

Foster Caregiver Review Policy

MCFD Core Policy	Resource Work Policies, Chapter 8 (2019)
Effective Date	2024-01-01
Amendment Date	New policy
Last Review Date:	2023-09-08

A: Policy

This policy is for Quality Assurance staff who undertake Foster Caregiver Reviews and is a reference that can be used to communicate with foster caregivers about the review process.

Foster Caregiver Reviews occur at the request of a foster caregiver (foster parent) after the Ministry of Children and Family Development (ministry), or Indigenous Child and Family Services (ICFS) Agency completes a Family Care Home Investigation (FCHI) or Quality of Care Review (QOCR) that results in a serious sanction (loss of level or closure of the family care home) to their family care home.

These reviews examine whether the ministry or ICFS Agency followed the applicable policies and Principles of Administrative Fairness in completing the FCHI or QOCR and/or clinical judgement of a decision. Foster Caregiver Reviews are enabled through the *Child, Family and Community Service Act* (CFCSA), s. 93.2.

The reviews cannot overturn a practice decision stemming from a FCHI or QOCR.

This policy is intended to:

1. Provide clarity for ministry and ICFS Agency staff and foster caregivers on the Foster Caregiver Review process.

- (a) Foster caregivers require prompt and clear information about what the review entails and its limitations.
- (b) Ensure foster caregivers are aware the review cannot overturn a decision.

2. Outline the foster caregiver review steps and information collected.

- (a) Each step in the review process is listed to ensure transparency.
- (b) Information required for the review is listed to ensure a comprehensive examination.
- (c) Timeframe is provided for the review.

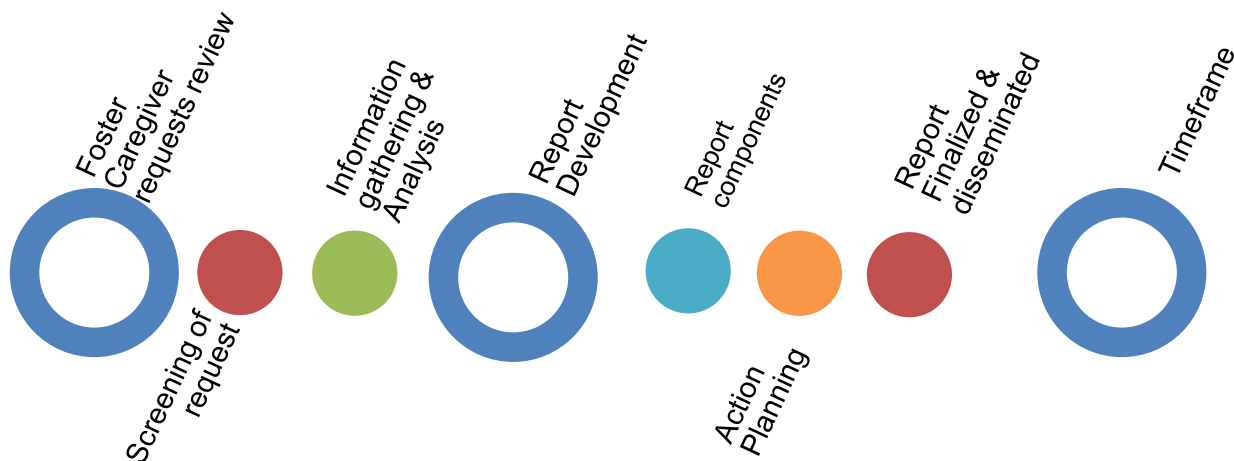
3. Provide Accountability

Quality Assurance staff respond to requests for Foster Caregiver Reviews and communicate with ministry/ICFS Agency staff and foster caregivers about what is involved and what they can expect from the process.

B: Procedures

1. Foster Caregiver Requests a Review
2. Screening
3. Information Gathering and Analysis
4. Report Development
5. Report Components
6. Action Planning
7. Report Finalized and Disseminated
8. Timeframe

C: Policy Visuals



D: Procedures | Detailed

1. Foster caregiver requests a review.
 - (a) Foster caregiver applies in writing by email to the Director of Quality Assurance (dqafpreviews@gov.bc.ca) for a review of the administrative fairness and clinical judgement of a decision that resulted in a serious sanction.
 - (b) This request can be made without a prior attempt of a local review or resolution by a responsible manager (as per Resource Work Policy 8.21, *Dispute Resolution for Caregivers*) if the decision has arisen as a result of a FCHI or QOCR and resulted in a serious sanction.
 - (c) The request for review must be made within 30 business days of receiving communication of the decision about the serious sanction.

2. Screening of Request

- (a) The Director of Quality Assurance receives a request for a review.
- (b) The foster caregiver is contacted and informed of the review process, including the timeframe, collection of information and how the outcome will be communicated.
- (c) The foster caregiver is asked to provide their concerns about the administrative fairness and/or clinical judgement of a decision of the ministry's or ICFS Agency's FCHI and/or QOCR process in writing within ten business days. Review requests are accepted if the FCHI or QOCR resulted in a serious sanction and the foster caregiver outlined their concerns with administrative fairness and clinical judgement of a decision.
- (d) A letter is sent to the foster caregiver within seven business days of confirming the request is eligible for a review outlining the issues that are to be examined and the timeframe for the process. This letter is shared with the leadership of the involved Service Delivery Area or ICFS Agency.
- (e) A review request is declined if there have not been any serious sanctions. Within seven business days of determining the request is ineligible for review the foster caregiver is informed by letter of the reasons why the review request is not accepted and provided options for external reviews (e.g., Office of the Ombudsperson).

3. Information Gathering and Analysis

Documentation for review will include:

- a) Family Care Home Investigation or Quality of Care Review
- b) Reportable Circumstances Report(s)
- c) Foster caregiver's resource file to determine if foster caregivers have been provided with sufficient instruction about fostering and information about education opportunities throughout their fostering career
- d) Child service file, if necessary to answer questions raised by the foster caregiver in relation to the FCHI or QOCR
- e) Policies and standards review:
 - Child Protection Response Policies, Chapter 3
 - Child and Youth in Care Policies, Chapter 5
 - Resource Work Policies, Chapter 8
 - Standards for Foster Homes
 - Administrative Fairness Principles (see Appendix A)
 - Aboriginal Policy and Practice Framework
 - Aboriginal Operational and Practice Standards and Indicators

4. Report Development

- (a) Documents are analyzed to assess whether the ministry or ICFS Agency followed administrative fairness principles and relevant ministry or ICFS Agency policy, standards, and practice guidelines during the FCHI or QOCR. ([Appendix Administrative Fairness Principles](#)).
- (b) The draft report is provided to the leadership of the involved Service Delivery Area or ICFS Agency for their feedback and to verify the factual accuracy of the report.

5. Report Components

Report components include the following:

- *Child's information*: subject and other children-in-care residing in the family care home at the time of the FCHI/QOCR.
- *Foster caregiver's information*: list all individuals related to the foster caregiver that reside in the family care home.
- *Community*: provide the name of the foster caregiver's community (i.e., city, town, village), as well as the names of the Service Delivery Agency/ICFS Agency and their Directors.
- *Circumstances of the FCHI or QOCR*: includes a description of the incident and whether a Reportable Circumstance Report was completed for the child(ren)-in-care.
- *Administrative fairness concerns*: outline the information the foster caregiver provided in response to the administrative fairness and/or clinical judgement of a decision that results in a serious sanction.
- *Actions taken to resolve the foster caregiver's concerns about the final decision* (e.g., whether they contacted the ICFS Agency Manager/Service Delivery Area, Director of Operations), and when the foster caregiver sent their request to the DQA.
- *Status of Other Reviews/Investigations*: Note whether other reviews have occurred and their outcomes (e.g., review by an uninvolved Manager/Director). For ICFS Agency reviews, indicate whether a community review process based on the Aboriginal Operational and Practice Standards and Indicators was offered to the foster caregiver.

6. Action Planning

- a) Schedule an Action Plan meeting with the involved parties if required to address the report findings.
- b) Finalize the Action Plan with agreement from the leadership of the involved SDA or ICFS Agency and add to the report.

7. Report Finalized and Disseminated

- a) Send a final letter to the SDA/ICFS Agency leadership outlining the agreed upon action plan (if applicable) and complete a final letter to the foster caregiver outlining the findings in relation to the eligible administrative fairness concerns. The letters are approved and signed by the Director of Quality Assurance.
- b) Send the final foster caregiver report and letters by email to the involved SDA/ ICFS Agency leadership, as well as the Executive Director of Quality Assurance. A separate email with the foster caregiver review report and letter to the foster caregiver is sent to the involved resource team leader for the purpose of filing the documents on the foster caregiver's resource file.
- c) The final letter is sent to the foster caregiver; the final report is not sent to the foster caregiver. The foster caregiver's letter highlights their right to contact the Office of the Ombudsperson for an alternative review process.
- d) The actions are added to the Action Plan tab in the Integrated Case Management (ICM) system and tracked for completion.

8. Timeframe

- a) The timeframe for a review to be completed is 45 business days from the date the request for review was accepted to the final letter of review findings being sent to the foster caregiver.
- b) The foster caregiver will be contacted by the reviewer every two weeks or more frequently if requested by the foster caregiver to provide information on the status of the review.

E: Related Resources

Type of Resource	Resource (number these)
Policy	Aboriginal Policy and Practice Framework in British Columbia (2015)
Standards	Aboriginal Operational and Practice Standards and Indicators (revised 2009)
Policy	Child Protection Response Policies, Chapter 3 (2019); policy 3.3
Policy	Child and Youth in Care Policies, Chapter 5 (2019); policies 5.3 and 5.4 DCS: Chapter 5 - General Case Management (in.gov)
Policy	Resource Work Policies, Chapter 8 (2019); policies 8.5 and 8.18 to 8.22
Standards	Standards for Foster Homes (1998; updated September 2021)
Legislation	Child, Family and Community Service Act, s. 93.2 (revised 2023)
Other	Administrative Fairness Principles (See appendix H-adapted from Office of the Ombudsperson: Quick-Tips_FBD_standards-overview.pdf (bcombudsperson.ca) and reflected in championsforchange.pdf retrieved from the Representative for Children and Youth (http://rcybc.ca))
Other	Foster Caregiver Review Report template (internal Quality Assurance Branch practice tool)

F: Table of Changes

Amendment Date	Cliff #	Section	Change Type	Notes

Change Type

am = text amended or changed

del = text deleted

new = new section added

G: Glossary

Terms	Definition
Caregiver	A person with whom a child is placed by a director, and who by agreement with the director, is authorized to carry out the rights and responsibilities, under the agreement, of the director (CFCSA, Part 1 Definitions)

H: List of Acronyms

Acronym in Policy	Full Term
CFCSA	Child, Family and Community Service Act
FCHI	Family Care Home Investigation
ICFS	Indigenous Child and Family Services
ICM	Integrated Case Management
QOCR	Quality of Care Review
SDA	Service Delivery Agency

I: **Appendix Administrative Fairness Principles**

Reference: These principles have been adapted from the Office of the Ombudsperson: [Quick-Tips_FBD_standards-overview.pdf \(bcombudsperson.ca\)](http://www.bccombudsperson.ca/Quick-Tips_FBD_standards-overview.pdf) and reflected in [championsforchange.pdf](http://www.championsforchange.ca/championsforchange.pdf) retrieved from the Representative for Children and Youth (<http://rcybc.ca>)

1. **Dignity and Respect**

People are individuals with a unique history who deserve to be treated in a manner which values them, their history and culture.

2. **Communication and Information**

People deserve to be given information regarding their circumstances in a manner which they can understand, that is consistent with legislation, regulations, and policy, and that ensures that confidential information is protected.

3. **Cultural Responsiveness**

People deserve to have their cultural experience and history acknowledged and respected and to receive services that are sensitive and responsive to different cultural communities.

4. Independent and Impartial Review

People deserve to be informed about and have access to a formal process by which an uninvolved person will review decisions. People should be able to speak to the person reviewing the decision, the reviewer must directly review the “evidence” related to the decision; and people should be advised of the Resource Work Policies.

5. Right to be Heard

People deserve to be heard by the decision-makers before decisions are made.

6. Respond to Information about Oneself

People deserve to know how information MCFD/ICFS Agency has about them is used in decision-making. They have a right to respond to information held by MCFD/ICFS Agency, and to know that their responses have been added to the file.

7. Inclusion in Planning

People deserve to be involved in planning and decision making which affects them.

8. Notice of Outcome and Reasons for Decision

People deserve to be advised of decisions which affect them and provided with information on how and why those decisions were made.

9. Timeliness

People are entitled to timely responses and decisions.

10. Clarity of Roles

People deserve to understand everyone’s roles and responsibilities, including their own.

11. Consistency

People deserve to know what legislation, policy and standards apply to decision making. Legislation is supported by policy and adhered to in practice, while policies and standards are to be applied in a consistent manner.

12. Advocacy

People are entitled to have an advocate of their choice present at meetings with staff to provide advice and support.

13. Legal Authority to Act

People deserve to receive those services that the ministry is authorized by legislation, regulations, and policy to provide.

14. Safety from Reprisals

People are entitled to complain or question decisions without fear of negative consequences.

J: Metadata

Description	<p>A policy for Quality Assurance staff who undertake foster caregiver reviews. Foster caregiver reviews occur at the request of a foster caregiver (foster parent) after the ministry or Indigenous Child and Family Services Agency completes a Family Care Home Investigation (FCHI) or Quality of Care Review (QOCR) that results in a serious sanction to their family care home. These reviews examine whether the ministry or Indigenous Child and Family Services Agency followed the applicable policies and Principles of Administrative Fairness in completing the Family Care Home Investigation or Quality of Care Review and/or clinical judgement of a decision. Foster caregiver reviews are enabled through the <i>Child, Family and Community Service Act</i>, s. 93.2.</p>
Keywords	<p>Foster caregiver, foster parent, quality assurance, administrative fairness, clinical judgement, family care home investigation, quality of care investigation, action plan, Indigenous Child and Family Services agency, Child Services file.</p>
Synonyms	<p>Foster parent</p>