



CHILD PROTECTION OMBUDSMAN

**FISCAL YEAR 2020-2021
PERFORMANCE MANAGEMENT SYSTEM**

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Agency Overview

Background

The Office of Colorado's Child Protection Ombudsman (CPO) was established in June 2010, under Senate Bill 10-171. This legislation provided that the CPO would operate as a program through a contract with a local non-profit agency, issued and managed by the Colorado Department of Human Services (CDHS).

Senate Bill 10-171 was passed in response to the deaths of 12 children in Colorado who were known to child protection services. The deaths of these children in 2007 sparked an outcry by the public that there be greater oversight, accountability and transparency of the child protection system in Colorado. The public demanded to know more about how the systems charged with protecting Colorado's children were keeping them safe and working to prevent such tragedies in the future.

Years after the CPO's creation, legislators determined that the CPO needed independence from the agencies it was designed to review. So, on June 2, 2015, Senate Bill 15-204, Concerning the Independent Functioning of the Office of the Child Protection Ombudsman, was signed into law. This legislation transformed the original "program" into a distinct and independent state agency. The new, independent CPO opened in 2016.

The concept of an ombudsman dates back hundreds of years and is designed to provide citizens with an independent, unbiased and trusted intermediary between the public and an entity. In a similar fashion, the CPO works to provide a clear channel between the citizens of Colorado and the agencies and providers tasked with protecting children. The CPO is guided by standards set by organizations such as the United States Ombudsman Association and the American Bar Association. Using those standards, the CPO serves the public by independently gathering information, investigating complaints and providing recommendations to child protection agencies and providers.

To ensure the accountability and transparency of the CPO and the Ombudsman, the legislature also created the Child Protection Ombudsman Board (CPO Board) in 2015. The CPO Board was the first of its kind in the nation. By law, the CPO Board is required to oversee the Ombudsman's performance and act as an advisory body on strategic direction and outreach decisions by the CPO.

The CPO is now housed within the Colorado State Judicial Branch and is located at the Ralph L. Carr Judicial Center in Denver. Colorado's current Child Protection Ombudsman, Stephanie Villafuerte, was appointed in December 2015 by the CPO Board. Ombudsman Villafuerte took office in January 2016.

Mission

We are innovative change agents committed to informing and reforming child protection systems for children, families and communities.

Vision

Ensuring safety for Colorado's children today and envisioning a stronger child protection system for the future.

Major Agency Functions

Role of the CPO

By design, the CPO serves as an independent, neutral problem solver that helps citizens navigate a complex child protection system in an expert and timely manner. The CPO has independent access to

child protection records that are not otherwise available to the public. This allows the CPO to objectively assist citizens with concerns, investigate issues affecting the child protection system, deliver recommendations and drive systemic reform through research and education. Through objective study the CPO works to improve the delivery of services to children and families within the child protection system.

Responsibilities of the CPO

The CPO was established pursuant to C.R.S. 19-3.3-101 and is responsible for responding to complaints concerning actions or inactions by child protection agencies that may adversely impact the safety, permanency or wellbeing of a child. Child protection agencies are those that receive public funds to protect or care for children. This includes law enforcement, mental health agencies, child welfare services and the Division of Youth Services. All services provided to citizens are free and confidential. The three primary services provided to citizens and stakeholders include information and resource referrals, assists and investigations. These terms are defined below in the “Glossary of Terms.”

Additionally, pursuant to C.R.S. 19-3.3-103(2)(e), the CPO is responsible for informing on systemic changes to “...improve the safety of and promote better outcomes for children and families receiving child protection services in Colorado.” Being uniquely situated to gather and share information with state and non-state entities, the CPO helps facilitate work to enhance the state’s child protection system. The CPO shares recommendations and information through Special Initiatives. This term is defined below in the “Glossary of Terms.”

Glossary of Terms

Assist – This is the most common service provided by the CPO. The CPO works with citizens to clarify what is happening in their specific case, including processes and actions taken by an agency or provider. CPO staff will complete an independent review of relevant records, rule and law. Depending on the complexity and nature of the inquiry, the CPO may contact the agency/provider involved to gain a better understanding about a specific situation. In some instances, the CPO may facilitate communication between the caller and the agency involved in the case with the goal of resolving the problem.

Information and Resources Referral – The CPO provides citizens with information, resources and/or education to help resolve their questions regarding the child protection system. The CPO will speak with a citizen on the phone to learn more about their concern. CPO staff may personally connect the caller with a resource that is best suited to address their question.

Investigation – The CPO will open an investigation if it determines a case may result in recommendations for statutory, budgetary and/or administrative changes to improve the child protection system. A comprehensive, independent study of relevant facts, records and law will be completed. The CPO will interview all relevant parties and may interview subject matter experts. The CPO will contact the relevant agency/provider and release a public investigation report.

Special Initiatives – Projects that leverage comprehensive research, and in certain instances stakeholder engagement processes, to identify and address topics relevant to improving the state’s child protection system.

Jurisdiction and Environment

The CPO receives “*complaints concerning child protection services made by, or on behalf of, a child*”

relating to any action, inaction, or decision of any public agency or any provider that receives public moneys that may adversely affect the safety, permanency, or well-being of a child. The Ombudsman may, independently and impartially, investigate and seek resolution of such complaints, which resolution may include but need not be limited to, referring a complaint to the state department or appropriate agency or entity and making a recommendation for action relating to a complaint.” See C.R.S. 19-3.3- 103(1)(a)(I)(A).

Some examples of agencies/providers the CPO has jurisdiction to review include human service agencies, youth corrections, law enforcement, educators, medical professionals and treatment providers.

Pursuant to C.R.S. 19-3.3-101 to 110, the CPO does not have the authority to:

- Investigate allegations of abuse and/or neglect.
- Interfere or intervene in any criminal or civil court proceeding.
- Investigate complaints related to judges, magistrates, attorneys or guardians ad litem.
- Overturn any court order.
- Mandate the reversal of an agency/provider decision.
- Offer legal advice.

STRATEGIC POLICY INITIATIVES

For Fiscal Year (FY) 2020-2021, the CPO is advancing three performance goals, called Strategic Policy Initiatives (SPI):

SPI 1: Target communications and engagements to better educate and serve citizens and stakeholders.

SPI 2: Implement practices that ensure efficient and effective CPO services.

SPI 3: Establish the CPO as a leader on issues facing the child protection system.

PERFORMANCE MANAGEMENT SYSTEM

Approach

The CPO’s performance management system utilizes the principles of Lean process improvement and is developed to help the agency implement continuous improvements. The agency prides itself on using the best available information to help improve the way it operates for Coloradans. During regularly scheduled staff meetings, the CPO trains staff on its performance management system.

Below illustrates the agency’s approach to defining, measuring, reporting, assessing and improving its performance progress. Details about each of these components are provided in the next section.



Components

The CPO's performance management system is comprised of five components, including:

- **"Define"** reflects the CPO's work to identify the strategies that will help the CPO achieve each SPI.
- **"Measure"** reflects the CPO's monitoring of key metrics that indicate how well SPIs are progressing.
- **"Report"** reflects the CPO's reporting efforts, which are designed to be transparent and accessible, while ensuring accountability and compliance with state law.
- **"Assess"** reflects the CPO's evaluation of metrics to determine areas of opportunity.
- **"Improve"** reflects the CPO's work ensure it is operating effectively and efficiently. These components are completed cyclically and as needed to ensure optimal agency performance.

Below details how the CPO is utilizing these principles for its current SPI.

	SPI 1: Target communications and engagements to better educate and serve citizens and stakeholders.	SPI 2: Implement practices that ensure efficient and effective CPO services.	SPI 3: Establish the CPO as a leader on issues facing the child protection system.
Define	<ul style="list-style-type: none"> - Provide consistent, timely and informative communications to citizens and stakeholders on issues facing the child protection system. - Engage with communities to expand the CPO's statewide presence, to identify emerging issues in child protection and to develop community-specific services. 	<ul style="list-style-type: none"> - Implement practices and procedures that will decrease the amount of Information/Resource Referrals and Assists are open and conversely increase the amount of time CPO staff dedicate to systemic issues affecting the child protection system. - Ensure the CPO is continually analyzing pertinent data and demographic information to ensure its services are best serving children, youth and families in Colorado. 	<ul style="list-style-type: none"> - Identify systemic issues that are pertinent to improving the child protection system. - Allocate agency and staff resources appropriately to ensure Special Initiatives completion and timely impacts. - Ensure the public and/or stakeholders receive notice of Special Initiatives launches and outcomes. - Track and analyze recommendations to monitor CPO's impacts and progress.
Measure	<ul style="list-style-type: none"> - Adherence to internal timelines - Communications emailed - Community outreach events 	<ul style="list-style-type: none"> - Case closure data - Adherence to project management plans - Educational events 	<ul style="list-style-type: none"> - Adherence to project management plans - Communications emailed - Recommendations acknowledged or implemented
Report	Performance progress will be reported to the CPO Board, General Assembly, Executive Branch and Judicial Department, in accordance with state law.		
Assess	The CPO's leadership will assess each measure to determine areas of opportunity.		
Improve	The CPO's leadership will adjust agency operations, as needed, to ensure optimal service for Coloradans.		

Timeline

The CPO's performance management system will align to the following timeline.

June 2020	<ul style="list-style-type: none"> - Research, write, submit and post FY 2020-2021 SMART Act Performance Plan. - Research, write, submit and post FY 2020-2021 SMART Act Performance Management System.
October 2020	<ul style="list-style-type: none"> - Research and write FY 2020-2021 SMART Act Annual Performance Evaluation. - Hold first quarter review meeting with Ombudsman and staff.
November 2020	<ul style="list-style-type: none"> - Submit and post FY 2020-2021 SMART Act Annual Performance Evaluation.
December 2020	<ul style="list-style-type: none"> - Hold second quarter review meeting with Ombudsman and staff. - Research and write FY 2020-2021 SMART Act Quarter Two Performance Evaluation.
January 2021	<ul style="list-style-type: none"> - Submit and post FY 2020-2021 SMART Act Quarter Two Performance Evaluation. - Present to joint legislative committees of reference.
March 2021	<ul style="list-style-type: none"> - Hold third quarter review meeting with Ombudsman and staff. - Research and write FY 2020-2021 SMART Act Quarter Three Performance Evaluation.
April 2021	<ul style="list-style-type: none"> - Submit and post FY 2020-2021 SMART Act Quarter Three Performance Evaluation.
June 2021	<ul style="list-style-type: none"> - Research and write FY 2020-2021 SMART Act Performance Plan.

Conclusion

The Child Protection Ombudsman respectfully submits this report as is required under C.R.S. § 2-7-204.