

# **Myths, Folkways and Artifacts**

## ***Speed Bumps to Implementing a Safety Intervention System***

November 2010

### **Introduction**

Learning is basically a change in perception and attitude about something. When you learn something you think differently about whatever it is you are considering. Evolution is development that is progressive. We begin one place and move beyond that place to some other understanding or state and continue to move beyond that.

The development of safety intervention is an excellent example of a living, breathing thing that continually evolves and which is influenced by a dynamic learning process that includes research and field experience. Safety intervention exists as something that is being successfully applied now but is always subject to change....to moving forward.

Despite progress in implementing safety intervention systems, we get stuck; we want to hold on to former ways; we struggle with new ideas compared to the primary ways we were taught or practiced. This reluctance to embrace different concepts and practices holistically is a healthy part of the strain of refining what we are, what we do, and how we do it. A challenge in this process is accepting the discomfort to venture into different territory, to try out something that sends us in a different direction than we've been used to.

Our title this month emphasizes our interest in heightened awareness of ideas and practices that affect implementation of a safety intervention system – like speed bumps that hold us back...misdirect us...or cause us to stop.

## Speed Bumps

- *Myths*

We use the concept of the *myth* loosely here. Fundamentally, we are referring to the idea of “the good old days” when we practiced “real Social Work” and when CPS was more about families and less about bureaucracy. This refers to the legends that continue to influence (1) a commitment to the thinking and behavior of the past and (2) the reluctance to accept advancement as better than what used to be.

- *Folkways*

Moving forward to learning and applying different concepts and practices can be impeded by “the way we’ve always done things.” Traditionally CPS has been a fairly informal setting for staff development, professional standards, and performance accountability. Among the most powerful influences with regard to those areas comes from one’s peers. Newcomers have relied heavily upon those sitting close to them in their offices to learn and gain guidance in defining what the CPS job is. *Folkways*, as we are describing here, are very hard to overcome. Frequently, when a safety intervention system is being put in place, folkways (overtly or covertly) remain in place. This increases the challenge for positively affecting the desired changes in attitudes, perceptions, thinking and practice required by the new intervention system. It causes the implementation process to be a rockier one. And, it competes with efforts to achieve fidelity in the safety intervention system.

- *Artifacts*

To some extent all three of these speed bumps might be considered as variations of the same thing. They have a basis in the past; usually represent things that were supported and accepted over time; are well established; and influence resistance to change. But this one does seem a little different. An *artifact* is something that is left over. For our purposes, we'd think of this as something that remains officially or unofficially from a previous approach to intervention. It is not unusual when an agency decides to employ a comprehensive safety intervention system that it will hold onto some special or sacrosanct thing that is left over from their previous ways of intervening with families. "We want to move forward on the new approach to safety intervention...BUT....we are keeping the way we screen reports just as we've always done it." That sort of position is an example of an agency keeping an artifact of a previous intervention approach without regard to conceptual framework, functionality, integration, systematic fit, and so on.

We follow this discussion about the speed bumps to implementation (myths, folkways and artifacts) with a few examples of these sorts of things (presented as ideas and practices) that continue to exist as challenges toward learning, evolving and moving forward in implementing safety intervention systems.

## **Examples of Implementation Speed Bumps**

### *The Importance of Substantiation*

A long standing "legend" has to do with the importance of substantiation. The "importance" apparently is associated with several perceptions: (1) The purpose of the initial CPS intervention (investigation) is to reach a finding about whether maltreatment occurred and who is responsible. (2) Substantiation is necessary in

order to list perpetrators on central registries. (3) Substantiation is necessary in order to invoke the jurisdiction of the court. (4) Substantiation is necessary to determine whom CPS will serve.

Most agencies continue to substantiate cases; however, for decades the “importance” of the decision has been in question. North Dakota did away with substantiation as a decision-making concept long ago. Many agencies nationally have developed differential response options in part to avoid the statutory requirement to reach a substantiation finding. Many years ago, the National Association of Public Child Welfare Administrators (NAPCWA) produced national guidelines for CPS that recommended that courts be responsible for the substantiation decision rather than CPS staff.

The “importance” of substantiation has received even less emphasis with the advancement of comprehensive safety intervention systems. Yet it can be a speed bump to effective and efficient implementation. By overemphasizing substantiation, implementation fails to recognize the following:

- Substantiation or the occurrence of maltreatment is not definitive of a child being unsafe.
- The existence of maltreatment is considered within a wider context of information in order to understand whether children are safe or unsafe.
- Safety intervention is not concerned with a person’s name on a central registry but is concerned about caregiver protective capacity.
- Invoking the jurisdiction of a court requires CPS to provide a fact base that demonstrates that a child is in imminent danger which is a concept different than substantiation.

- Agencies do not decide to open cases for ongoing CPS exclusively on substantiation.

Making judgments and reaching conclusions about the occurrence or existence of maltreatment will always be important business for CPS and an important area of understanding in safety intervention. The occurrence or existence of maltreatment represents a specific dynamic and symptom of how caregivers and the family are functioning. The point – as a myth – is that substantiation as the focus of decision making has proven to be ineffective and insufficient to support safety intervention.

### *Miscuing on Present Danger*

**The first miscue is concluding that a child that is found to be in present danger during the first case encounter is unsafe.** It is true during initial contacts that some children are in present danger. However, that is not proof alone that the child is always in danger. It is only proof that the child is in danger at the time of the contact. Present danger being evidence of impending (a continuing state of) danger must be confirmed by additional study and verification. The present danger you first encounter could be an anomaly; it could be strictly circumstantial; it could be explained and justified as not typical but highly unusual; it could be the result of a mistake that is totally inconsistent with the caregiver's usual protectiveness. So you must study a family in order to verify and confirm that the present danger is an active expression of impending danger. This takes time. That is why agencies allow 30 or more days for an initial assessment to be completed.

**The second miscue is opening a case based on present danger.** It is a problem in safety intervention when you pull the trigger too quickly. That means you reach a premature decision that a child is unsafe and respond accordingly by prematurely opening the case or behaving as if the case is going to be opened for

ongoing services. This can include prematurely involving or assigning ongoing staff. When present danger is identified it is almost always during the initial contact with a family. More often than not it involves a protective action in the form of a placement with a relative or in foster care. The presumption – representing the speed bump (folkway or artifact) – is that the protective action (specifically a placement) represents something consistent with opening the case for ongoing CPS. As we stated, this is done before the danger has been confirmed as impending danger. This occurs before much can be known about a family and before an official determination has been made that the family will continue into ongoing CPS because children are in impending danger. This is a speed bump to effective implementation because in safety intervention impending danger is the basis for opening a case for ongoing CPS. This second miscue results in a bad intervention process; it reduces the likelihood of a thorough initial assessment necessary to draw correct decisions about impending danger; and it reduces diligence. It isn't fair to families.

**The third miscue is considering present danger and impending danger as the same thing.** In other articles we've emphasized that present danger can be the active expression of impending danger that a child is in all the time; that a child can be in impending danger but nothing is active (no present danger) at the time you encounter the child; and that present danger may exist at first and then you find out that the child is not in impending danger because of sufficient caregiver protective capacities.

Why bother with this again? In relationship to the notion of speed bumps to implementation (myths, folkways and artifacts), there has been and remains to be the tendency in some agencies to have the need to move too quickly, make premature judgments based on vivid but limited information, and to short circuit the deliberate step-by-step intervention process that forms a comprehensive safety intervention system. The myth about the "good old days" causes us to forget that, as a matter of fact, our approaches in those times were pretty unsophisticated tending toward seeing things as simple rather than complex. As

we evolve in our understanding of present and impending danger, we realize that taking the necessary time and maintaining a standard approach aimed at understanding what is happening in a family are crucial to knowing what to decide and how to proceed.

### *Reasons for Opening Families for Ongoing CPS*

Who does your agency seek to serve as the CPS service population? We consider this issue because of the fuzziness that remains regarding this question and as an artifact of previous intervention approaches that may have existed in an agency.

Does CPS serve families that maltreat their children? Yes, but not always. Why is that? Well there's a lot of difference about the nature of maltreatment and what happens in each family that comes into the system. Does CPS serve families who are at risk of maltreatment? Yes, but not always. This depends on lots of variables such as basis for assessing, level of risk, level of severity, etc. Does CPS serve substantiated cases? Yes, but not always. We've discussed that earlier. Does CPS serve families in which children are not safe? Yes, always.

Again we need to underscore our point within this frame of reference about how what has been remains an influence on the implementation of safety intervention. Agencies are free to set whatever criteria they prefer regarding who they serve. And...they should do so in clear and precise ways including establishing effective methods to identify that service population. With regard to safety intervention, there is only one criterion – a child is unsafe; a child is unprotected. For some such a definitive, precise rendering of the service population feels uncomfortable. People worry that children will be harmed. Overcoming this speed bump requires that implementation effectively demonstrates and communicates that effective safety intervention is the smart way to reduce that worry.

## *Basis for Change*

Traditionally the basis for change – the concept for change – applied by CPS has been external to caregivers. What that means is that expectations, plans, forces and accountability have originated outside caregivers. The basis for change has typically been somebody else’s idea...not the caregiver’s. Traditionally the basis for change has been compliance. Would you agree it operates like this?

Option 1: The caregiver needs to change. CPS cannot get court jurisdiction. The caregiver is not cooperative. The game is over.

Option 2: The caregiver needs to change. CPS can get court jurisdiction. It doesn’t matter whether the caregiver is cooperative. The game is on - the caregiver must comply with the case plan.

Of course there is a third option in which compliance remains the approach but caregiver cooperation occurs for fear of retribution (e.g., CPS might place the children).

Contrast this with the notion of self-determination as the basis for change – a caregiver changes because she decides to change and wants to change. Comprehensive safety intervention systems approach change as something caregivers own and decide about. Compliance is counter to self-determination and proves to be an oversized speed bump to effective implementation of safety intervention as a system.

The following is a related archaic practice.

## *Problem Related Goals in Case Plans*

The most enduring “intervention model” has been the problem – service model. In simple terms – because this is a sort of simple minded way to think

about intervention – a presenting problem is identified and matched up with a related service. You know the tune: angry, impulsive father = anger management classes; children unsupervised = parenting classes; substance use = substance abuse treatment. This longstanding approach to solving family challenges and child protection issues has cemented the practice of creating goals that are related to presenting problems often stated as the opposite of the problem (e.g., Donna supervises her children) or in admonishing terms to cease and desist (e.g., Donna will not leave her children alone).

Case plans with these kinds of goals are pervasive in the CPS field....but not new. So this is a good item to include as a speed bump to implementation. In comprehensive safety intervention, the focus of change is on enhancing caregiver protective capacities. While services and help may occur in relationship to struggles caregivers are having, such as substance use, the goals are always about behavior that increases a person's capacity to protect their children.

### *When Children Go Home*

What must exist ... what must have been achieved....what proof do we need ...for a child to be reunified with his parents? The traditional approach and answer is that goals within the case plan must be achieved. This hasn't been an easy area of decision making either - mainly because of the quality and trustworthiness of case plans. We have emphasized that case plans are often more about people complying with service attendance and participation and not as much about specific safety related circumstances that ought to exist which would support a return home. Workers sometimes are reluctant to reunify children with parents who have complied with case plans because they doubt that change has occurred.

The grayness of the reunification decision is worsened by an underlying if not stated belief that caregivers must achieve and demonstrate change before children can be returned. That's the speed bump here.

Comprehensive safety intervention advances the concept of conditions for return. The idea is that not everything, including caregiver behavior, has to change for a child to be returned home. What has to happen is certain and specific circumstances have to exist before a child can go home. These circumstances are stated and understood at the time a child is placed. Case plans and case management contribute to the establishment of the conditions for return. Goal achievement, specifically related to caregivers achieving change, is not necessary for reunification to occur. The conditions for return are determined by what it would take to keep a child safe in his or her home. This kind of idea is different than the way reunification decisions have occurred.

### *When Is CPS Done?*

This speed bump to implementation is: not knowing what *done* looks like. Our values and interests are such that we are in favor of people being better off when a case is closed than when it was opened. As a result, CPS intervention systems have been designed to help people:

- alter their lives,
- change their behavior,
- become self-sufficient,
- meet the community standard for good parenting,
- self-actualize,
- attain the ability to meet all their needs,
- have the capacity to manage the troublesome challenges that pervaded their lives at the onset of CPS, and
- have the aptitude to independently solve their problems.

Are you saying, “Aw...come on”? Well, maybe we exaggerate a bit for effect. But, the fact is this speed bump to implementation exists. These lofty expectations may not be spelled out in policy. But they may be implied and

reinforced by the lack of clarity about what constitutes the expected results of a successful intervention.

Comprehensive safety intervention is *done* when specific caregiver protective capacities have been enhanced to the point that a caregiver can protect his or her child independently or through the support of others. Agreeably this is not all that simple or easy, but it is quite focused and measureable. All that a person may be experiencing or concerned with that is troublesome may continue to be at play if sufficient change has occurred so that the person is now protective and/or can enlist and use others to help protect his or her children.

## **Closing**

Our attempt here has been to highlight the idea that myths, folkways and artifacts interfere with implementation. These speed bumps exist as agencies and staff hold onto or are influenced by former ways of doing things. This is not to criticize but to acknowledge that implementation can be a long, arduous process that can be made a bit smoother by self-awareness and the willingness to try out different ways of thinking and doing things. We are challenged by the openness required to be creative enough to set aside what we have believed in for so long to check out whether there truly is a better way or at least options that may ultimately move us to a better way. Finally, we hope the article left the impression that successful implementation cannot occur if only portions of the safety intervention system are implemented.