

Are the People Who Participate in Safety Plans Suitable to Do So?

Introduction

Safety plans can involve all kinds of people. Some are professionals from agencies specializing in safety services. Some are volunteers associated with organizations dedicated to providing community services. Some are friends of the family. Some are relatives of the family. Some are foster parents associated with CPS or with private agencies. Some are specialized child welfare staff such as family preservation workers. Sometimes the CPS worker in charge of the case maintains a specific role within a safety plan to provide a safety service. Occasionally safety plans involve many of these people at the same time. Perhaps more often safety plans rely on one or two of these kinds of people.

When children are unsafe and an in-home safety plan or an out-of-home safety plan or a combination of the two is necessary, CPS commits to the family and the child that safety will be assured by a plan involving some number of the people identified above. That the people who participate in a safety plan can assure child safety is a matter of trust and dependence for CPS but also for the family involved.

The standard for care and responsibility related to child safety must be considered to be higher for those involved in safety plans than for the caregivers themselves. In other words, CPS should never construct and implement a safety plan that involves people who are not better able to protect a child than the caregivers have been judged to be.

The most important part of a safety plan is the people who participate in it.

Why Judge the Suitability of Safety Plan Providers?

There are three standards that promote, if not require, the evaluation of safety plan providers: The State of the Art; the Children and Family Service Review; and the Adoption and Safe Families Act (ASFA.)

ASFA does not provide clearly specific requirements about assessing safety providers within safety plans. ASFA does not provide for expectations about in-home safety plans. However, ASFA is quite clear about assessing for safe environments when children are placed. Assessing for safe environments when children are placed is to occur at the onset of placement and at least every 6 months. While ASFA does not state clearly specific requirements concerning the suitability of safety service providers, the spirit of the law is quite clear. The responsibility for CPS when children are judged to be unsafe demands that alternatives used in safety intervention must be consistent with a safe environment. Reasonably, people who participate in the safety intervention must be capable and willing to provide a safe environment for the child whether the safety intervention alternative is in home or out of home.

Similar to ASFA, the CFSR is not specific about assessing the suitability of those who provide safety intervention responses. However, the CFSR is quite clear in expecting that children should be kept safe in their own homes and in placement homes. Safety outcomes and indicators reinforce the expectation for using services that assure safety of children within their own homes or when they are placed. It follows that service effectiveness depends on service provider effectiveness, which leaves CPS with no option but to have confidence in and verify the suitability of safety service providers.

The evolution of the state of the art in safety intervention is slowly coming to operate on the basis of standards, criteria and rigor in the application of concepts and procedures. A general fuzziness about expectations related to the quality and suitability of safety service providers is changing into more specific requirements

and criteria application. Some states now include as part of their policy and within their forms and documentation justification about the suitability of those who participate in safety plans. Notably (perhaps as a result of ASFA) is a recognition for the need to assess the suitability of kin and foster parents related to each case rather than to rely on licensing or other procedures (particularly in reference to foster parents).

What Level of Judgment is Required?

No state requires an official judgment about suitability that rises to the level of being “certified.” We are not aware of states requiring the application of criteria to make the judgment. Currently the veracity of the judgment is subject to worker discretion. However, we believe that safety intervention is at a place where much more regulated scrutiny is needed regarding provider suitability. Such scrutiny should be based on a criterion that measures suitability. The criterion should be applied to every person participating in the safety plan including family members, non-professionals, foster parents, professionals from the community and professionals from CPS and the child welfare agency.

Why should such scrutiny be expected? At the very least it is the decent, sensible and practical thing to do as CPS seeks to make good decisions and perform proficiently. More importantly, it is the right and ethical thing to do.

The suitability of safety service providers is related to an ethic that exists at the very heart of child protective services. Intervention must never result in options, living circumstances and child care that are equal to or less than those that existed within the child’s family that required intervention. Simply and directly put – those who are selected to provide protection in an in-home or out-of-home safety plan must always be capable and willing of providing care and protection that the child’s caregivers have been judged not to be able to provide. The standard of care for government intervention that replaces the caregiver’s

authority and autonomy must be higher than what is minimally accepted for the caregiver.

What Criteria Can Be Used to Judge Provider Suitability?

General Criteria

- *Provider* refers to any person, professional or non-professional who is selected to provide the safety response(s) within in-home safety plans, out-of-home safety plans or a combination of the two.
- The person must be a responsible, physical and cognitively adequate adult. The person must understand what the threats are and accept them as existing, serious and concerning.
- The person must have a sufficiently strong personality and will that the child's family members cannot influence him or her.
- The person must be fully aware of and committed to the assigned tasks in the safety plan.
- The person must be available which means that he or she can begin providing the safety response the same day the safety plan is enacted. Available also refers to being able to complete one's responsibilities throughout the life of the safety plan.
- The person must be accessible which means in close proximity with transportation and easily and immediately reachable as required by the safety plan.
- The person should have a keen sense of perception about things happening around him or her.

- The person should be well trained and skilled in any particular area of competency required by the safety plan.
- The person must be trustworthy, willing to work with CPS in a cooperative/collaborative relationship and willing to communicate regularly concerning all matters associated with the safety plan.
- The person must be booked and confirmed with precise understanding of the schedule, activities and expectations.

Specific Criteria

These criteria primarily relate to non-professional safety service providers.

- The person's viewpoint toward the child is appropriate and realistic.
- The person's attitude toward whether the child contributed to the need for a safety plan; a placement or family problems is consistent with the facts and is appropriate.
- The person's attitude toward the child's parents is appropriate and realistic.
- The person accepts CPS involvement.
- The person possesses the ability to perform basic care.
- The person's availability within the home will be sufficient.
- The person's use of substance in no way affects his or her ability to perform expected responsibilities.

- The person's beliefs about what happened that required safety intervention and who is responsible are reasonable and appropriate.
- The person possesses the knowledge, skill and motivation necessary.
- The person currently is not involved in any criminal activity or does not have a history of criminal behavior.
- The person possesses sufficient resources to meet his or her responsibilities.
- The person's living arrangement is safe.
- The person's home is secure from access by others.
- The person's living arrangement is socially and geographically proximate.
- The person and the home situation are stable.
- The person is not involved in domestic violence.
- The person is not a party to an active CPS case or has history of being a CPS case.
- The person has a history of being protective of and providing acceptable care to children.

(Note: In addition to the criteria provided here there are specific attributes associated with safe environments that can be considered when judging the suitability of providers. A future monthly article will be devoted to the concept of safe environments.)

How Do You Judge Safety Provider Suitability?

When

In order for a safety plan to effectively manage present or impending danger safety threats it must be implemented immediately and have direct results. Therefore, judging the suitability of those who potentially may participate in the safety plan must occur with expedience. A safety plan cannot be put in place until providers have been “certified.” Therefore, the suitability of those who might have a role in a safety plan must be determined as the plan is being formed. An in-home or out-of-home safety plan should never be implemented until the suitability of those involved has been determined.

Who

In every case, a child’s parents/caregivers can be the first source of information about people who can be considered for participation in a safety plan. Other family members/relatives are a next source for identifying potential safety service providers from the family or within the family network and social relationships. Identifying prospective providers with the family is consistent with the least intrusive intervention principle.

Beyond the family network, preference should be given for potential providers from within the CPS agency or within the community whose purpose is focused on safety intervention. It is important to remember that service providers have different knowledge, skill and objectives some of which do not include an orientation to safety intervention. Every service is not a safety service; every service provider is not a safety service provider.

How

The judgment about suitability for CPS cannot be second hand. CPS must base the suitability judgment on a personal encounter with the provider. While this may occur by phone with professionals, it is preferred that face-to-face conversations occur with non-professionals. If a safety plan involves a child being in the home of a safety service provider for any regular period of time (regardless of the length) CPS should visit the home prior to implementing the home. This refers to kin and foster placements but also to respite care, babysitting and so forth.

CPS must fully inform the prospective provider about the role and responsibility expected of him or her. (The suitability judgment reasonably must be predicated on the safety plan participant's understanding and response to what is expected of him or her.) This must be done in specific terms that review the need for the safety plan; the rationale for how the safety plan is to work; the person's responsibilities and role within the safety plan; and expectations related to schedules, time commitments, access and availability and relationship to CPS.

A presumption exists when selecting and/or "certifying" professional providers who work within the child welfare agency or a community agency. The presumption is that such people are qualified because of their official capacity. We will leave it to your judgment as to whether the presumption is a safe one. Our experience is that as often as not professionals may lack preparation for and/or do not possess expertise in safety intervention. If no standard or protocol exists that generally establishes professionals as suitable safety service providers then it is the CPS worker's responsibility to arrive at criteria based judgments that qualify them for each case in which they are being considered. A practical example of this issue concerns foster parents. All agencies license foster parents. Foster care licenses do not judge provider suitability with respect to a specific case. This is a separate judgment. While useful information, the foster care

license cannot be a substitute for judging suitability for a particular safety plan.

Judging suitability of the people involved in a safety plan is a continuing process. The process begins when people are being considered for participating in the safety plan. The first order of business in particular with non-professionals is to rule out present danger or impending danger posed by person. Prior to implementing a safety plan CPS must confirm initial impressions concerning criteria. The quickness with which a safety plan must be implemented once safety threats have been identified reduces time and opportunity to fully assess people being considered for participation in the safety plan. Therefore, once the safety plan is implemented oversight of the safety plan requires CPS to continue to judge suitability. The responsibility for oversight of safety plans applies to both in home and out of home safety plans. As people are participating in the safety plan they demonstrate behavior, attitudes and qualities that can further confirm their suitability or raise questions about their participation. ASFA has established six months as the benchmark for officially judging whether safe environments exist within kin and foster placements. This is a good rule of thumb for evaluating the continued suitability of people participating in safety plans within in home safety plans; out of home safety plans; or a combination of the two.