

The DSP logo consists of the letters 'DSP' in a bold, white, sans-serif font, centered within a solid black square. The background of the entire page is a textured, light beige color. A large, stylized illustration of a hand in a vibrant red color is positioned on the left side, with the fingers slightly curled. A faint, light-colored eye is visible within the palm area of the hand, looking towards the right.

DSP

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

Summary of report 'Hoe te komen tot een verbetering van feitenonderzoek in de jeugdbeschermingsketen'

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Summary

Action Plan for improving 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 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. The fact-finding requirements are legally enshrined in Article 3.3 of the Youth Act.

Action plan

Following persistent criticism of the quality of truth-finding and fact-finding in child protection, the House of Representatives passed a motion in 2016 requesting the government to develop a 'Truth-Finding Action Plan'. This resulted in the Action Plan for Improving Fact-Finding in the Child Protection System (hereafter: Action Plan), which was presented to the House of Representatives in 2018. This Action Plan was drawn up by Youth Care Netherlands (JN) on behalf of the Certified Institutions (GI), 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 Action Plan aims to improve fact-finding, decision-making and communication (including with parents and children) in child protection. The implementation of the Action Plan ran from 2019 to 2021.

Evaluation

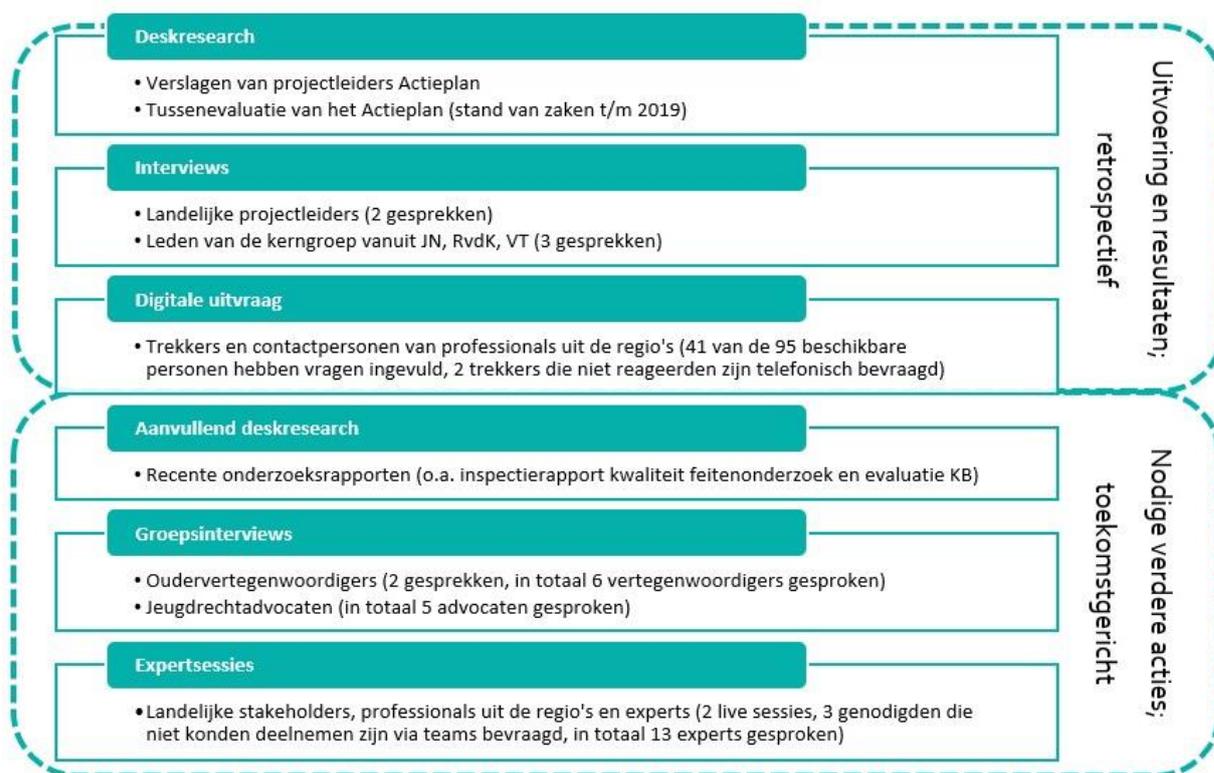
The House of Representatives has been promised that the Action Plan will be evaluated after completion. The Scientific Research and Documentation Centre (WODC), at the request of the Directorate-General for Punishment and Protection of the Ministry of Justice and Security (JenV), commissioned DSP-groep to conduct the evaluation. The present study provides the requested evaluation of the Action Plan. The evaluation is both retrospective, looking back at the implementation and results of the Action Plan, and forward-looking, looking at the actions needed to improve the quality of fact-finding further.

Research purpose and approach

This review addresses the following central questions:

- I. To what extent has the Action Plan been implemented and with what results?
- II. What actions are still needed to improve the quality of the fact-finding process?

To answer the questions, various research methods were used, as shown in the figure below:



No children were interviewed in this study. We assume that parent representatives and juvenile lawyers reason from both the perspective of parents and children. We did not study or review case files, nor did we specifically examine how information and comments from children and parents were incorporated into case files. The study was supervised by an independent supervisory committee set up by the WODC.

Conclusions

The evaluation resulted in the findings below. We discuss the implementation and results of the Action Plan (including the target range and experiences of organisations involved) and further actions to improve the quality of fact-finding.

I Implementation and results Action Plan

Implementation and results

The Action Plan has 21 actions, divided into four thematic lines, aimed at improving the quality of fact-finding. However, the Action Plan goes beyond improving fact-finding alone. In addition to the quality of investigation and reporting, actions focus on treatment, information and support, and the legal position of children and parents in the child protection system. The actions are diverse, ranging from perpetuating agreements already made to new initiatives. The actions also concern different organisational levels: national and regional. This makes it a broadly oriented Action Plan.

In doing so, we note that the actions focus mainly on process goals, especially in the preparatory or preconditional sphere (e.g. realising a discussion poster, conducting a study or embedding actions in guidelines) and less on effect goals (e.g. application of that discussion poster by professionals on the shop floor, translating and applying the knowledge gained or applying those guidelines on the shop floor) that can lead to an improvement in fact-finding. The Action Plan needs to focus on how substantive fact-finding occurs in the child protection system.

The evaluation shows that all actions have been taken up, but all require further implementation or elaboration. Implementation of the Action Plan in the regions still needs to be completed. There are several reasons why actions have not been (entirely) implemented:

- ① It wasn't easy to prioritise the wide range of actions or pick up everything within time because the Action Plan included (too) many action points.
- ① There needed to be more perceived ownership of the project at the regional level among the organisations.
- ① Organisations often needed more time and (financial) resources available to implement the Action Plan. There was "no energy on the Action Plan", according to those involved in most organisations.
- ① Implementing the Action Plan was complex because of the child protection organisations' various organisational forms and geographical divisions. In addition, the organisations have their context and concerns and had to work together on the action points at a regional level, which also posed an additional challenge.
- ① The restrictive measures to battle the corona pandemic worked as an obstacle. As a result, the national kick-off, live regional meetings and other joint live moments were missed where knowledge could be disseminated, and cooperation could be sought and perpetuated.
- ① The pressure on child protection organisations was a huge determining factor in the success/unsuccess of the Action Plan. There are labour shortages, high workloads and capacity problems. In addition, staff turnover is high, making it difficult to perpetuate actions.
- ① Finally, where the Action Plan did deliver something, it was mainly in the regions where a coordinator took a lead.

Results

The actions have resulted in several concrete products, such as discussion posters, information material and an overview of initiatives and good practices. Professionals use these products, but not systematically and not everywhere. A training programme for professionals has also been developed: Facts in the System. The training - incidentally not an action in the Action Plan but an extension - was delivered after the Action Plan's term and has yet to be organised and delivered.

In addition, initiatives and desired implementation practices that aim at, or can contribute to, improving fact-finding have also been deployed independently of the Action Plan.

At the same time, we conclude that all actions require further implementation or elaboration, partly because the actions mainly focus on process goals. The intended changes have yet to be (partially) implemented in the regions.

Goal achievement, impact

Ultimately, the Action Plan aims to achieve a wide range of goals, namely respectful treatment of children and parents; proper information and support for children and parents; accurate, up-to-date and understandable reports; and strengthening the legal position of children and parents. And to (also) comply with Article 3.3 of the Youth Act: the obligation to fully and truthfully state the relevant facts in reports or petitions.

We could not link target achievement to the implementation of the Action Plan. It is impossible to make statements about causal relationships within this study, nor the relationship between implemented actions and the quality of fact-finding. Not only does the Action Plan fail to link the actions to intended, concrete and measurable impact goals, but the actions are also chosen in such a (broad) way that only limited target achievement about the quality of fact-finding can be expected. Furthermore, the actions have only partly landed in the regions, causing expected effects to lag behind. Another reason is that in addition to the Action Plan, other initiatives and desired implementation practices have been deployed that focus on quality elements pursued by the Action Plan.

Stakeholder experiences

Across the board, national child protection organisations, professionals from the regions, parent representatives and lawyers see little improvement concerning the four lines of the Action Plan, although there are nuanced differences. The national stakeholders and professionals from the child protection system range the goals from somewhat achieved to unachieved. Juvenile justice professionals do not see any significant improvement in the quality of fact-finding. Parent representatives believe that implementing the Action Plan has yet to lead to any improvement. All parties indicate that further actions are necessary to achieve improvement in fact-finding.

However, the Action Plan did give some professionals a positive impulse, temporary or otherwise, in the experience of several - but not all - national stakeholders and professionals. They are more engaged than

before in implementing practices that contribute to the quality elements of the Action Plan. Partly due to the Action Plan, initiatives are better bundled, shared and put on the agenda than before, although only in some regions, and there is room for improvement. Cooperation between national child protection organisations is stronger, and more joint assessments of developmental threats and insecurity are made.

Interim conclusion

The urgency to improve the quality of fact-finding has remained strong despite the Action Plan. After all, the Action Plan was implemented only in some places, and follow-up actions are needed. And because of the way in which the actions were chosen, even if they were implemented properly, the objective regarding the quality of fact-finding would not have been met. The actions chosen in the Action Plan are too broad and fragmented, poorly measurable and lack a direct link to the problem.

II Necessary actions to improve quality of fact-finding

Necessary actions

We can distil three main principles from the interviews and sessions with national child protection organisations, regional professionals, parent representatives, lawyers and experts, which should guide improvements in fact-finding. The suggestions relate partly to improvements in the child protection system because they are preconditional. It is striking that none of the suggestions mentioned by stakeholders focuses directly on measuring and improving the quality of fact-finding itself:

- ① Invest in professionals so that they function better and have more time for careful investigation (and training to do so), relationship building and the treatment of parents and children.
- ② Improve parents' and children's (legal) position, creating a more equal discussion and better opportunities for children and parents to express their views.
- ③ Simplify the child protection system, promoting cooperation between organisations and ensuring that parents and children have to deal with fewer organisations, reducing the need for transfers between professionals and improving the relationship-building and treatment of parents and children by professionals.

In more detail, the following suggestions were made.

- ① Suggestions for strengthening the (legal) position of children and parents
 - Better opportunities for children/parents to express their views in their files (including commenting and submitting views).
 - Better opportunities for children/parents to call on independent client support and, if needed further down the line, to use a lawyer.
 - Prefer formal complaints procedures as an ultimatum remedium and identify and discuss any dissatisfaction early with children/parents and professionals.

🕒 Suggestions for organisations and professionals.

- Invest in more knowledge and time for professionals.
- Train professionals in improving the quality of fact-finding and reporting (the training course *Facts in the system* can be used for this purpose).
- Train professionals in a working method based on a recovery-oriented approach seeking a solution to problems (more) with parents and children.
- Develop and use one shared, digital, accessible client file.
- Make more use of client participation, giving parents and children a clearer voice in developments and policy-making in the organisations.

Follow-up of the necessary actions mentioned above can occur within the living labs and the Child and Family Protection Future Scenario - although fact-finding has yet to be explicitly addressed there - but also in the further development of the child protection system.

Conclusion

National stakeholders, professionals from the regions, parent representatives, lawyers and experts indicate that structural changes are necessary for the child protection system to improve the quality of fact-finding. Structural interventions concern both the (legal) position of parents and children and the organisations (including staff shortages).

However, to improve the quality of fact-finding, it is crucial, according to the researchers, not only to look at the preconditions but, above all, to draw attention to the quality of the fact-finding itself. How does it take place in terms of content? Draw attention to monitoring by experts and give attention to any differences in this area between the organisations involved. If one wants to gain insight into the quality of fact-finding and the need for any improvements, a concrete evaluation based on expert monitoring files is called for.

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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.



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