

November 14, 2019

Via E-mail (pdf) and First Class Mail

Christine Tappan, Associate Commissioner
State of New Hampshire
Department of Health and Human Services
129 Pleasant Street
Concord, NH 03301

Dear Associate Commissioner Tappan:

Thank you for meeting with the Office of the Child Advocate (OCA) together with Director Ribsam, and DHHS Public Information Officer Jake Leon on October 29, 2019 to discuss the Office of the Child Advocate's *System Learning Reviews: Summary Report (SLR Summary Report)* prior to its release. Although not mandated by statute, the OCA has made it a policy to share public reports with the Department in advance. The OCA values input from all viewpoints and endeavors to ensure a collaborative approach to system improvements. By sharing reports in advance, the OCA has been able to incorporate changes to best inform the public and stakeholders. Advance notice also provides the Department time to be prepared to respond to questions with understanding.

I am writing to clarify certain apparent miscommunications and misunderstandings evident since that meeting. Thank you for taking the time to consider the following clarifications and concerns.

Methods of System Learning Review (SLR)

It appears the OCA did not clearly describe the evidence-based design and scientific process of the SLR in the description of methods in the *SLR Summary Report*. During the October 29th meeting, you asked how many child protection social workers (CPSWs) participated in the System Learning Reviews (SLR). The OCA responded there were between 12 and 15. In the Department's statement shared with the media October 30, 2019 that information somehow translated to "... the OCA drew broad conclusions after speaking to about a dozen DCYF staff, representing a small sample of the broader workforce"

Your question at the October 29th meeting was specific to CPSW participants. On page 14 of the *SLR Summary Report*, the OCA outlined participants on SLR teams. In addition to CPSWs (front line staff) the teams also included supervisors, field administrators, the safety specialist, bureau chiefs, other administrators, and other specialty staff. The report summarizes findings from six SLR sessions in six different district offices, each of which included 6-10 DCYF staff.

The SLR is an evidence-based evaluation process that employs the method of facilitated focus groups comprised of persons with expertise in both content and local rationale of the organizational environment where a critical incident occurred. The SLR findings represent the perceptions and actual

lived experiences of individuals operating within the system of interest. The number of participants does not impact the veracity or credibility of those individuals. While the Department's policies and expressed expectations have value in terms of intended operations, the SLR is scientifically designed to systematically uncover actual translation of the administration's intent through the lens of the staff doing the work every day.

To ensure authenticity of SLR summary findings, the OCA conducted member checking, a qualitative research method involving review participants themselves. Member checking ensures findings accurately and credibly reflect what participants said about their authentic experience. In our October 29th meeting and again in the Department's statement shared with the media, it was suggested that the sample of participants in the SLRs was not representative of the entire DCYF staff and therefore not credible. To the credit of all of the DCYF staff participants, I hope this explanation resolves those concerns.

Safe Space for Honesty

The hallmark of safety science is a safe environment in which staff can be open and honest about their experience in the system. The SLR relies upon staff to probe difficult questions as a means of accessing local rationality to explore and explain the experiences of pressures and barriers on casework that may interfere with positive outcomes. This is new and tentative territory for all systems, including DCYF. The OCA has heard and observed in many encounters with DCYF staff over the past 18 months a lingering culture of disempowerment. In the high-risk, highly scrutinized and criticized environment of child protection, DCYF staff at all levels have not historically held the impression that they were encouraged to speak out about system concerns. The SLR is an opportunity for staff to safely share their experiences. Findings represent their collective voices that were systematically accessed in a scientific process. Dismissing the findings of the SLR, therefore, is wholly inconsistent and incompatible with safety science and could potentially threaten the safe space the SLR provides for system learning. The OCA does not believe the Department's intention was to devalue the experience of its staff. The Department's statement and subsequent statements made by you to the media, may reflect misunderstanding of the process and some of the underlying theory and science behind safety science.

Safety Science

The OCA applauds the efforts of the Department to ensure the safety of frontline staff. However, providing safety alert apps and other resources is not, in and of itself, safety science. Safety science is an evaluative science applied to safety-critical systems as a means to identify measures to improve system operating and outcomes. It is an integrated science of human factors engineering, systems engineering, organizational management, psychology, sociology and anthropology. Applied safety science reduces human error through system learning rather than focusing blame on individuals without strengthening the system. By employing safety science, the OCA seeks to contribute to a "safety culture" conducive to active reflection, problem solving and learning, all necessary for improving practice and better outcomes for children. The efforts of the Department thus far, as outlined in the October 30th statement, more accurately describe embracing a culture of safety. The changes described in the Department's statement that have been in effect since 2017 do not describe applied safety science in an evaluative process. The OCA is aware that the Department has committed to incorporating safety science in future

critical incident reviews. Members of the OCA staff have attended trainings designed to introduce safety science to DCYF staff. In fact, participation in OCA SLRs has provided DCYF staff with an advanced orientation to the application of the science. As the OCA has informed the Department previously, the approach has been well-received by all participants. Since the release of the *SLR Summary Report*, the OCA has heard from additional staff expressing that the report accurately and fairly represents their experiences. The degree to which the input of DCYF staff in the process is received and respected by the DHHS administration will predict the success of the Department's internal initiative.

Summary

Changing behaviors or decision-making in DCYF services, requires addressing the context in which those decisions are made. The SLR model is designed to capture and give credit to the perspective of DCYF staff making those decisions. Better outcomes are not created by policies to which the staff are held accountable. Better outcomes are created by providing staff with tools, skills, competencies and supportive environment to meet those outcomes. The *SLR Summary Report* identified that staff deal with overloaded assignments, limited resources like licensed alcohol and drug counselors, limited supports from overloaded supervisors, conflicting policies like the Joint Investigation Protocols that defer to law enforcement investigations over child safety, and other barriers including a cumbersome and inaccessible data system. The SLR, using safety science to examine the experience of the workforce, is intended to illuminate opportunities for creating an environment that enables people to meet the positive outcomes we all want for children and families. Most of the findings in the *SLR Summary Report* address issues already identified as areas in need of strengthening. Some, such as the difficulties with the electronic database Bridges, are being addressed. The findings, therefore, reinforce some of the changes the Department has undertaken, thereby supporting the Department's actions.

By referring to the SLR findings as representative of only "about a dozen DCYF staff" the Department risks giving the impression that it does not value or trust the perspectives of staff doing the DCYF's very difficult work. The OCA is certain that was not the intent of the Department. The OCA hopes this explanation of the SLR process better equips the Department and its leadership to appreciate the SLR findings and the opportunities provided therein, to accommodate the needs of DCYF staff to best serve children and families.

Child Death Assessments

Finally, I want to note an inconsistency in explaining DCYF's assessment of child deaths. The Department's October 30th statement references the 2018 change in DCYF policy "to screen in all child fatalities." In the October 29th meeting, you and Director Ribsam confirmed that there is no policy on the assessment of deaths of children with no previous DCYF history. Likewise, there is no explicit policy posted on the Department's website. You and Director Ribsam explained that, rather than a policy, there was a decision made to review deaths that were unexplained or unexpected as a means to ensure safety of surviving siblings. The decision was not to review all child fatalities, which would be a much larger universe than the nine deaths assessed in the past two years. Given that the majority of those death assessments were closed "incomplete" due to parents declining to be interviewed, it would be in

the Department's interest to establish policy in order to protect DCYF's liability and reputation and ensure consistency in case practice.

Thank you for your time and attention. If you continue to have questions or concerns about the OCA *SLR Summary Report* or the SLR process, please do not hesitate to contact us. The OCA looks forward to continuing its work with DCYF staff in its SLRs, and to the continued collaboration in our shared mission of the best interest of children.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'Moira O'Neill', with a long horizontal flourish extending to the right.

Moira O'Neill, PhD
Director

Copy: Jeffrey Meyers, Commissioner, DHHS
Joseph Ribsam, Director, DCYF
Sherry Ermel, Bureau Chief, DCYF