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SEP 12 2013

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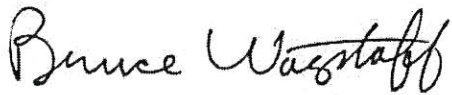
County of Santa Clara

Social Services Agency

333 West Julian Street
San Jose, California 95110-2335

July 1, 2013

TO: Gary Graves
Chief Operations Officer, County of Santa Clara

FROM: Bruce Wagstaff, Director 
Social Services Agency

SUBJECT: Response to Civil Grand Jury Report titled "Improvements are Needed in the Office of the Public Administrator/Guardian/Conservator"

Please accept the Social Services Agency's response to the Civil Grand Jury Report dated May 24, 2013 and forward to the Presiding Judge of the Superior Court. The Office of the Public Administrator/Guardian/Conservator (PAGC) has already implemented or is close to fully implementing most of the recommendations in the report.

The PAGC, in keeping with the Social Services Agency's mission to provide residents of Santa Clara County with high quality, professional financial and protective services, welcomes the constructive findings and recommendations of the Grand Jury. The Agency is pleased to see that a number of the recommendations have already been completed or started. The Agency will move to incorporate the remaining recommendations provided by the Grand Jury.

Responses to Findings and Recommendations

Finding 1 – As of August 2012, nearly two-thirds of the PAGC office Policies and Procedures have not been reviewed or updated for five years or more, as has been recommended by previous reports and audits.

Response – The PAGC does agree that at the time (August, 2012) two-thirds of the Policies and Procedures had not been reviewed. However, since then 80% of all Policies and Procedures have been reviewed.

Recommendation 1A – The County should require the PAGC to establish a completion date for the review and update of PAGC Policies and Procedures.

Response – The PAGC has completed 80% of its Policies and Procedures. The remaining 20% will be completed by December 31, 2013.

Recommendation 1B – The County should monitor the progress toward the timely completion of the review and update of the PAGC office Policies and Procedures.

Response – The Social Services Agency will monitor for completion and require a performance update on December 31, 2013.

Finding 2 – As of February, 2013, less than one-third of the PAGC office Policies and Procedures are available on the department intranet for PAGC staff use.

Response – The PAGC agrees with the finding that as of February 2013 less than 1/3 of the Policies and Procedures were posted to the intranet.

Recommendation 2A – The County should require the PAGC to establish a completion date for the transfer of hard-copy Policies and Procedures to the department intranet.

Response – The PAGC will have 80% of its Policies and Procedures posted to the department intranet by July 1, 2013 and the remaining 20% by January 31, 2014.

Recommendation 2B – The County should monitor the progress toward the timely transfer to the department Intranet of the PAGC office Policies and Procedures

Response – The Social Services Agency will monitor for completion and require performance update by January 31, 2014.

Finding 3 – The PAGC policy (#204) that defines review and revision procedure leaves undefined a maximum review interval for its office procedures.

Response – The PAGC agrees with the finding.

Recommendation 3 – The County should require a maximum review interval for all PAGC Policies and Procedures.

Response – The PAGC has implemented a new policy to have all PAGC Policies and Procedures reviewed every three years.

Finding 4 – The PAGC has no documented process to record and track client or client advocate complaints.

Response – The PAGC agrees with the finding.

Recommendation 4 – The County should require the PAGC to establish Policies and Procedures to record and track complaints against the PAGC.

Response – Effective June 3, 2013, all complaint calls are being documented by the respondent. The complaint/comment sheet is forwarded by the respondent to the PAGC Executive Assistant for posting to the Complaint/Comment Log and is reviewed by the Public Guardian.

Finding 5 – PAGC personnel do not consistently utilize the Panoramic Case Management System.

Response – The PAGC partially agrees with the finding. Panoramic Case Management software is utilized by PAGC staff on a daily basis utilizing functionality that is available in the program.

Recommendation 5A – The County should require PAGC to identify the issues that prevent full use of the Panoramic system.

Response – There are three remaining issues that PAGC shall address which shall allow for fuller usage of the system:

- Creation of a status code matrix for report writing
- A gatekeeper system for role assignment

- Additional staff training

Recommendation 5B – The County should require the PAGC to establish a completion date for resolution of the identified issues preventing the full use of the Panoramic system by the PAGC

Response –

- Status code matrix shall be developed by November 1, 2013.
- Role assignment protocol shall implemented by January 1, 2014.
- Additional training shall be provided by March 1, 2014.

Recommendation 5C – The County should monitor the progress toward the timely resolution of the identified issues preventing the full use of the Panoramic system by the PAGC.

Response – The Social Services Agency will monitor for performance and a completion report will be submitted by the PAGC on November 31, 2013, January 1, 2014, and March 1, 2014.

Finding 6 – The PAGC does not maintain case documents in a standardized fashion.

Response – The PAGC partially agrees with this finding. The PAGC has a file procedure that separates case files as indicated below:

Type of Case Files	Sections Found in Case Files
Probate = Green	Section 1: Correspondence
LPS = Blue	Section 2: Progress Noted and Treatment Plans
LPS/Probate Combo = Yellow	Section 3: Property
	Section 4: Benefits
	Section 5: Current Legal and Inventory
	Section 6: Legal Filing History

However, due to daily heavy usage and the lack of a full-time file clerk the files are not always re-organized after each use.

Recommendation 6 – The County should require the PAGC to establish procedures and standards for the maintenance of case documents in a standardized fashion.

Response – The PAGC will provide an “All Staff Instructional” on proper file organization by September 1, 2013.

Finding 7 – The PAGC does not have clearly delineated personnel responsible for problem solving, maintenance, and training for the Panoramic software system.

Response – The PAGC disagrees with this finding. A full-time extra-help Information Systems Analyst has been working with the PAGC for over five months to date.

Recommendation 7 – The County should require the PAGC to assign the necessary resources to assess and oversee the operation of the Panoramic software system and to provide training and assistance to staff.

Response – A new full-time position has been approved in the County’s FY 2014 budget, and a recruitment process will begin in the first quarter of FY 2014. The Information Systems Department will review the effectiveness of this new position by March 2014 and assess for any additional labor needs at that time.

Finding 8 – Not all PAGC Deputy Public Guardians, Conservators, or Estate Administrators are CAPAGPC (California Association of Public Administrators, Public Guardians and Public Conservators) certified.

Response – The PAGC agrees with this finding. Although the Public Administrator/Guardian/Conservator is certified by the CAPAGPC, not all Deputy Public Guardians, Conservators or Estate Administrators have completed certification.

Recommendation 8 – The County should require that all PAGC Deputy Public Guardians, Conservators, and Estate Administrators be CAPAGPC certified.

Response – The PAGC agrees with this finding. The recommendation to certify all Deputy Public Guardian Conservators and Estate Administrators has been made by the CAPAGPC. All Deputy Public Guardian Conservators and Estate Administrators who work on behalf of the PAGC shall obtain their initial certification. The PAGC has developed a tracking system to monitor completion. Although the CAPAGPC allows up to four years for PAGC staff to complete their individual certifications, the PAGC aims for staff to receive certification within the next 18 months. Appropriate planning will take place with Labor around this timeframe.

Finding 9 – PAGC employee performance reviews, as stipulated by the SEIU Local 521 Performance Appraisal Program Agreement, are not being conducted.

Response – PAGC agrees with this finding.

Recommendation 9 – The County should require that the PAGC conduct employee performance reviews as stipulated by the SEIU Local 521 Performance Appraisal Program Agreement.

Response – Training of staff and supervisors will begin in August 2013, and performance evaluations will be completed on the employee's anniversary date in accordance with the SEIU contract.

Finding 10 – The PAGC does not hold regularly scheduled staff meetings.

Response – The PAGC partially agrees with this finding. The Public Administrator/Guardian/Conservator and PAGC supervisors have been conducting unit and one-to-one staff meetings. PAGC has not monitored the meetings for consistency and content.

Recommendation 10 – The County should require that the PAGC conduct regularly scheduled, mandatory staff meetings for both supervisorial and line staff.

Response – Agendas and attendance will be documented for all meetings beginning July 1, 2013 and will be kept on a PAGC shared computer drive for future review.

Finding 11 – The PAGC does not have a clearly established procedure that governs staff sign-in and sign-out.

Response – PAGC agrees with this finding. The current system provides flexibility for field operations and emergency visits but lacks detailed accountability of each staff member.

Recommendation 11 – The County should require that the PAGC establish a procedure that governs staff sign-in and sign-out as a means of providing accountability for field activities.

Response – PAGC will work with Labor representatives and staff to craft a new time attendance monitoring process. In July 2013, the PAGC will request Labor representatives and staff to participate in a workgroup to address time and attendance.

Finding 12 – The PAGC has not provided training in response to revised job descriptions and responsibilities.

Response to Finding 12 – PAGC does not agree with this finding. The Deputy Public Guardian/Conservator (DPGC) classification that was created by merging Deputy Public Guardian with Deputy

Public Guardian Investigator states that DPGC will be expected to evaluate, secure, protect, and maintain conserved client's assets as part of the complete set of duties. The PAGC conducted training sessions for DPGCs from October 2011 until May 2012. The table below indicates the training sessions and dates held:

Training Subject	Date(s) Held
Stocks and Bonds Inventory and Appraisal	November 9, 2011 and January 25, 2012
Real Property Sales	November 30, 2011 and December 14, 2011
Rental	November 30, 2011 and December 14, 2011
Property Maintenance	November 30, 2011
Training Subject	Date(s) Held
HOA's	November 30, 2011 and December 14, 2011
Taxes	November 16, 2011
Property Rental Evictions	November 30, 2011 and December 14, 2011
Panoramic Functionality to Carry Out Estate Administration	December 14, 2011 January 25, 2012, and April 4, 2012

Recommendation 12 – The County should require that PAGC personnel receive timely training related to their responsibilities.

Response – The PAGC provides ongoing training by holding an annual regional training that is open to PAGC staff at Santa Clara County as well as other counties in and around the Bay Area. Ad-hoc training is provided throughout the year by PAGC supervisors, County Counsel and other county agencies such as Mental Health. The PAGC has previously contracted, and will be contracting again in FY 2014, with a local financial consultant to provide up to ten three-hour conservatorship management / estate administration trainings per year. All training sessions are work related and address various responsibilities involved with the position of Deputy Public Guardian/ Conservator.

Finding 13 – The PAGC does not consistently use training materials or have a training methodology in place for new office personnel.

Response – PAGC partially agrees with this finding. All staff personnel new to Social Services Agency are required to attend SSA New Employee Orientation and Cultural Diversity Training.

Recommendation 13 – The County should require the PAGC to implement a procedure and training module for new office personnel.

Response – Staff Development and Training has implemented a planning process for the creation of a more robust PAGC New Staff Training. Staff Development and Training is working with PAGC to develop the framework for the various components of this training which will include program, soft skills and technology training specific to PAGC staff. The PAGC induction framework will be completed by December 2013. The training will be delivered in a variety of modalities including instructor-led and web-based classes. All new PAGC staff will be required to complete the training.