS Workload Equivalency Measure (WEM). The Department developed four new caseload measures based on individual job categories. The measures for Investigation, Family Based Safety Services, and Substitute Care became key performance measures in fiscal year 2008. These new measures are:

- CPS Daily Caseload Per Worker-Investigation.
- CPS Daily Caseload Per Worker-Family Based Safety Services.
- CPS Daily Caseload Per Worker-Substitute Care Services.
- CPS Daily Caseload Per Worker-Foster Adoptive Home Development.

These measures provide a more accurate depiction of caseloads than the CPS Workload Equivalency Measure (WEM) because the four new measures provide information on the daily workload being managed by each grouping of caseworkers, which can assist the Department to more effectively distribute resources among the groupings.

Recommendations

The Department should consult with the Legislative Budget Board and the Governor's Office of Budget, Planning, and Policy to discontinue the monthly and daily CPS Workload Equivalency Measure (WEM).

If the Department continues to calculate the daily CPS Workload Equivalency Measure (WEM), it should:

- Consult with the Legislative Budget Board and Governor's Office to ensure that all changes made to the methodology, including changes to the weighting factors, are approved by the Legislative Budget Board and Governor's Office of Budget, Planning, and Policy.
- Conduct a new time study to reflect the changes made to workload divisions since fiscal year 2004.
- Update its programming to ensure that data extracted is actual number of cases and caseworkers.

Management's Response

Beginning in FY10/11, the monthly CPS Workload Equivalency Measure is no longer a performance measure. DFPS will consult with the Legislative Budget Board and the Governor's Office to discontinue the daily CPS Workload Equivalency Measure.

Child Protective Services Caseworker Turnover Rate

The reported results for this measure were certified with qualification because the Department did not have detailed written procedures for the collection and calculation of this performance measure, as discussed previously. Additionally, the ABEST definition for this measure states that the measure's results should be based on the turnover formula used by the State Auditor's Office, which includes a calculation for the average number of classified employees during the fiscal year. The Department used a methodology to calculate the average number of employees that differed from the methodology used by the State Auditor's Office. The difference between the reported results and auditors' recalculation of the performance measure result using the State Auditor's Office's formula was less than 5 percent; therefore, the reported results for fiscal year 2007 were considered reliable. Department management and the Legislative Budget Board stated they are planning to use the State Auditor's Office's methodology in fiscal year 2010.

Recommendation

The Department should ensure it implements the revised methodology in fiscal year 2010 to be consistent with the definition in ABEST.

Management's Response

Management has already begun the development process for mirroring the SAO's methodology for calculating the average number of employees. To ensure DFPS is kept up to date of any changes made by the SAO, agency management will stay in contact with SAO and be prepared to make adjustments as necessary. If changes are made mid-biennium, the agency will request guidance from the Legislative Budget Board and Governor's Office regarding any modifications that may be necessary.

Number of CPS Reports of Child Abuse/Neglect

Number of Completed CPS Investigations

Number of Confirmed CPS Cases of Child Abuse/Neglect

The reported results for these three measures were accurate; however, the measures were certified with qualification because, as previously discussed, the Department did not have adequate detailed written procedures that describe the collection and calculation of the measures' data.

Chapter 3-B

Methodologies for New Caseload Performance Measures Accurately Reflect the Workloads of Caseworkers

In addition to the five key performance measures tested for fiscal year 2007, auditors performed a limited review of 16 key and non-key performance measures for fiscal year 2007 and fiscal year 2008 related to the Department's CPS division. This review was limited to ensuring that current caseload-per-worker performance measures, definitions, and methodologies accurately reflected the workloads of caseworkers, and to determine whether management uses these measures to make strategic decisions for the Department.

Overall, new caseload-per-worker performance measures, definitions, and methodologies more accurately reflect the workloads of caseworkers. The Department has made improvements in the way caseload-per-worker data is reported, and Department management actively uses the results of some measures to make management decisions. Table 10 lists the 16 measures reviewed.

Table 10

Sixteen Measures Reviewed at the Department of Family and Protective Services (Agency 530)	
Description of Measure	Fiscal Year 2008 Classification
CPS Caseload Level Measures - Monthly	
CPS Monthly Caseload Per Worker: Investigation	Non-key Measure
CPS Monthly Caseload Per Worker: Family Based Services	Non-key Measure
CPS Monthly Caseload Per Worker: Substitute Care	Non-key Measure
CPS Monthly Caseload Per Worker: Intensive Services	Non-key Measure
CPS Monthly Caseload Per Worker: Foster/Adoptive Development	Non-key Measure
CPS Monthly Caseload Per Worker: Generic	Non-key Measure
CPS Caseload Level Measures - Daily	
CPS Daily Workload Equivalency Measure (WEM)	Key Measure
CPS Daily Caseload Per Worker: Investigation	Key Measure
CPS Daily Caseload Per Worker: Family Based Safety Services	Key Measure
CPS Daily Caseload Per Worker: Substitute Care Services	Key Measure
CPS Daily Caseload Per Worker: Foster/Adoptive Home Development	Non-key Measure
Other Measures	
Average Daily Number of CPS Direct Delivery Services (All Stages)	Non-key Measure
Average Daily Number CPS Stages Not Assigned to a Department of Family and Protective Service (DFPS) Caseworker	Non-key Measure
Percent of Repeat Maltreatment within Six Months (CPS)	Non-key Measure
Percent of CPS Workers with Two or More Years of Service	Non-key Measure
Number of Deaths of Children as a Result of Abuse/Neglect	Non-key Measure

During fiscal year 2007, the Department added and changed some performance measures to more accurately reflect CPS division caseload levels and workload. These included:

- Replacing the CPS monthly caseload level measures with CPS daily caseload level measures. The monthly measures accounted only for caseworkers who spent at least 80 percent of their time in a specific workload category. If the time allocated was less than 80 percent, their time was allocated to a “generic” category. The methodologies for the new daily caseload measurements provide a more accurate snapshot of caseworker caseload levels. In addition, according to the division that calculates performance measures, the monthly caseload measures are not used in any management reports. The monthly measures are scheduled to be discontinued in fiscal year 2010. The daily caseload levels are actively used by management in evaluating full-time equivalency levels, caseworker turnover, and caseload.

- Changing the Percent of Repeat Maltreatment within Six Months to Percent of Non-Repeat Maltreatment within Six Months to better align with the federal Child Family Services Review. The Child and Family Services Review (CFSR) is a federal-state collaborative effort administered by the Children’s Bureau and is designed to help ensure that quality services are provided to children and families through state child welfare systems. The CFSR is administered approximately every three years and consists of a statewide assessment and an on-site review. States that do not achieve required improvements are assessed penalties.⁹
- Implementing two new measures to help the Department improve its workload management. These are:
 - ♦ Average Daily Number of Child Protective Services Stages Not Assigned to a Department of Family and Protective Services Caseworker. This measure shows the number of direct delivery activities that are open each day for which a CPS caseworker has not been assigned. (The activity could have been assigned to a CPS non-caseworker or outsourced staff.) Department management uses this measure to determine whether supervisors are carrying caseloads and whether additional caseworkers are needed.
 - ♦ Average Daily Number of Child Protective Services Direct Delivery Services (All Activities). This measure shows the number of direct delivery activities that are open each day and are performed by CPS staff and outsourced staff. Department management actively uses the results of this measure to calculate the average daily cost per activity.

In addition, auditors found that the definitions, data source, and methodologies for two measures—Percent of CPS Workers with Two or More Years of Service and Number of Deaths of Children As a Result of Abuse/Neglect—are in agreement with the purpose of the measures, and Department management uses the results of both measures to evaluate the effectiveness of retention efforts and child protection efforts.

Recommendation

The Department should consult with the Legislative Budget Board and Governor’s Office of Budget, Planning, and Policy to discontinue calculating each of the monthly caseload levels.

⁹ The Department most recently completed a CFSR in March 2008. (Source: Department Web site at http://www.dfps.state.tx.us/about/state_plan/2008_state_plan/default.asp)

Management's Response

DFPS consulted with the Legislative Budget Board and the Governor's Office to discontinue calculating each of the monthly caseload levels. Beginning in FY10/11, the CPS Monthly Caseload measures have been discontinued.

Newly Hired CPS Employees with Direct Access to Department Clients or Client Information Were Appropriately Cleared through Pre-employment Criminal History Checks

CPS employees with direct access to Department clients or sensitive client-related information who were hired during the last five months of fiscal year 2008 were appropriately cleared for hire after undergoing pre-employment criminal history checks, in accordance with Health and Human Services Commission (HHSC) policy. Auditors submitted information on 1,047 CPS employees hired from April 1, 2008, through August 31, 2008, to the Department of Public Safety to conduct a criminal history check on each new hire. Auditors reviewed offenses associated with persons hired and verified that the hiring decisions were made in accordance with the Commission's criminal history policy.

HHSC policy requires that a criminal history check be conducted on all prospective employees before they can be hired. All applicants for positions offering direct access to Department clients or sensitive client-related information are barred from employment if they have been convicted of certain offenses. A criminal history check refers to the process of collecting criminal history for the purpose of ascertaining whether an individual is eligible to obtain or retain services or employment.¹⁰

The HHSC is responsible for overseeing four health-related agencies, including the Department. In October 2004, the HHSC outsourced a portion of its human resources function to a third-party vendor, Convergys. Convergys is responsible for sending information to the Department of Public Safety for processing of criminal history checks.

The type of criminal history check conducted is a name-based search in the Computerized Criminal History System, which is the Texas repository of criminal history data that local criminal justice agencies report to the Department of Public Safety. The Department may also determine on a case-by-case basis whether to retain, transfer, demote, or dismiss an employee whose records reveal a conviction for an offense classified as a likely or possible bar to employment.

The Department recently made changes intended to strengthen its criminal history check process, including conducting annual checks of all employees and updating its criminal history bars to employment policy.

¹⁰ According to Texas Government Code, Section 411.082, criminal history record information is "information collected about a person by a criminal justice agency that consists of identifiable descriptions and notations of arrests, detentions, indictments, informations, and other formal criminal charges and their dispositions."

Annual Criminal History Checks

According to the Department, in October 2008, the Office of the Governor approved the Department's request to begin conducting annual criminal history checks on all Department staff. The Department estimated that criminal history checks of about 11,000 employees statewide would be completed by February 2009. The Department piloted these checks in the San Antonio region and stated that it completed its criminal history checks of all Department employees in that region in October 2008. During this audit, the Department was still reviewing the results of those checks. Prior to fiscal year 2009, the Department required that prospective employees submit to criminal history checks, but it required that employees self-report offenses to their supervisor.

The checks will continue to be name-based searches for criminal history. According to *An Audit Report on Agencies' and Higher Education Institutions' Background Check Procedures* (State Auditor's Office Report No. 08-024, March 2008), the name-based checks that use the Department of Public Safety's secure Web site are inexpensive (about \$1 per check) compared to a fingerprint check (between \$15 and \$44 per check depending on the type of fingerprint service and the cost of fingerprint acquisition).¹¹ However, a fingerprint check is more accurate than a name-based check. Moreover, the Department of Public Safety provides a free service through which it retains fingerprints and can notify agencies and higher education institutions of subsequent arrests of employees, licensees, or contractors whose fingerprints are on record. Although a fingerprint check is more expensive than a name-based check, conducting fingerprint checks could reduce the need for repeat checks.

Updates to Policy

As of October 2008, the Department was in the process of updating its criminal history bars to employment policy. The Department's current list includes the types of convictions that bar employment for all prospective Department employees, as well as a list of additional types of convictions that bar employment for any positions with direct access to Department clients or sensitive client-related information.

The Department's current list of convictions that bar employment in positions with direct access contains offenses that bar employment only if the conviction(s) occurred within the previous five years, while convictions on other offenses bar employment regardless of how long ago the conviction occurred. Table 11 lists examples of the types of convictions that bar employment with the Department.

¹¹ Based on November 2007 data obtained from the Department of Public Safety.

Table 11

Examples of Convictions that Bar Applicants' Employment with the Department	
Convictions That Bar Employment Regardless of When Conviction Occurred	Convictions That Bar Employment Only If Conviction Occurred Within the Previous Five Years
Unlawful restraint Improper photography or visual recording Sale, distribution, or display of harmful material to a minor Cruelty to animals Aiding suicide	Indecent exposure Felony theft Medicaid fraud Delivery of a controlled substance or marijuana to a child False identification as peace officer

Source: *Health and Human Services Commission Human Resources Policy Manual*, Appendix B-Bars to Employment.

Recommendation

The Department should ensure that the criminal history checks for all employees are completed on an annual basis.

Management's Response

In October 2008, a cross-agency team was assembled to develop a plan for conducting a thorough policy and process review for criminal background checks of DFPS applicants. Later that month, DFPS and HHSC Human Resources received approval to proceed with its proposal to implement annual background checks. HHSC Human Resources and DFPS developed a mechanism for staff to self-report arrests to a central location, as well as to their immediate supervisor. HHSC HR policy is currently being updated to reflect this change and will apply to all HHS agencies. DFPS has asked each current employee to sign the form indicating they are aware of the self-reporting policy. All new employees are required to sign the form at hiring. To date DFPS has reviewed 99 percent of the current employees' criminal background and has taken personnel action according to the policy developed.

Appendices

Appendix 1

Objectives, Scope, and Methodology

Objectives

The objectives of this audit were to:

- Analyze staffing levels and caseloads at the Department of Family and Protective Services (Department) to compare the results and evaluate the effectiveness of staffing strategies and enhancements over time.
- Verify whether current caseload-per-worker performance measures, definitions, and methodologies accurately reflect the workloads of protective services caseworkers. Provide recommendations on how these measures might be improved.

Scope

The audit scope included reviewing and analyzing Child Protective Services (CPS) staffing and caseloads at the Department for fiscal years 2004 through 2008, when available. In addition, auditors certified 5 key performance measures for fiscal year 2007 and performed a limited review of 16 performance measures for fiscal years 2007 and 2008 that the Department reported in the Automated Budget and Evaluation System of Texas (ABEST).

Methodology

The audit methodology included collecting and reviewing information and documentation; analyzing CPS caseworker staffing levels and caseloads prior to fiscal year 2004 (pre-reform) and fiscal year 2007 (post-reform); conducting interviews with Department management and staff; and determining the implementation status of nine reform initiatives related to improving staffing levels and caseloads. Auditors also reviewed Department data related to salaries, overtime, and turnover. In addition, auditors selected five key performance measures and reviewed controls over the collection, calculation, and submission of data used in reporting performance measures and traced performance measure documentation to the original source when available. Auditors also selected 16 performance measures for more limited review. The Department completed questionnaires related to its performance measurement process to help identify control information.

Information collected and reviewed included the following:

- Department policies and procedures.

- General Appropriations Acts (79th and 80th Legislatures).
- The University of Texas at Austin's Survey of Organizational Excellence, 2008.
- State Auditor's Office State Classification Team exit survey results.
- *Final Report in Response to Governor Rick Perry's Executive Order to Reform Child Protective Services*, Health and Human Services Commission, July 2004.
- Senate Bill 6 180-Day progress reports, issued by the Department, March 1, 2006; September 1, 2006; and March 1, 2007.
- Department Council meeting minutes.
- *Department Data Book*, fiscal years 2004 through 2008.
- Executive Orders RP 35 and 39.
- Senate Bill 6 (79th Legislature, Regular Session).
- Senate Bill 758 (80th Legislature).
- National Child Welfare League of America standards.
- Legislative Budget Board performance measure definitions and methodology.
- Uniform Statewide Accounting System data.
- Department operating budgets for fiscal year 2006 and fiscal year 2008.
- Department Web site.
- *An Annual Report on Classified Employee Turnover for Fiscal Year 2007* (State Auditor's Office Report No. 08-703, December 2007).
- Criminal history checks.

Procedures and tests conducted included the following:

- Interviewed Department management and staff.
- Interviewed Legislative Budget Board analysts.
- Interviewed Center for Public Policy Priorities staff.
- Reviewed 30 reform initiatives that the Department created to address various legislation and identified 9 initiatives that related to improving staffing levels and caseloads at the Department.

- Determined the implementation status of the nine initiatives related to improving staffing levels and caseloads.
- Analyzed data pertaining to staffing and caseload levels.
- Reviewed Department data related to salaries, overtime, and turnover.
- Analyzed data flow to evaluate whether proper controls were in place.
- Audited performance measure calculations for accuracy and to ensure that they were consistent with the methodology on which the Department and the Legislative Budget Board agreed.
- Tested a sample of source documents, when available, to verify the accuracy of reported performance.
- Conducted a review of all information systems that support the performance measure data.
- Certified performance measure results in one of four categories: (1) certified, (2) certified with qualification, (3) inaccurate, and (4) factors prevented certification.

Criteria used included the following:

- General Appropriations Acts (79th and 80th Legislatures).
- Title 1, Texas Administrative Code, Chapter 202.
- *Guide to Performance Measure Management* (State Auditor's Office Report No. 06-329, August 2006).
- Texas Family Code, Chapters 261 and 262.
- Department policies and procedures, including draft policies and procedures.
- ABEST performance measure information.

Project Information

Audit fieldwork was conducted from August 2008 through October 2008. We conducted this performance audit in accordance with generally accepted government auditing standards. 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 objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

The following members of the State Auditor's staff performed the audit:

- Karen Smith, CGAP (Project Manager)
- Brendi Tubbs (Assistant Project Manager)
- Ishani Baxi
- Melissa Dozier
- Mary Goldwater
- Kathryn K. Hawkins
- Anne Hoel, CIA, CGAP
- Jeremy Schoech
- Willie Showels
- Marlen Kraemer, MBA, CGAP, CISA (Information Systems Audit Team)
- Leslie P. Ashton, CPA (Quality Control Reviewer)
- Sandra Vice, CIA, CGAP, CISA (Assistant State Auditor)

Selected Department Reform Initiatives

Since 2005, the Department of Family and Protective Services' (Department) Child Protective Services (CPS) division has been developing and implementing reforms to improve the delivery of its services to children. The Department consolidated recommendations made by the Health and Human Services Commission into 30 reform initiatives, to make the workload more manageable. Table 12 lists the nine reform initiatives and related tasks that auditors reviewed.

Table 12

Department of Family and Protective Services' Reform Initiatives Reviewed by Auditors			
Initiative	Status	Date Closed	Tasks Completed by the Department ^a
Performance Management Purpose: Implement a consistent, integrated performance management structure that identifies key measures of program performance and establishes individual and program accountability for successful client outcomes through quality casework.	Ongoing ^b	Not Applicable	<ul style="list-style-type: none"> ▪ Implemented a curriculum for new supervisor basic skills development in January 2007. ▪ Completed all performance plans with nine or more full-time equivalent positions statewide and uploaded these plans into AccessHR after CPS's approval.
Resource/Funding Allocation Purpose: Ensure the model for allocating resources to regions (Equity of Service Statement) reflects current Department priorities, incorporates appropriate information, and equitably allocates resources.	Closed	August 2005	<ul style="list-style-type: none"> ▪ Reviewed and approved current use of a Work Management Study in the Equity of Service Statement allocation model. ▪ Reviewed and approved the inclusion of demographics in its workload model. ▪ Reviewed and removed any disincentives in its workload model. ▪ Reviewed and approved information contained in its workload model. ▪ Determined how CPS vacancies and hire-ahead staff will be handled. ▪ Incorporated new CPS legislative mandates into its resource allocation model. ▪ Revamped the CPS allocation model to allow the allocation of Investigations, Family Based Safety Services, and Conservatorship staff at the functional unit level. ▪ Distributed CPS staffing allocations to the regions; regional managers then developed staffing plans that were reconciled to the Department's Equity of Service Statement. ▪ Developed methodology to monitor CPS regional compliance with and the effectiveness of the Equity of Services Statement.

**Department of Family and Protective Services' Reform Initiatives
Reviewed by Auditors**

Initiative	Status	Date Closed	Tasks Completed by the Department ^a
<p>Child Protective Services Risk and Safety Assessment Purpose: Identify activities that will ensure the CPS's risk assessment instrument and philosophy are fully integrated and consistently applied in daily practice at every stage of service.</p>	Closed	November 2005	<ul style="list-style-type: none"> ▪ Trained CPS supervisory staff statewide on risk and safety assessment principles. ▪ Incorporated risk and safety concepts training into the basic skills development curriculum for all staff in September 2005. Child safety specialists continued to conduct risk and safety training in 2006. ▪ Rolled out an automated system to identify high-risk cases at the beginning and the end of investigations with certain risk factors. CPS child safety specialists then review these cases and give feedback to field staff regarding the safety issues.
<p>Communications Purpose: Develop and implement a comprehensive communications plan for the Department internally and externally; consolidate public information functions; and develop public awareness plans.</p>	Closed	May 2006	<ul style="list-style-type: none"> ▪ Developed strategies to increase open communications. ▪ Developed a communication policy handbook. ▪ Developed a strategic communications plan. ▪ Developed communications training for all Department staff. ▪ Developed consistent regional communications plans.
<p>Human Capital Purpose: Develop screening and selection processes to improve the retention of quality staff.</p>	Closed	July 2006	<ul style="list-style-type: none"> ▪ Implemented new recruitment strategies, such as job fairs, print advertisements, and Web site advertisements. ▪ Attracted applicants released from other health and human services programs. ▪ Implemented hire-ahead programs. ▪ Created hiring specialist positions to recruit and hire entry-level program staff. ▪ Created standard applicant selection tools to identify the best candidates for retention, including both a prescreening test and a behavior-based interview process. ▪ Implemented salary enhancements. ▪ Hired staff using a standard hiring process that identifies which candidate has the skills and characteristics that match staff members who have been successful and are more likely to stay long-term in the position. ▪ Developed a weekly vacancy tracking report. ▪ Redesigned its human resources procedures to take advantage of AccessHR capabilities.

**Department of Family and Protective Services' Reform Initiatives
Reviewed by Auditors**

Initiative	Status	Date Closed	Tasks Completed by the Department ^a
<p>Information Technology Innovation and Support Purpose: Implement technological changes and enhancements to various divisions within the Department.</p>	Closed	July 2007	<ul style="list-style-type: none"> ▪ Ordered, received, and distributed Tablet PC devices and accessories to CPS, Residential Child Care Licensing (RCCL), and Professional Development user groups. ▪ Conducted a Tablet PC pilot program with approximately 95 CPS and RCCL users from May 1, 2006, through June 30, 2006. ▪ Completed statewide implementation of Tablet PC hardware to all user groups (which included CPS and RCCL user groups, Child Care Licensing participants and the Center for Policy and Innovation training team), as well as to all current CPS Investigations staff, Family Based Safety Services staff, and RCCL investigations staff. This effort concluded on October 20, 2006, as planned. ▪ Tested and released audio recording software to be used by all CPS Tablet PC users. This allowed CPS staff to perform required recording activities using their Tablet PCs instead of using a secondary recording device. ▪ Released a virtual private network to Adult Protective Services, CPS, and RCCL Tablet PC users and ensured that eligible staff received installation of the network. ▪ Provided CPS access to Mobile Protective Services for a pilot group of 84 staff members.
<p>Child Protective Services Investigations Purpose: Create an Office of Investigations; develop a model for investigations that incorporates forensic techniques; and revise and enhance training for investigative staff.</p>	Closed	September 2007	<ul style="list-style-type: none"> ▪ Created a Division of Investigations. ▪ Developed guidelines and protocols for regions to follow when exploring co-location of CPS staff. ▪ Developed and implemented protocols for joint investigations with law enforcement. ▪ Developed a tool for tracking CPS cases and evaluating trends.
<p>Child Protective Services Training Innovation Purpose: Improve services to CPS clients by equipping staff with the knowledge and skills required for their positions.</p>	Closed	September 2007	<ul style="list-style-type: none"> ▪ Integrated performance expectations into supervisor and basic skills development training. ▪ Identified and analyzed job tasks and skills for various CPS caseworker positions ranging from entry-level positions through supervisor positions. ▪ Identified all CPS positions that require mandatory training plans. ▪ Established training plans for each CPS position. ▪ Created a curriculum for basic skills development that incorporates specific training for specialized functions, such as Investigations, Family Based Safety Services, and Conservatorship.
<p>Supporting Quality Casework Purpose: Focus on strengthening the structures of CPS unit management and regional management; embed subject matter experts into the stages of services; increase mobile technology for casework support; and improve court relations through technology.</p>	Closed	February 2008	<ul style="list-style-type: none"> ▪ Developed job descriptions and clear expectations for unit support staff. ▪ Developed a framework for functional units in all stages of service. ▪ Developed a plan to hire subject matter experts to assist caseworkers in the field. ▪ Assessed the needs for and extended the use of dictation software (SpeakWrite) for caseworkers. ▪ Reviewed documentation requirements and developed streamlined methods for capturing information. ▪ Implemented Mobile Protective Services (MPS) functionality

**Department of Family and Protective Services' Reform Initiatives
Reviewed by Auditors**

Initiative	Status	Date Closed	Tasks Completed by the Department ^a
			and trained staff on MPS for Tablet PCs. <ul style="list-style-type: none"> ▪ Completed guidelines for incorporating subject matter experts into the daily work of CPS caseworkers. ▪ Developed accountability tools for delinquent investigations, quality assurance measures, and regional issues. ▪ Designed critical action reports for the monitoring of CPS staff. The Management Reporting and Statistics, Performance Management Initiative, and CPS divisions have completed the reports, which are available on the intranet.

^a Auditors verified the completion of the tasks, but auditors did not verify the dissemination to staff of the deliverables related to the tasks or the continued use or monitoring of the deliverables.

^b CPS is one of many divisions within the Department that are incorporated into the Performance Management initiative. According to the Department's most recent summary report (dated September 2008), CPS has completed its segment of the initiative.

Source: Department reform initiative charters, initiative summaries, initiative close-out reports, and other documentation supporting the Department's completion of listed tasks.

Child Protective Services' Casework Process and Caseworker Groupings and Activities

Casework Process

The Department of Family and Protective Services (Department) receives reports of alleged child abuse and neglect via telephone calls or through the Department's Web site. As Figure 11 on the next page shows, these complaints are reviewed by the Department's Statewide Intake Division, which assesses whether the alleged report meets the statutory definition of abuse and neglect described in Texas Family Code, Chapter 261. Intake staff members then assign the report one of two priority levels based on the information available at the time the report is accepted:

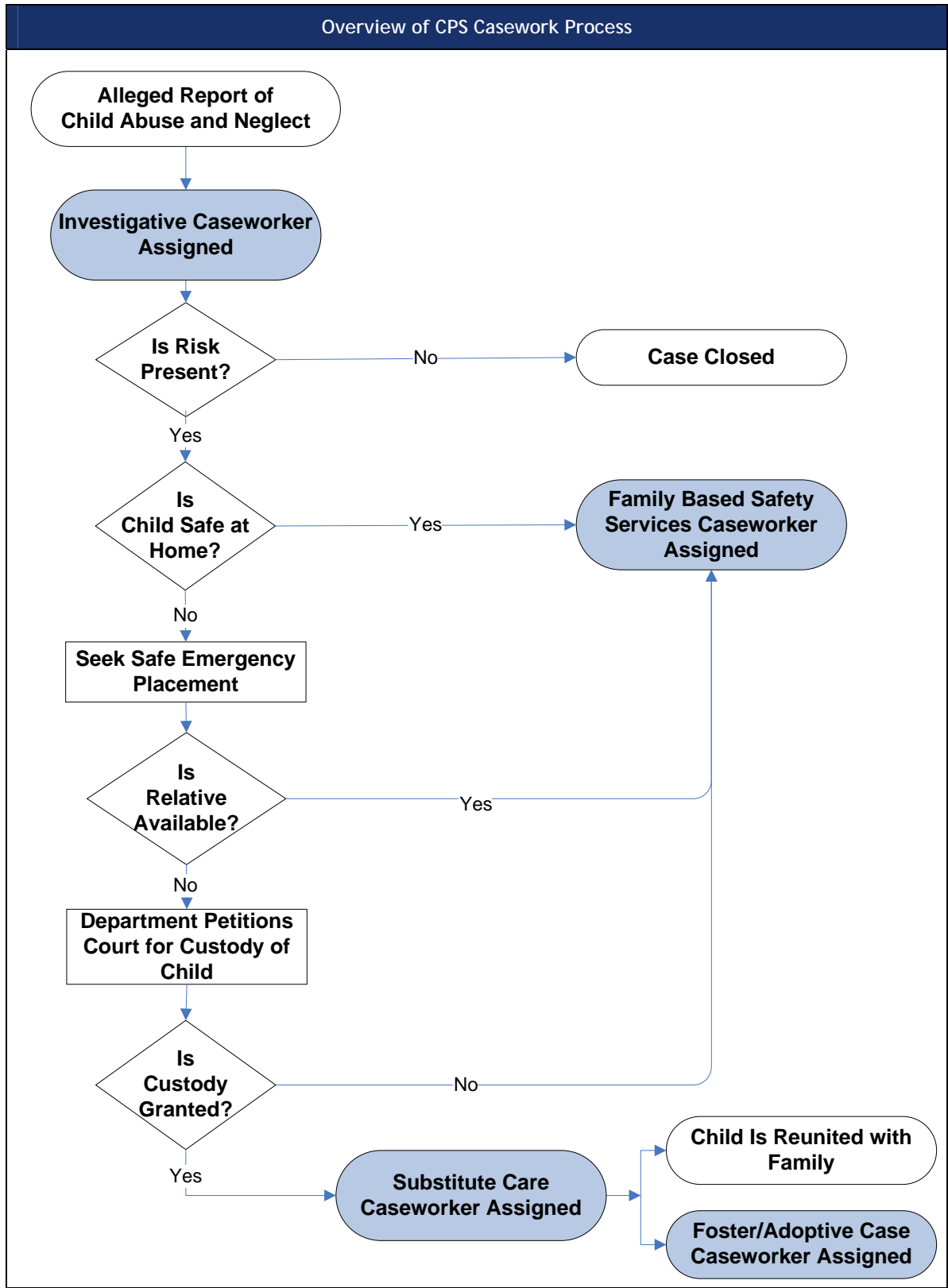
- **Priority 1 Reports:** Children appear to face an immediate risk of abuse or neglect that could result in death or serious harm. Investigations must be initiated within 24 hours of receiving the report.
- **Priority 2 Reports:** Reports of abuse or neglect that are not assigned as Priority 1. As of January 2008, the Department was required to initiate an investigation of Priority 2 reports within 72 hours of receiving the report.

After the intake staff has assigned a priority level, the case is then assigned to a Child Protective Services (CPS) caseworker. Some reports received do not meet the statutory definition of abuse or neglect and are not assigned a priority level and no further investigation is conducted.

Reasons that a report may not meet the statutory definition of abuse or neglect include:

- The situation does not appear to involve a reasonable likelihood that a child will be abused or neglected in the foreseeable future.
- The allegations are too vague or general to determine whether a child has been or is likely to be abused or neglected.
- The report does not give enough information to locate the child or the child's family or household.
- The situation is already under investigation.

Figure 11



Source: Department staff members.

Caseworker Groupings

Beginning in fiscal year 2006, the Department grouped caseworkers by the type of casework they do, according to Department staff. These groupings are:

- Investigations.
- Family Based Safety Services.
- Substitute Care (also referred to as Conservatorship).
- Foster/Adoptive.

The focus of this audit was on the above four activities.

Investigations

Once a child abuse or neglect case has been identified by the Department, it is assigned to a CPS investigator, who conducts an investigation and determines the degree of intervention by the State that is necessary. The purpose of an investigation, according to the Department, includes determining whether a child can safely live with his or her family, whether abuse or neglect has occurred, and whether other children in the family may also be victims of abuse or neglect. Specific duties of a CPS investigator include:

- Responding to crisis situations that may include being placed in a dangerous situation.
- Taking measures to protect children, which may involve removing a child from his or her family.
- Interviewing individuals who may be associated with the complaint, such as complainants, family members, doctors, nurses, and other people familiar with the situation.
- Examining children for signs of abuse or neglect.
- Testifying in court.
- Documenting all relevant and appropriate information obtained and completing all required forms to ensure the completeness of all documents and records.
- Serving as liaison to social service agencies, schools, local law enforcement agencies, and attorneys regarding reports and investigation activities of child abuse and neglect cases.

Family Based Safety Services

A CPS caseworker in the Family Based Safety Services grouping primarily provides services in the home, when possible. One of the caseworker's objectives is to keep children with their families in cases when the children's safety can be ensured. When families are not willing or able to ensure the safety of children, the caseworker will work toward other planned living arrangements for the children. Specific duties of a Family Based Safety Services caseworker include:

- Visiting a child's home to assess the risk to children of abuse and/or neglect.
- Planning for children's safety and helping to strengthen families, so the families can function in the future without CPS intervention.
- Discussing issues with families that the families may consider personal or private, such as income, money management, and personal relationships.
- Helping identify resources and community support that are available to the family.
- Being willing to remove a child from a dangerous situation.
- Documenting casework activity.

Substitute Care (Conservatorship)

A CPS caseworker in the Substitute Care grouping provides services to children who have been removed from their homes and placed into the Department's care. A governmental entity with an interest in the child may file a suit affecting the parent-child relationship requesting an order or take possession of a child without a court order as provided by Texas Family Code, Section 262.001. Caseworkers assist in selecting an appropriate substitute care provider and developing and carrying out a child case plan. Specific duties of a substitute care caseworker include:

- Receiving cases from CPS investigators when children are removed from their homes and placed in substitute care.
- Requesting or conducting home assessments of potential kinship providers for a child.
- Placing children with parents, kinship providers, or identified foster care providers.
- Visiting with the child as needed to monitor the child's needs, adjustment, and progress while in the Department's care.
- Helping the child prepare for his or her best interests and long-term needs.

- Attending court hearings related to the child and family.

Foster/Adoptive

A CPS caseworker in the Foster/Adoptive grouping receives inquiries about providing foster or adoptive parenting services to children who are in the conservatorship of the Department. Caseworkers screen, train, and study appropriate provider candidates. Specific duties of a Foster/Adoptive caseworker include:

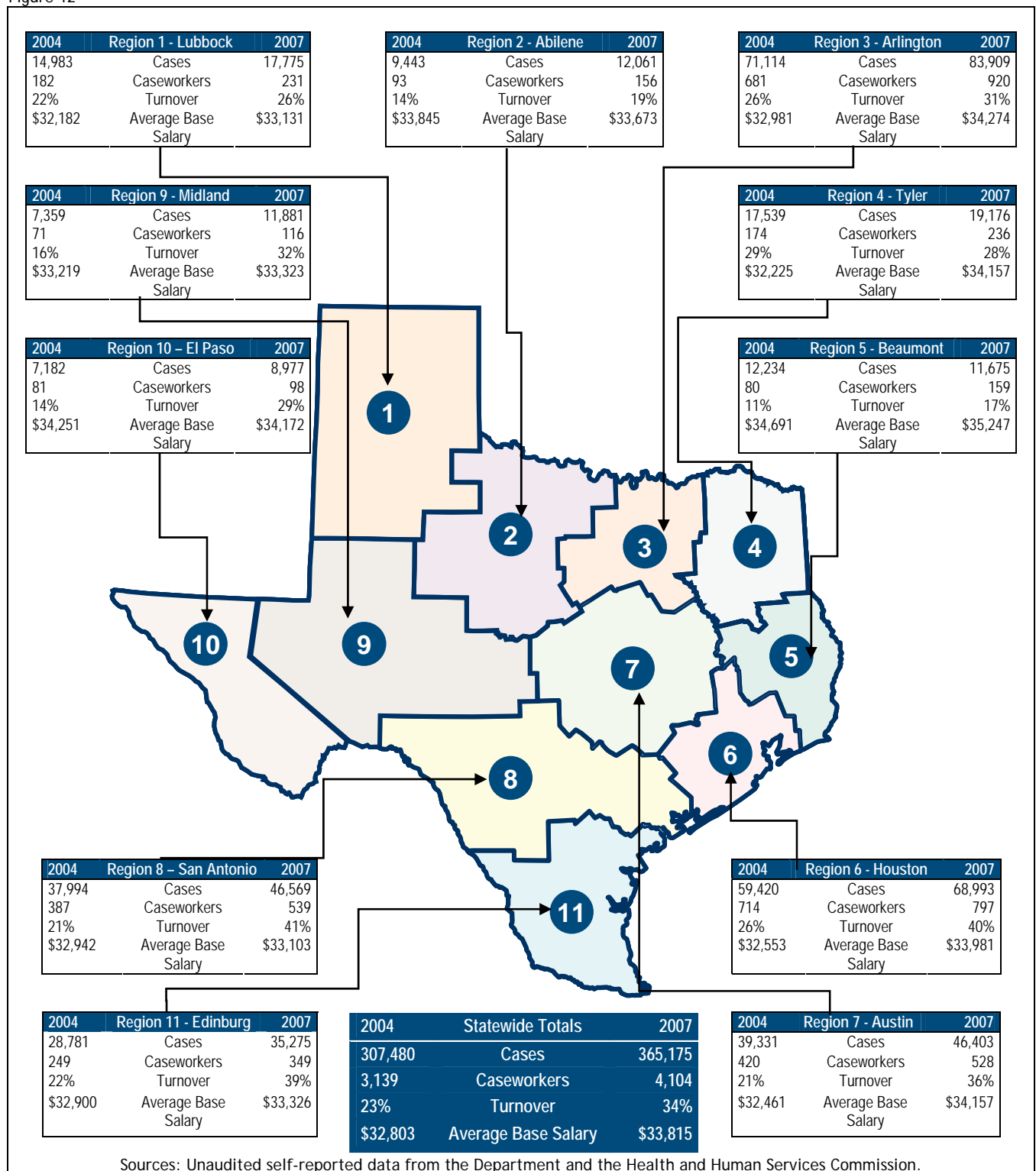
- Providing continued support to foster or adoptive homes, and matching certified foster or adoptive homes with children needing placement.
- Verifying licenses of foster and adoptive families before placement of children who are either in Department conservatorship or being placed through another state.
- Making regular home visits to the foster or adoptive home.
- Becoming the child's caseworker after an adoptive placement is made in an adoptive family.
- Attending staffing meetings, court hearings, or other meetings regarding children who are placed in foster or adoptive homes that are assigned to them.

Caseworker Applicants and Certifications

Preferred caseworker applicants have at least a four-year bachelor's degree (preferably in social work or human services for an investigator position). Most caseworkers are hired into a CPS Specialist II position. Beginning in fiscal year 2000, a caseworker could complete a certification process that prepares the caseworker to advance to a higher level of specialist or to a supervisory level. Certification is a voluntary process and includes specific requirements for education, agency and program experience, training, performance, evaluation components, and testing (for those seeking supervisor positions).

Fiscal Year 2004 and 2007 Pre- and Post-Reform Statistics by Region

Figure 12



Sources: Unaudited self-reported data from the Department and the Health and Human Services Commission.

Notes:

- Case totals are the total cases that were opened by Investigations, Family Based Safety Services, Substitute Care, and Foster/Adoptive areas during fiscal years 2004 and 2007. A case can be counted in more than one category during a fiscal year.
- The number of caseworkers represents the average number of caseworkers per region, which was calculated from the caseworker turnover formula used by the Department.
- The average base salary was calculated by determining the average salary per region and multiplying by 12. These amounts did not include other supplemental pay or the \$5,000 stipends paid to eligible caseworkers and supervisors.

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