

Indigenous Child Welfare Director: Spring 2024 Engagement Summary

April 2024

Context

In collaboration with First Nations, Métis, and Inuit people, B.C. is introducing an Indigenous Child Welfare Director (ICWD) within the Ministry of Children and Family Development (MCFD). The ICWD role is being introduced in response to decades-long advocacy from Indigenous Peoples¹ and organizations.

The ICWD role was introduced to the *Child, Family and Community Services Act* in November 2022 through Bill 38, the *Indigenous Self-Government in Child and Family Services Amendment Act*. In March 2024, [MCFD brought into force the sections of Bill 38 needed to designate the ICWD in their role](#), in anticipation of posting the position in spring 2024.

Engagement Approach

Engagement Phase 1: Throughout spring and summer 2023, MCFD engaged with First Nations, Métis, and Inuit people and organizations on their priorities for the ICWD. This feedback is outlined in the [ICWD Engagement Summary 2023](#).

Engagement Phase 2: Throughout January – March 2024, MCFD conducted distinctions-based² engagement to gather input on the Indigenous Child Welfare Director’s job profile. This included:

- Engagement sessions for all Indigenous partners, First Nations, and Modern Treaty Nations,
- Engagement with Métis Nation BC and Métis service providers,
- Engagement with Indigenous Child and Family Service Agency Directors and Our Children Our Way Society Secretariat; as well as input from the First Nations Leadership Council; and,
- Engagement with the First Nations Justice Council, Métis Commission for Children and Families of BC, and Provincial Director’s Youth Advisory Council.

¹ Throughout document, reference to Indigenous Peoples, partners, children, youth, families, and communities includes First Nations, Modern Treaty Nations, Métis, and Inuit.

² Under B.C.’s [Distinctions-Based Approach Primer](#), “[a] distinctions-based approach, and appropriate respect for Indigenous laws and jurisdictions, means that the scope of rights enjoyed by an Indigenous People is contextual and that the Province’s relations and dealings with First Nations, Métis, and Inuit will be conducted in a manner that is appropriate for the specific context, recognizing and respecting the distinct and different rights, laws, legal systems, and systems of governance of each.” Recognizing the obligations, rights, jurisdictions, and authorities outlined in individual treaties is a critical element of B.C.’s distinctions-based approach.

What We Heard: Summary of Spring 2024 Engagement

The following is a summary of key feedback partners provided during 2024 engagements on the ICWD's proposed approach and job profile. The ministry is currently working to incorporate partner feedback, where possible, into the finalized job profile for the ICWD. A link to the finalized profile will be provided on the [ICWD webpage](#) when it is available.

All feedback gathered from partners will be used to inform the implementation and future development of the ICWD role and division.

We want to express our deep gratitude to everyone who generously shared their time, energy, and feedback to shape this important position.

Topic One: Position and Division

Partners provided feedback that:

- The ICWD should have increased authority and autonomy. To support this, MCFD should consider:
 - Additional legislative changes to further enable the ICWD's independence and support their authority and empowerment; and,
 - Development of a counterpart for the ICWD based in Indigenous community.
- The ICWD must be grounded in, led by, and accountable to Indigenous communities in their reporting structure. This should include a clear framework for the ICWD to be accountable to First Nations, Métis, and Inuit children, youth, families, communities, Indigenous Governing Bodies (IGBs), and Indigenous leadership and organizations.
- The rights and needs of Indigenous youth should have its own distinction in the development of authority and accountability structures, including urban Indigenous youth and the Indigenous members of the Provincial Director's Youth Advisory Council.
- The job profile should explain that the call for the ICWD role originated with Indigenous Peoples and that the ICWD will be working alongside Indigenous communities who are leading the way for their child and family services.
- There must be cross-government, multi-ministry support for the ICWD and a direct link to the Declaration Act Action Plan.
- The ICWD division should be large and include regional representatives connected to local communities to develop distinct relationships using local protocols.
- Because the scope of the ICWD's role is large, they need to have control over a budget sufficient to create the large division needed for success.

Topic Two: Responsibilities and Accountabilities

Partners provided feedback that:

- The ICWD should have responsibility for:

- Ensuring that all Indigenous children and families in B.C. receive substantively equal³ services that are culturally safe and distinctions based,
 - Ensuring services and practice align with and support Indigenous Peoples' inherent jurisdiction over child and family services,
 - Reforming funding models for Indigenous services to support equity, substantive equality, and greater community capacity for services,
 - Sharing information and resources with communities,
 - Supporting prevention services and least disruptive measures,
 - Promoting understanding and alignment with First Nations, Métis, and Inuit kinship and family structures,
 - Overseeing accessible complaints processes,
 - Hearing the voices and concerns of Indigenous staff in MCFD, and
 - Supporting practice improvements and cross-sectoral service coordination for Indigenous children and youth with diverse needs, including those with disabilities and 2SLGBTQIA+ youth.
- The ICWD will need to establish a clear framework, such as an advisory body or council, for early and continued co-development and evolution of the ICWD role in collaboration with Indigenous Peoples.
 - The ICWD should develop separate and distinct relationships with and accountabilities to First Nations, Modern Treaty Nations, Métis, and Inuit.
 - The ICWD needs to have authority for oversight of services for First Nations, Métis, and Inuit children and families to ensure services are rooted in each child's Indigenous culture(s), that equitable funding is delivered, and that information is shared with IGBs and communities.
 - The ICWD should support renewed quality assurance processes and be able to compel changes to practice and services. They should ensure that complaints reach those who have authority to make decisions on an issue.
 - The ICWD needs to have decision-making authority related to policy and meaningful input into legislation.
 - The ICWD needs to be able to determine and administer funding in accordance with the direction given by Indigenous communities.
 - Stronger language should be used in the job profile so that the ICWD is required to plan and implement changes.

³ Substantive equality is a principle that refers to achievement of true equality in outcomes through equal access, equal opportunity and the provision of services and benefits in a manner and according to standards that meet any unique needs and circumstances, such as cultural, social, economic and historical disadvantage. It is a principle for child and family services under both the *Child, Family and Community Service Act* and *An Act respecting First Nations, Inuit and Métis children, youth and families* (Canada).

Topic Three: Experience, Knowledge, Skills, and Abilities

Partners provided feedback that:

- The job profile should include flexibility in education and experience requirements and value lived experience in Indigenous ways of knowing. Some partners noted that requiring a high level of prior work experience could reduce this flexibility.
- The ICWD should understand the distinct identities, histories, and priorities of First Nations, Métis, and Inuit in B.C., including the unique legal position of Modern Treaty Nations and experiences of urban Indigenous people.
- The ICWD should come from or have a strong connection to First Nations in B.C., particularly rural and remote communities. Some partners also noted the value of experience with and understanding of Indigenous Peoples from outside of B.C., to better support Indigenous children, youth, and families from communities outside of B.C.
- The ICWD needs to have knowledge of colonialism, racism, and intersectional discrimination against Indigenous people, as well as a commitment to reconciliation, equity, diversity, and inclusion.
- The ICWD should have extensive experience in Indigenous child and family service delivery, particularly experience within B.C.
- The role should not be limited to those with lived experience of child and family services or with experience of being in care. Some noted that, while this is valuable lived experience, there are many barriers to accessing needed services and requiring this experience could disadvantage potential applicants.

Topic Four: Behavioural Competencies

Partners provided feedback that:

- The ICWD needs to be grounded in a strong vision and act with integrity when championing the priorities of Indigenous Peoples. They need to be able to challenge standard business practices and attitudes and have the courage to hold people to account when needed.
- The ICWD needs to demonstrate excellence and expertise, grounded in their background and cultural knowledge.
- To effectively build relationships with Indigenous Peoples, the ICWD should be approachable and easy to talk to, have an ability to see all sides of an issue, and be able to build understanding.

Topic Five: Hiring Process

Partners provided feedback that:

- The hiring process should look different from a standard public service hiring process and incorporate Indigenous worldviews and practices. This could include focusing on relationality and incorporating storytelling into the process.

- The hiring process should be Indigenous-led and there should be distinctions-based First Nations, Métis, and Inuit community representation at all stages in the hiring process, including Modern Treaty Nations representatives.
 - This should include representatives with service delivery experience and representation from intersectional Indigenous communities, including Indigenous youth and 2SLGBTQIA+ people.
- Effort should be made to support external candidates and those from outside of the Capital Region and Metro Vancouver.
- The hiring process should be transparent to partners, including accessible communications on who is involved in the hiring panel and what stage the process is at along the way.
- Applicants should be supported with culturally safe wellness resources.
- Some partners recommend that the hiring process confirm whether candidates belong to their Indigenous community through letters of support from their community. Some suggested that support should be available for applicants in navigating this process.
- MCFD should hold qualitative interviews with Indigenous people who have previously held positions within MCFD to further explore their experiences and develop a plan to improve the safety, retention, and autonomy of Indigenous people in government.

Topic Six: Implementation Considerations

Partners provided feedback that:

- MCFD must commit to supporting the wellness of the ICWD and their team and provide them with wellness resources to ensure they are well-supported in their role.
- The ICWD should meet with First Nations, Modern Treaty Nations, Métis, and Inuit partners as part of their onboarding process and work with them to gain mutual understanding of what caring for their children should look like.
- The ICWD should hire community-based liaisons as part of their division who can provide Indigenous children a safe place to go and support the child's circle to plan in alignment with community protocols.
- There should be dispute resolution processes for when partners feel their perspectives are not being factored into the work of the ICWD.