

EXECUTIVE ORDER NO. 5 - 06

**CHILD WELFARE REVIEW PANEL AND
THE DEPARTMENT OF HUMAN SERVICES**

WHEREAS, meeting the needs of abused and neglected children presents the most urgent mandate and requires the provision of the most complex set of services faced by the human services system; and

WHEREAS, in Philadelphia the Department of Human Services (DHS) is responsible for investigating allegations of abuse and neglect and protecting children who are brought to its attention; and

WHEREAS, although child abuse is often among the most secretive of behaviors and is perpetrated too often on those children least able to protect or speak for themselves, DHS has the extraordinary responsibility to protect a child from being harmed in the privacy of the home by the child's own parent or caregiver; and

WHEREAS, the needs of the children and families served by DHS encompass challenges that include teen parenthood, homelessness, substance abuse, mental health problems and sexual and physical abuse and neglect. Many families face multiple problems that require extensive referrals and coordination with other parts of the human service, education, healthcare and court systems; and

WHEREAS, the scope of DHS's work is considerable. It generally serves children and youth ranging from birth to 18 years old. The DHS system serves more than 100,000 children every year. In fiscal year 2006, DHS received 4,346 new reports of suspected child abuse and neglect, received 11,442 new reports for general protective services, and provided prevention services to 78,385 children. Every day, on average, DHS provides in-home services to more than 8,500 children, provides foster care and residential services to more than 5,800 children and provides adoption-related services to more than 7,000 children; and

WHEREAS, it is imperative that the child welfare system go above and beyond the normal call of duty. The system's failure to perform at a consistently high level can heighten the risk of lifelong scars for a child, permanent impairment, and even death; and

WHEREAS, a child who is not protected by his/her parent or caregiver often must rely on the child welfare system to intervene and protect him. Government must be put on notice everyday to fulfill this extraordinary responsibility; and

WHEREAS, child abuse is preventable, not inevitable. It must not be tolerated. The City of Philadelphia must take every reasonable measure possible to protect each and every child, each and every day, to prevent the loss of any child's life;

NOW, THEREFORE, I, John F. Street, by the power vested in me as the Mayor of the City of Philadelphia, do hereby order as follows:

Section 1. Purposes of this Order

The purposes of this Order are to create a Child Welfare Review Panel that will assist the City in fulfilling its mission of protecting the safety of its children and to provide certain direction to the Department of Human Services in the performance of its work.

Section 2. Creation of the Child Welfare Review Panel

The Child Welfare Review Panel is hereby created as an advisory body to the Mayor. It shall consist of nine appointees of the Mayor, who shall be individuals from within and outside Philadelphia who are either nationally recognized for their knowledge and expertise about child welfare services and/or represent critical stakeholder interests, including child advocates, parents and foster parents, government agencies and professional organizations with a particular role in the child health and welfare system. The Review Panel shall be led by two co-chairs, appointed by the Mayor.

Section 3. Role of the Child Welfare Review Panel

The purpose of the Child Welfare Review Panel is to engage in a comprehensive review process to assist the City by ensuring the immediate safety of all children in its care, reviewing all child deaths in the last five years as outlined below, and recommending reforms in DHS policies and procedures.

Section 4. Duties of the Review Panel

A. Audit Child Safety Assessments. To assist in the process of assuring the immediate and ongoing safety of all children in the DHS system, the Review Panel will conduct an audit of the safety assessments of all children with active cases under DHS. To assure the safety of all children in the DHS system, the following actions shall be initiated immediately:

1. Child Safety Assessments. All children with active cases in the DHS system shall be visited and reassessed for health and safety by a social worker under the direction of DHS. The timing of visitations will be prioritized, with the children in the highest risk level cases visited first. DHS shall immediately make all risk level and service plan changes as necessary based on these assessments.

2. Case Record Reviews. DHS shall review the case record in each active case in the DHS system to assure accurate and timely documentation of investigations and the documentation of the adoption and implementation of appropriate service plans, and shall update and correct all records as necessary.

The Review Panel shall review any such files it deems necessary to determine whether investigations are being accurately and timely documented and that appropriate service plans are being adopted and implemented. The Review Panel will evaluate areas in which any gaps in documentation and service planning exist and propose any necessary corrective actions.

B. Review All Child Deaths. The Review Panel will conduct a systemic case record review of abuse and neglect fatalities in Philadelphia since the beginning of 2002 to identify areas for corrective action to help avoid recurrence of such situations.

C. Recommend Reforms. The Review Panel shall assist in the development of permanent reforms to DHS policies and practices by reviewing DHS policies and practices through, among other things, the audit of child safety assessments and the review of all child deaths cases as outlined above.

1. Identify patterns of conduct and practice among caseworkers, contractors, social workers and administrators that can be improved to protect the safety of children.

2. Review and evaluate DHS procedures for investigating and substantiating child protective service cases, and adopting and implementing service plans, to identify areas that can be improved to protect the safety and lives of children.

3. Develop recommendations to improve all other components of Philadelphia's Child Welfare System, including training, quality assurance, contract and case management, the provision of direct services, case documentation, supervision of employees, and administrative oversight.

Section 5. Cooperation and Implementation

A. All City personnel shall cooperate fully with the work of the Review Panel, shall provide the Review Panel with all documents and information requested by the Review Panel in an expeditious manner and shall provide the Review Panel with the resources and assistance necessary to carry out the Review Panel's duties.

B. DHS and other City personnel shall implement, as further directed by the Managing Director, the recommendations of the Review Panel.

Section 6. Guiding Principles for the Review Panel

A. The Review Panel shall provide independent guidance, and its advice shall be driven solely by consideration of the safety and well-being of Philadelphia's children.

B. The Review Panel's deliberations, findings and recommendations shall be open and transparent to the full extent allowed by state and federal confidentiality laws

and regulations, while respectful of the confidentiality of specific information pertaining to families with cases in the DHS system.

C. The Review Panel will seek input and information from as wide a body of sources as deemed necessary and useful, including outside experts, DHS staff, City officials, DHS clients, other stakeholders in the child welfare system and members of the public. The Review Panel shall utilize focus groups and individual interviews as necessary in this process.

D. The Review Panel and its agents shall have access to all DHS documents and files, subject to the signing of appropriate confidentiality agreements.

E. The Review Panel will both identify currently effective practices in addition to recommending improvements to existing policy and practice.

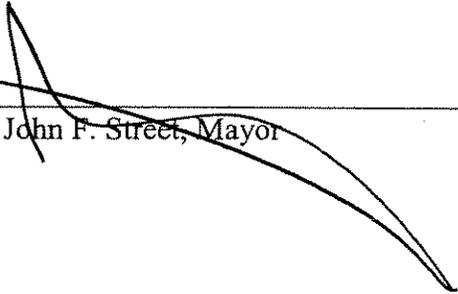
Section 7. Final Report

In addition to any recommendations made during the course of its evaluations, the Review Panel shall provide a comprehensive final report regarding its efforts both with respect to immediate child safety and with respect to practice reforms by May 1, 2007.

Section 8. Effective Date

This Order shall take effect immediately.

Date: Nov. 2, 2006

By: 
John F. Street, Mayor