

Action Plan for improving Fact-Finding in the Child Protection System

Interim Evaluation Study

Summary of report 'Feiten op een rij: een tussenstand'

Summary

Fact-finding in the child protection system

Preface

Under the International Convention on the Rights of the Child, every child has the right to grow up with his parents. If problems arise in the family environment and “the child's development is seriously threatened”, the government is obliged to intervene - in the best interests of the child. It is regulated by law that the government can take measures to remove the threat to the child in the family environment, for example by means of a supervision order and / or out-of-home placement.

Such drastic measures are always far-reaching and have a major impact on the lives of both the child and the parents. It is therefore important that these measures are carefully prepared and substantiated. That they are based on the facts of interest and that these facts are fully reflected in reports and petitions, so that the judge can judge on the basis of the correct facts and circumstances whether a measure should be used, and if so which. Although the obligation to conduct proper fact-finding has received the full attention of the organizations in the child protection system and is also legally enshrined (Article 3.3 of the Youth Act), there is still room for improvement. The Bergkamp motion (D66, 2016) therefore called for an Action Plan that focuses on improving fact-finding in the child protection system

Action Plan

In June 2018, the Action Plan for Improving Fact-Finding in the Child Protection System (Dutch: Actieplan Verbetering Feitenonderzoek in de Jeugdbeschermingsketen; further: Action Plan) was presented to the House of Representatives. This Action Plan has been drawn up by Youth Care Netherlands (JN) on behalf of the Certified Institutions, the Child Care and Protection Board (RvdK), and the National Safe Home Network (VT) - on behalf of Safe Home, in close collaboration with the National Consultation Council for Healthcare (LOC) - on behalf of children and parents. The aim of the Action Plan is to improve fact-finding, decision-making and communication (including with children and parents) in child protection.

Action Plan for Improving Fact-Finding in the Child Protection System

The Action Plan to improve fact-finding in the child protection system; Respect for child, parent and professional, 2018-2021, aims to achieve good fact-finding and substantiated decisions in the child protection system, with the involvement of children and parents.

The plan provides for 21 actions that “can significantly contribute to improving the research of facts and reports in child protection”. The actions are elaborated along the following (action) lines:

Line of action 1: Respectful treatment of children and parents

Line of action 2: Informing and supporting children and parents

Line of action 3: Quality of research and reporting

Line of action 4: Exploration of the legal position of children and parents

The Action Plan has been drawn up by the child protection organizations themselves, represented by: Youth Care Netherlands, the National Child Care and Protection Board and the National Safe Home Network. This was done in close consultation with LOC to safeguard the position of children and parents, and in consultation with other organizations, supported by the ministries of Justice and Security, and Public Health, Welfare and Sport. The national representatives are united in “the core group”¹. This core group also plays a major role in the initial phases of the implementation of the Action Plan.

The Action Plan was presented to the House of Representatives in 2018 and will run until 2021. The implementation of the plan has started in phases. In 2019 (phase 1), the focus was on implementation of national activities by the organizations and national (policy) bodies involved. These preparatory actions were necessary for the upcoming implementation of actions in the working practise. The actual roll-out of these actions on the work floor in the regions is foreseen in 2020 and 2021 (phase 2), the safeguarding thereof in phase 3 (also 2020 and 2021).

The core group appointed a project leader in 2019 to supervise the implementation.

Interim evaluation

The Action Plan was presented to the House of Representatives in 2018 and the implementation of the plan will run from 2019 to 2021. When the plan was presented, the Minister promised to review the situation after two years. The Scientific Research and Documentation Center (WODC) has commissioned DSP-groep to carry out an interim evaluation at the request of the Directorate-General for Penalties and Protection of the Ministry of Justice and Security (JenV). The present study provides for the requested interim evaluation of the Action Plan. The interim evaluation aims to show the progress of implementation of the actions at the end of 2019, and what still can and should be done in the further implementation in 2020 and 2021.

¹ Participants are employees from JN, RvdK, VT and LOC.

Aim and approach of the study

Problem definition

The problem definition is elaborated in the following main questions:

- A. Can the Action Plan achieve the set goals?
- B. What are the results of the Action Plan so far?
- C. To what extent do these develop in the direction of the goals pursued?
- D. Are adjustments / improvements to the Action Plan possible / desirable? If yes, which one(s)?

The problem definition is translated into several research questions, in which successively the potential target range, the implementation and initial results of the various actions, the future and the involvement of children and parents in final evaluation are examined.

Approach

To answer the questions we have used various research methods:

- 🕒 On the basis of documents, we have examined to what extent it is plausible that the four action lines will contribute to achieving the goals of the Action Plan.
- 🕒 Desk research has been used to gain insight into the implementation and formal anchoring of actions.
- 🕒 We have analysed AKJ² registration data to understand the complaints of children and parents about the child protection system (N = 12,153).
- 🕒 To gain insight into the implementation of the Action Plan and the first results, interviews were held with the (national) representatives of Youth Care Netherlands, the Child Care and Protection Board, the National Safe Home Network, the LOC (accompanied by client councils) and the project leader. In addition, we have interviewed representatives of other involved parties (Nji, AKJ, and the Ministry of JenV) (15 (group) conversations).
- 🕒 In order to gain insight into the implementation of the Action Plan in the working practise and the points of attention for implementation, (group) interviews were held at Certified Institutions, the Child Protection Board, and Safe Home organizations in four selected (youth care) regions (sample; 22 professionals spoken).
- 🕒 A final reflection and look-forward session was held with the national representatives of Youth Care Netherlands, the Child Care and Protection Board, the National Safe Home Network and the LOC, the project leader and a representative of the Ministry of JenV (6 participants).

² Advies en Klachtenbureau Jeugdzorg.

Explanation of the results

The results of this study provide an overview of the implementation of the Action Plan, which will run until 2021. The results provide an insight into the state of affairs at the end of 2019, and what can, will or should be done in the next two years to complete implementation and to expect impact from the actions.

In accordance with the planning, the Action Plan has thus far mainly focused on national activities of the organizations involved and national (policy) bodies. Preparations have been made and support has been created, but only limited activities have been started aimed at the working practise, in the regions. The actual implementation on the work floor will take place in the next phase in 2020 and 2021. This means that at the moment results from the action points on the work floor can only be expected to be limited. Furthermore, the interim evaluation is not intended to investigate whether the fact-finding has improved noticeably for children, parents and professionals. That might be part of a later evaluation. Nor does this interim evaluation give a complete picture of what is already happening on the work floor.

Furthermore, we note that the situation of the working practise we describe in this study is based on a sample, namely interviews with 22 professionals in four youth care regions.

Outcome

The research resulted in the following outcome, which we summarize on the basis of the research questions.

A. Reaching the goals

1 *To what extent can the Action Plan lead to the goals set?*

The aims of the Action Plan are to achieve respectful treatment of children and parents; good information provision and support for children and parents; careful, up-to-date and understandable reports; and strengthening the legal position of children and parents. In order to also comply with Article 3.3 of the Youth Act: the obligation to state the facts of interest in reports or petitions completely and truthfully.

On the basis of an initial substantive analysis of the principles (analysis of the policy logic), it was examined whether it is theoretically plausible that the objectives will be achieved with the actions described in the Action Plan. This shows that it is plausible that the actions will contribute to the elements of good information provision and support for children and parents, and the quality aspects of the reports. It is less obvious that the implementation of the Action Plan will immediately lead to a more respectful treatment because the goals and actions are not directly aimed at this. They can contribute to this, but this requires appropriate elaboration and operationalization of the relevant actions. The attitude of the professionals in

general are central to the Action Plan. This attention can lead - but logically not necessary - to more awareness and thus contribute to a more respectful treatment.

The implementation of the Action Plan will not (yet) lead to the strengthening of the legal position of children and parents. Should the actions to be carried out in this context (exploration, research) show that strengthening the legal position is necessary, this could potentially lead to initiatives to strengthen the legal position in the longer term. Provided that appropriate development and operationalization of actions is linked to this.

Finally, when presenting the Action Plan to the House of Representatives, the Minister of Justice and Security indicated that he would implement the actions as practically as possible. This "practical improvement" is "in the best interests of both children and parents." The Action Plan itself therefore states that achieving the set goals is the central focus and that new actions are also being considered when the Action Plan is being elaborated. This means that within the Action Plan there is in principle room for improving and further operationalizing of actions, for example on the basis of the results of the interim evaluation.

B. Implementation and initial results

2 *To what extent, in what way and with what result were the actions in the Action Plan realized? Do bottlenecks, barriers or unforeseen (side) effects occur during implementation? If yes which one(s)? Are there regional differences in implementation? If yes which one(s)? Why?*

The Action Plan has various types of actions. Some actions are national and / or preparatory, others concern the working practise. Some actions are also about perpetuating existing agreements or working methods. It is therefore not always easy to assess to what extent the actions have been realised.

It can be stated that the majority of the actions are in progress: 18 out of 21. These are actions that are committed to (further) achieving respectful treatment of children and parents; good information provision and support for children and parents; careful, up-to-date and understandable reports; and strengthening the legal position of children and parents. At the end of 2019 3 actions were "realized". These 3 realized actions are facilitating and condition-creating actions: it concerns the realization of the so-called 'discussion posters' (dutch: 'praatplaten') and the completion of two study's for action line 4.

For the time being, the main focus has been on preparatory activities - also for the implementation of the Action Plan in the regions. Actions have not yet landed on the work floor in the regions. However, there are already (many) initiatives and desired implementation practices that are in line with the principles of the Action Plan, even without conscious implementation of the Action Plan. The Action Plan appears to improve the promotion, bundling, sharing and scheduling of initiatives.

Based on this research, it is not yet possible to give a complete picture of the current implementation practice in the working practise. That has not been researched either. It is clear, however, that there are regional differences. This is evident from the various initiatives implemented in the different regions.

- 3 *After the Action Plan came into effect, did children and parents receive signals of a changed implementation of the fact-finding and communication? What changes are involved? To what extent do the findings of children and parents agree? Are the changes experienced by children and parents as improvements?*

On the basis of this investigation it is not possible to say whether children and parents have received signals of a change in fact-finding and communication. That has not been researched either. However, it is expected that because no implementation has taken place in the working practise, they have not yet noticed any changes.

C. Looking forward

- 4 *To what extent do the results of the Action Plan develop in the direction of the objectives set?*

Given the initial substantive analysis of the principles and the number of national and preparatory actions initiated, (partial) reach of objectives can be expected in the long term. We note that, at the end of 2019, no goals have been reached yet. The actions have not progressed far enough and implementation has not yet taken place in the regions.

- 5 *Are adjustments / improvements in the Action Plan and / or implementation possible / desirable? If yes which one(s)?*

Adjustments in the Action Plan are currently not desirable according to national stakeholders. The introduction at regional level must take place first. According to the researchers, it is particularly useful to further develop actions with regard to mutual respect. In order to be able to achieve (more possible) effects overall, it should be operationalized in the further elaboration of the relevant actions what professionals should do differently to what they do now.

Stakeholders have identified preconditions and points for attention for the further roll-out of the Action Plan. This includes:

- 🕒 Investing in and maintaining support at executive, management and board level, also in relation to the multitude of other programs (such as Care for Youth, Violence does not belong anywhere and Divorce without Damage).
- 🗣️ Sufficient communication about (the implementation of the Action Plan) fact-finding with regard to professionals in the working practise and children and parents.
- 🕒 Providing the necessary time, and thus paying attention to the pressure in the child protection system (personnel shortages, waiting lists, financial shortages).

- ⦿ Involving children and parents.

Researchers add that in order to bring about change among professionals, constant attention must be paid in the working practise to professionalization and quality assurance. Good support is indispensable in this.

D. Betrekken van kinderen en ouders bij eindevaluatie

- 6 *What is a reliable and valid method to verify with children and parents to what extent the intended improvements in child protection have been achieved with regard to parents and children?*

In two ways it can be reliably and validly verified with children and parents to what extent the intended improvements in child protection have been achieved with regard to parents and children:

- ⦿ by monitoring client satisfaction or client experience;
- ⦿ by monitoring and analysing complaints about fact-finding and reporting.

A monitor must be set up to measure client satisfaction, so that the various organizations measure periodically and in a comparable manner. At the moment, it is not standard practice to conduct client satisfaction surveys, and the organizations interpret this in varying ways.

Organizations do keep track of complaints periodically. They make a distinction between formal complaints (as described in the complaints procedure in the Youth Act) and informal complaints (in which the route to the complaints committee has not been followed). The complaints are (required) reported to the AKJ. This data can be used for a complaint analysis.

There is another indicator that can provide insight into the intended improvements: the increased quality of reports. The quality of the reports can be monitored as part of client satisfaction surveys, but also based on the opinions of professionals and other stakeholders.

Concluding observation

In 2018, a core group consisting of Youth Care Netherlands, the Child Care and Protection Board, the National Safe Home Network and the LOC, in collaboration with other stakeholders and supported by the ministries of JenV and VWS, drew up an Action Plan to achieve improved fact-finding in the child protection system in the Netherlands. In accordance with the implementation plan of the core group, national and preparatory actions were elaborated in 2019. Partly as a result of this focus, there was as yet no clear and active line of communication towards children and parents. The same goes for the professionals in regions. This is on the agenda for 2020 and 2021.

It is difficult to establish causal connections between actions in the Action Plan and results - let alone demonstrate to what extent the Action Plan results in improved fact-finding. For example, there are already (many) initiatives and desired implementation practices that are in line with the basic principles of the Action Plan, even without conscious implementation of the Action Plan. In some cases it is also difficult

to determine when an action is completed. The Action Plan does however seem to encourage, bundle, share and plan initiatives better. Cooperation between the national child protection organizations has also been strengthened and more joint considerations are being made between development threats and unsafe situations.

Given the reason for the Action Plan and the clear message from children and parents to improve fact-finding, it is in line with the expectation to involve children and parents (more) intensively in the further implementation of the Action Plan. For years the organizations have been looking to involve the different parent groups and to maintain a dialogue with the parents, in which there must be mutual respectful treatment.

Improved cooperation between the child protection organizations in the regions with regard to the Action Plan is a precondition for the successful implementation of the Action Plan. There are large differences in forms of cooperation, both within and between organizations. The collaboration could be improved. The planned regional meetings in the subsequent phase of the Action Plan can contribute to this. There are also other movements in the child protection field that focus on improved cooperation.

The Action Plan was presented to the House of Representatives in 2018 and will run until 2021. To say that 18 actions have started and 3 of the 21 actions have been completed, and at present no goals have been reached, does not do all the preparatory work and energy that has been put into it by the organizations justice. Now in 2020 the critical moment arrives at which phase 2 of the implementation will start, the regional roll-out, and the actions should land on the work floor of the child protection organizations. The national kick-off and regional meetings are all planned at the time of writing and, according to the core group, there is a lot of energy involved. Other activities aimed at the further implementation of actions are also planned. This does not alter the fact that the further safeguarding of the actions requires continued support from professionals, their managers and the directors. Even after the implementation of the Action Plan. By ticking off the actions alone, there is no guarantee that fact-finding will improve.

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DSP-groep is een onafhankelijk bureau voor onderzoek, advies en management, gevestigd aan de IJ-oever in Amsterdam. Sinds de oprichting van het bureau in 1984 werken wij veelvuldig in opdracht van de overheid (ministeries, provincies en gemeenten), maar ook voor maatschappelijke organisaties op landelijk, regionaal of lokaal niveau. Het bureau bestaat uit 40 medewerkers en een groot aantal freelancers.

Dienstverlening

Onze inzet is vooral gericht op het ondersteunen van opdrachtgevers bij het aanpakken van complexe beleidsvraagstukken binnen de samenleving. We richten ons daarbij met name op de sociale, ruimtelijke of bestuurlijke kanten van zo'n vraagstuk. In dit kader kunnen we bijvoorbeeld een onderzoek doen, een registratie- of monitorsysteem ontwikkelen, een advies uitbrengen, een beleidsvisie voorbereiden, een plan toetsen of (tijdelijk) het management van een project of organisatie voeren.

Expertise

Onze focus richt zich met name op de sociale, ruimtelijke of bestuurlijke kanten van een vraagstuk. Wij hebben o.a. expertise op het gebied van transitie in het sociaal domein, kwetsbare groepen in de samenleving, openbare orde & veiligheid, wonen, jeugd, sport & cultuur.

Meer weten?

Neem vrijblijvend contact met ons op voor meer informatie of om een afspraak te maken. Bezoek onze website www.dsp-groep.nl voor onze projecten, publicaties en opdrachtgevers.