

# **Children and Youth in Care Policies – Chapter 5**



**Ministry of Children and Family Development**

**Last Revised: May 21, 2025**

**Operational Child Welfare Policy**

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Chapter 5: Children and Youth in Care	
Policy 5.1(a): Supporting the Cultural Identity of Indigenous Children and Youth in Care	
Effective Date of Policy: June 30, 2017	Amendment Date of Policy: November 25, 2022

### Policy Statement

When an Indigenous child/youth is in care their cultural identity and ties to their family, Indigenous community and heritage are developed, strengthened and nurtured in a way that is meaningful to them and their Indigenous community.

### Outcomes

- Indigenous children/youth's communities are identified.
- Indigenous communities are involved in planning for their children/youth's care, including permanency, based on consultation and cooperation.
- Indigenous children/youth learn about and practise their Indigenous traditions, customs, and languages, and belong to their Indigenous communities.
- Indigenous laws that apply to children and youth in care are identified.

### Standards

1. Involve the child/youth's Indigenous community in planning throughout their time in care.
2. Include cultural planning in the Care Plan of each Indigenous child or youth in care.
3. Confirm whether an Indigenous law applies to a child/youth in care and whether there is an applicable Indigenous authority (follow [Policy 1.1 Working with Indigenous Children, Youth, Families and Communities.](#))

## Procedures

*Note: [Policy 1.1 - Working with Indigenous Children, Youth, Families and Communities](#), drafted in alignment with [An Act respecting First Nations, Inuit and Métis children, youth and families](#) (the federal Act) requires consideration of the best interests of an Indigenous child when making all decisions and taking all actions respecting Indigenous children under the CFCSA.*

### ***Determining if a child/youth is Indigenous***

*Note: Children/youth in care who are identified as non-Indigenous may have Indigenous ancestry that is not known to the director at the time of coming into care. Active and ongoing efforts to determine a child's identity must occur throughout a child/youth's time in care.*

- Adhere to [Policy 1.1 Working with Indigenous Children, Youth, Families and Communities](#) in determining the Indigenous identity of a child/youth in care, including those who are initially identified as non-Indigenous:
  - Make reasonable efforts to obtain information pertaining to a child/youth's cultural identity on an ongoing basis and when any new relevant information is discovered, including but not limited to the following intervals:
    - When a previously unknown parent or family member is identified;
    - Whenever a change of placement or legal status is being considered;
    - When the child/youth's care plan is reviewed, at a minimum of every six months; and
    - If notified by an Indigenous community that the child is Indigenous

### ***Identifying and Involving the Child's Indigenous Community***

- To determine the child's Indigenous community, review any available records and seek information from:
  - Child/youth;
  - Parents;
  - Extended family;
  - Indigenous community closest to where the child/youth lives;
  - Indigenous Child and Family Services Agencies (ICFS Agencies);
  - Off-reserve Indigenous organizations; and/or
  - Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC).
- When a child/youth is not a member of a First Nation but the child age 12 or older or the biological parent of the child under age 12 considers themselves to be Indigenous, speak with the child/youth or the biological parent about the

Indigenous communities and Indigenous organizations listed in Schedule 2 of the [Child, Family and Community Service Regulation](#) to determine which Indigenous community is the child/youth's Indigenous community.

- On learning that a child/youth who was previously not known to be Indigenous may be Indigenous, contact and seek to involve the child's Indigenous community in accordance with an agreement with the director under section 92.1 of the CFCSA if applicable, and determine whether an ICFS Agency should be involved or assume conduct of the file.
- When there are questions about whether a child/youth is Indigenous or about how to involve an Indigenous community where there is no applicable agreement with the director under section 92.1 of the CFCSA, consult with the appropriate regional staff, the closest ICFS Agency, Roots workers, Family Finders, or Family Preservation Worker.
- If direct community connections are not available, contact local Indigenous agencies and organizations for information about events and activities open to or specifically for Indigenous children, youth and families.

***Confirming if Indigenous Laws apply to a child/youth in care.***

- Upon confirming that an Indigenous law applies to a child/youth in care, as outlined in [Policy 1.1 Working with Indigenous Children, Youth, Families and Communities](#), invite the Indigenous authority to be a part of the child/youth's Care Team/Circle.
- See Policy 5.1(b) Indigenous Jurisdiction, for the process to follow upon confirming that an Indigenous law applies to a child/youth in care.

***Registering a Child/Youth for Status under the Indian Act and/or Obtaining First Nation Membership***

- Where a child/youth is a First Nation child (see CFCSA s.1(1) definition), make sure that they are registered for status and/or have membership with the child's First Nation.
- For a First Nation child/youth, ensure that their registration status is known and recorded.
- When working with parents:
  - Request copies of the child/youth's registration and/or First Nation membership from the parents or from the child/youth's First Nation, **or**
  - Make an application to register with the child's First Nation in collaboration with the parents.



- In situations where parents are unavailable or uninvolved, take steps to obtain documentation related to the child/youth's registration or membership for the file by:
  - Asking the child/youth if they have copies;
  - Checking for copies with other involved MCFD/ICFS Agency offices;
  - Requesting copies from the child/youth's First Nation;
  - Making an application to register with the child/youth's First Nation; or
  - Contacting CIRNAC to determine whether they have registration information regarding the child/youth and/or the child/youth's parents or grandparents.
- If a child/youth is not registered, obtain the Declaration of Particulars from Vital Statistics in order to be able to obtain a Certificate of Secure Indian Status.

*Note: Registering for status under the Indian Act can be a sensitive area for a child/youth. Make sure to involve them in discussions about becoming registered for status, in a manner appropriate to their age and developmental level and provide as much information as possible about the implications of the child/youth being registered.*

*Note: When applying to register a child/youth for status under the Indian Act or for citizenship under the Nisga'a Lisims Government or a Treaty First Nation Government, information is available on the [Crown-Indigenous Relations and Northern Affairs Canada](https://www.cbc.ca/news/indigenous/canada-relationships-northern-affairs) website.*

### **Registering for or Seeking Membership or Citizenship with Métis Organizations**

- To determine eligibility and application procedures for registering for or seeking membership or citizenship in Métis organizations contact the organization(s) that represents the child/youth's Métis community, which may include:
  - Métis Nation of British Columbia;
  - Métis Commission; and/or
  - Métis organizations and communities outside BC.
- When there are questions about whether a child/youth is Métis, explore their heritage by consulting the:
  - Child/youth;
  - Parents;
  - Extended family;
  - Local Métis service provider or organization where the child, youth or family has indicated a connection;
  - Métis Nation of British Columbia;

- Métis Commission; and/or
  - Métis organizations and communities outside BC.
- Where a child/youth is entitled, make sure that they are registered with and/or have membership or citizenship within the appropriate Métis organization(s).
- For a child/youth who has identified or has been identified as Métis, ensure that their registration, membership or citizenship is known and recorded.
- When working with parents:
- Request copies of the child/youth's registration, membership, or citizenship from the parents or from the child/youth's Métis organization(s), or
  - Make an application to register and/or seek membership or citizenship with the identified Métis organization(s) in collaboration with the parents.
- In situations where parents are unavailable or uninvolved, take steps to obtain documentation related to the child/youth's registration, membership, or citizenship with the identified Métis organization(s) for the file by:
- Asking the child/youth if they have copies;
  - Checking for copies with other involved MCFD/ICFS Agency offices;
  - Requesting copies from the child/youth's identified Métis organization(s); and
  - Making an application to register or seek membership or citizenship with the identified Métis organization(s).

### ***Obtaining Membership with Inuit Regions***

(including Inuvialuit, Nunatsiavut, Nunavik and Nunavut)

- When there are questions about whether a child/youth is from one of the four Inuit regions, including Inuvialuit, Nunatsiavut, Nunavik and Nunavut, explore their potential Inuit heritage by consulting the:
- Child/youth;
  - Parent(s);
  - Extended family;
  - Relevant cultural organizations in the appropriate region; and
  - [Inuit Tapiriit Kanatami](#), which represents Inuit Nunangat (including the four regions above).
- When a child/youth is from the Nunavut region, explore their potential Inuit heritage by consulting the appropriate sub-region, including:
- Qikiqtani Region – via the Qikiqtani Inuit Organization;
  - Kitikmeot Region – via the Kitikmeot Inuit Organization; or
  - Kivalliq Region – via the Kivalliq Inuit Organization.

- Where a child/youth is entitled, make sure that they are registered with and/or have membership within the appropriate Inuit region.
- For a child/youth who has identified or has been identified as a member of an Inuit region, ensure that their registration and/or membership is known and recorded.
- When working with parents:
  - Request copies of the child/youth's registration and/or membership from the parents or from the child/youth's Inuit region, or
  - Make an application to register with the identified Inuit region in collaboration with the parents.
- In situations where parents are unavailable or uninvolved, take steps to obtain documentation related to the child/youth's registration or membership with the identified Inuit region for the file by:
  - Asking the child/youth if they have copies;
  - Checking for copies with other involved MCFD/ICFS Agency offices;
  - Requesting copies from the child/youth's identified Inuit region; and
  - Making an application to register or seek membership with the identified Inuit region.

***Working Collaboratively with a Child/Youth's Indigenous Community to Support their Indigenous Cultural Identity and Belonging***

- Adhere to [Policy 1.1 - Working with Indigenous Children, Youth, Families and Communities](#) respecting working with Indigenous communities and applying service standards under the federal Act related to placement priorities for Indigenous children, providing notice of significant measures, and promoting attachment and emotional ties with family when separated.
- Guide, encourage, and support the child/youth's contact and involvement with their Indigenous community by:
  - Involving the child/youth, their family, and individuals from their Indigenous community in assessments and development of the Care Plan, in accordance with any agreement in place between the director and the Indigenous community under section 92.1 of the CFCSA, if applicable;
  - With assistance from an Indigenous community member whenever possible, guiding, encouraging, and supporting the child/youth:
    - to learn about and practise their unique Indigenous traditions, customs, and language, in a manner appropriate to their developmental level;
    - to belong to their Indigenous community, including ensuring they develop this sense of belonging in an environment that honours their history, ancestry, and people.

- Providing the caregiver with information about the child/youth's Indigenous community and their traditions, customs, and language.

### ***Cultural Planning for an Indigenous Child/Youth in Care***

- Develop and implement a Care Plan for an Indigenous child/youth, within 6 months of them coming into care, which incorporates cultural planning within the different domains. Refer to [Policy 5.6: Assessment and Planning for a Child/Youth in Care](#), and [Policy 5.7: Putting the Care Plan into Action](#) for more information about Care Plans.
- Plan for the development and support of the child/youth's cultural identity in accordance with [Policy 1.1 - Working with Indigenous Children, Youth, Families and Communities](#) and any agreement in place between the director and the child/youth's Indigenous community under section 92.1 of the CFCSA, where applicable, and in consultation with:
  - The child/youth, maximizing their participation in a manner appropriate to their developmental level;
  - The child/youth's parents, extended family members and others who are significant in their life;
  - A representative of the child/youth's Indigenous community.

*Note: Collaborative Planning and Decision-Making options such as Family Group Conferences, Traditional Decision Making, Youth Transition Conferences and Family Case Planning Conferences can be used to gather information and identify key individuals to assist with the development of the child/youth's cultural planning.*

- Develop cultural planning in accordance [Policy 1.1 - Working with Indigenous Children, Youth, Families and Communities](#) and with any agreement in place between the director and the Indigenous community under section 92.1 of the CFCSA. Where there is no section 92.1 agreement, planning should outline:
  - The steps to be taken at least annually to ensure consultation and cooperation with the Indigenous community (including communities that are outside British Columbia) in the development and implementation of the child/youth's cultural planning, including the mobilizing and forming of a Circle;
  - The identification and involvement of someone from the child/youth's Indigenous community to be the child/youth's cultural contact or mentor;
  - The ways in which the child/youth's participation in culturally specific activities, including traditional customs and activities that are unique to the community, will be promoted and preserved;

- The steps to be taken to facilitate the child/youth's involvement in the Indigenous community's oral history, traditional roles and responsibilities, traditional family systems, traditional diet, language, songs, dances, ceremonies, arts and crafts, sports events, traditional gatherings and practices (e.g., hunting, fishing);
  - The steps to be taken to explore the possibility of the child/youth travelling to their Indigenous community, or to participate in homecoming events where available;
  - How the child/youth will be connected to their culture within the community where they reside if they are not living in close proximity to their Indigenous community.
- When developing cultural plans:
- Seek out cultural centres where traditional culture and languages are accessible through the elders or through youth cultural workers and that, in some communities, incorporate museums, historical research, traditional healing and counselling;
  - In communities that do not have cultural centres, verify whether there is cultural programming by community members or through the Tribal Council at locations such as the school, Band office, community hall, longhouse, big house, or friendship centre;
  - When ongoing personal contact with the child/youth's Indigenous community is not possible, consider:
    - Arranging to have the Indigenous community's newsletter or newspaper sent to the child/youth, or use other methods such as telephone and social media when appropriate with community members on a regular and on-going basis;
    - Seeking out community agencies that might assist the child/youth in visiting their community;
    - Looking for ways to connect the child/youth to their Indigenous culture through peer groups and/or youth conferences or other organizations.
- During Care Plan reviews, discuss with the child/youth and their Care Circle or Team about the effectiveness of the cultural planning in developing and supporting the child/youth's cultural identity and belonging to their Indigenous community.
- Document the cultural planning as part of the child/youth's Care Plan.

*Note: Much of the cultural planning documentation will naturally belong in the Identity domain of the child/youth's Care Plan. However, cultural planning is incorporated throughout the Care Plan within different domains where relevant and appropriate. For more information, refer to Policy 5.7: Putting the Care Plan into Action.*

### **Jordan's Principle**

When there is uncertainty or a dispute over which level or branch of government has funding responsibility for supports and services for an Indigenous child/youth, access information about [Jordan's Principle](#). Note: The application of Jordan's Principle is not limited to situations involving a funding dispute. If there is uncertainty or a dispute about whether an Indigenous law applies to a child/youth in care, ensure the dispute does not result in a disruption in services (see [Policy 1.2 Upholding Indigenous Jurisdiction over Child and Family Services](#)).

<b>Chapter 5: Children and Youth in Care</b>	
<b>Policy 5.1(b): Indigenous Jurisdiction</b>	
<b>Effective Date of Policy:</b> <b>November 2022</b>	<b>Amendment Date of Policy:</b> December 17, 2024

### Policy Statement

If Indigenous law applies to a child/youth in care, the director must provide CFCSA services in a manner consistent with the applicable Indigenous law, following [Policy 1.1 Working with Indigenous Children, Youth, Families and Communities](#), [Policy 1.2 Upholding Indigenous Jurisdiction over Child and Family Services](#) and *Children and Youth in Care Policies* adhering to any coordination and/or s. 92.1 agreement that apply to the child/youth if the Indigenous authority:

- is not providing Indigenous child and family services to the child/youth, or
- provides Indigenous child and family services to the child/youth alongside CFCSA services being provided by the director.

When an Indigenous authority notifies the director that Indigenous law applies to a child/youth under a temporary or continuing custody order and requests the director withdraw from court or have a continuing custody order ended, the director takes steps to withdraw or end the continuing custody order and supports the transition of the child/youth to the Indigenous authority throughout the process.

In circumstances where more than Indigenous law may apply to a child/youth, the director encourages resolution through traditional Indigenous dispute resolution methods if possible, or through Alternate Dispute Resolution (ADR) procedures. Refer to [Policy 1.2 Upholding Indigenous Jurisdiction over Child and Family Services](#) for more information.

For certainty, no action described in this policy is intended to override agreed upon actions in a coordination agreement or s. 92.1 agreement. Ensure relevant coordination agreements and s.92.1 agreements are followed when working with Indigenous children and youth.

## Outcomes

- Indigenous children/youth in care receive available services from their Indigenous communities when an Indigenous law applies to them.
- Indigenous children/youth are cared for by their community's Indigenous law.
- Indigenous children/youth in care experience transitions from the director's care to an Indigenous authority that are as seamless as possible as described in this policy.

## Standards

1. Provide services to a child/youth in care in a manner consistent with the Indigenous law that applies to them, consulting and cooperating with the applicable Indigenous authority, including sharing information with the Indigenous authority as set out in [Policy 1.2 Upholding Indigenous Jurisdiction over Child and Family Services](#) - Appendix I: Information Sharing.
2. If there is a dispute as to whether an Indigenous law applies to the child/youth, ensure there is no disruption of service to the child/youth.
3. Take required steps to initiate the process for withdrawing from court proceedings when an Indigenous authority provides written confirmation that it is, or will be, providing Indigenous child and family services to a child/youth in care under a CFCSA temporary custody order and requests that the director withdraw from court proceedings. Consult and collaborate with the Indigenous authority to develop a plan for the child/youth's transition to the Indigenous authority.
4. Take required steps to initiate the process of having the continuing custody order cancelled when an Indigenous authority provides written confirmation that it intends to have custody under Indigenous law of a child/youth in care under a CFCSA continuing custody order. Consult and collaborate with the Indigenous authority to develop a plan for the child/youth's transition to the Indigenous authority.
5. Continue to provide services to the child/youth under the CFCSA, in a manner consistent with the applicable coordination agreement and/or Indigenous law until the date and time indicated in the Indigenous authority's written confirmation to the director of when it will begin



providing services to, or have custody of, the child/youth. Refer to [Policy 1.2 Upholding Indigenous Jurisdiction over Child and Family Services](#).

6. Ensure that there is no disruption in services to the child/youth in care in situations when there may be more than one Indigenous law that applies to the child/youth. Refer to [Policy 1.2 Upholding Indigenous Jurisdiction over Child and Family Services](#) for Alternative Dispute Resolution methods.
7. Prior to ending CFCSA services, ensure all information is documented in ICM and/or on the Child Service or Family Service records, including the child/youth's Indigenous community or communities and contact name(s), the date, and time of the transfer to the Indigenous authority, and the reason for ending the director's involvement.

## Definitions

*Coordination agreement: The mechanism established under [An Act respecting First Nations, Inuit and Metis children, youth and families](#) for Canada, BC, and an Indigenous governing body to address coordination measures for the exercise of Indigenous jurisdiction over Indigenous child and family services. The Province may enter into a coordination agreement under section 90.1(1) of the CFCSA.*

*Indigenous authority: A body or entity that is authorized by an Indigenous governing body to provide Indigenous child and family services under Indigenous law.*

*Indigenous child and family services: Services provided by an Indigenous authority to support Indigenous children and families, including prevention services, early intervention services and child protection services.*

*Indigenous governing body: An entity that is authorized to act on behalf of Indigenous peoples that hold rights recognized and affirmed section 35 of the [Constitution Act, 1982](#).*

*Indigenous law: A law in relation to Indigenous child and family services that is made in respect of Indigenous children and families by an Indigenous governing body in accordance with the law-making authority of the Indigenous governing body.*

## General

CFCSA section 4.1 requires that the CFCSA be interpreted and administered in accordance with the following principles:

- Indigenous peoples have an inherent right of self-government, including self-determination, that is recognized and affirmed by section 35 of the [Constitution Act, 1982](#) and by the [United Nations Declaration on the Rights of Indigenous Peoples](#).

- the inherent right of self-government includes jurisdiction in relation to Indigenous child and family services, law-making authority in relation to those services and authority to administer and enforce laws made under that law-making authority; and
- Indigenous laws have the force of law in British Columbia.

An Indigenous authority may provide one or more type of Indigenous child and family services. If a coordination agreement and/or Indigenous law applies to a child/youth who is involved with the director under the CFCSA, even if services are not provided under the coordination agreement and/or Indigenous law, a director must act in accordance with the law. Refer to [Policy 1.2 Upholding Indigenous Jurisdiction over Child and Family Services](#).

When taking the steps below, follow terms in the applicable coordination agreement if there is one. If there is a conflict or inconsistency with this policy and a CFCSA agreement (e.g. 92.1 Agreement), coordination agreement or any other agreement that applies to the child/youth, the agreement prevails to the extent of the conflict or inconsistency.

For more information, including definitions of relevant terms, see [Policy 1.2 Upholding Indigenous Jurisdiction over Child and Family Services](#).

## **Procedures**

### ***Working Collaboratively with an Indigenous Authority***

- Provide guardianship services in a manner consistent with the applicable Indigenous law as outlined in [Policy 1.2 Upholding Indigenous Jurisdiction over Child and Family Services](#).
- Share information with the Indigenous authority as set out in [Policy 1.2 Upholding Indigenous Jurisdiction over Child and Family Services](#) Appendix I: Information Sharing.
- When an Indigenous authority informs the director that it intends to provide Indigenous child and family services or have custody of a child/youth in care, provide it with relevant information pertaining to the child or youth in order to support the planning or provision of services and a seamless transition, subject to Appendix I in [Policy 1.2 Upholding Indigenous Jurisdiction over Child and Family Services](#).

*Note: this may occur in advance of an Indigenous authority providing formal notice, as a preliminary step to determine if they wish to provide such notice. Work collaboratively with staff from the Indigenous authority prior to, during and after transfer of the child's care or custody to ensure the Indigenous authority is adequately supported and informed of the needs of the child/youth.*

### ***When multiple Indigenous laws may apply to a child/youth***

- When multiple Indigenous laws apply to a child/youth, as early as possible encourage the applicable Indigenous authorities and/or Indigenous communities

to collaborate on a plan for the child/youth, including, which Indigenous authority will be responsible for providing child and family services under their Indigenous law. The director must consult and cooperate with Indigenous authorities and/or Indigenous communities to support resolving disputes in a timely and objective manner.

- If there is a dispute over which Indigenous authority will provide child and family services to the child or youth, continue to provide services under the CFCSA while the dispute is being resolved, acting in a manner consistent with each Indigenous law to the extent that is possible.
- In circumstances where more than one Indigenous law may apply, the director encourages resolution through traditional Indigenous dispute resolution methods if possible, or through Alternate Dispute Resolution (ADR) procedures. Refer to [Policy 1.2 Upholding Indigenous Jurisdiction over Child and Family Services](#).
- The director should take steps to ensure there is no disruption of services to the child/youth if there is a dispute about which Indigenous law applies to the child.

Refer to [Policy 1.2 Upholding Indigenous Jurisdiction over Child and Family Services](#).

#### ***When a child/youth is in care under a voluntary or special needs agreement***

- Refer to [Family Support Services and Agreements Policy - Chapter 2: 2.3 and 2.4](#) when a child/youth is in care under a voluntary care or special needs agreement and an Indigenous law applies to the child/youth for details on how to proceed.

#### ***When a child/youth is removed***

- When a child/youth has been removed and no interim order has been granted or a child/youth is in care under an interim custody order Indigenous law applies to the child/youth, refer to [Child Protection Policies - Chapter 3: 3.10](#) for details on how to proceed.

#### ***Withdrawal from a CFCSA Court Proceeding or Continuing Custody Order Cancellation***

- The procedures in this section apply if:
  - a child/youth is in care under a temporary custody order and an Indigenous authority has provided written confirmation that it is, or will be, providing services to the child/youth and requests that the director withdraw from court proceedings, or
  - if an Indigenous authority has provided written confirmation that it intends to have custody of an Indigenous child/youth in care under a continuing custody order and requests the continuing custody order be cancelled.
- Ensure the written confirmation includes the following required information:

- The child/youth's name and, if known, date of birth
- The name of the Indigenous authority
- The name of the individual, or the position held by an individual, authorized to accept service on behalf of the Indigenous authority and the relevant address for service.
- Identification of the Indigenous law that applies to the child/youth
- That the Indigenous authority:
  - is or will be providing child and family services in accordance with the Indigenous law identified in the confirmation.
  - intends to have custody of the child/youth under the Indigenous law identified in the confirmation.

*Note: An Indigenous authority may provide written confirmation in CFCSA [Form I](#) or in a format the Indigenous authority chooses as long as the above information is included.*

- Contact the Indigenous authority as soon as possible upon receiving a written confirmation if there is any concern that one or more of the required pieces of information indicated above was not provided in the written confirmation.
- Check the [Repository of Agreements](#) and identify Indigenous law referenced in the written confirmation provided by the Indigenous authority. Consult with a Team Leader, and if necessary Legal Services Branch, if the Indigenous law cannot be identified through the repository and follow up with the applicable Indigenous authority.

*Note: The purpose of identifying the Indigenous law in the written confirmation is to ensure the scope of the Indigenous law and/or coordination agreement covers the type of service and the geographic location that applies to the child/youth depending on the child/youth's legal status and location.*

- If there are any protective intervention orders (PIO) or restraining orders, these orders will not automatically be cancelled when the director withdraws or the continuing custody order is cancelled. The director and the Indigenous authority should discuss any safety concerns prior to cancelling a PIO or restraining order. It is possible for the director to maintain/let expire a protection intervention order at the request of the Indigenous authority, however a restraining order should be cancelled.
- The director should notify the Indigenous authority in advance when it is applying to cancel a restraining order or a protection intervention order.
- Document that the Indigenous authority provided written confirmation and all subsequent actions taken after receiving the confirmation in ICM.
- Any time after receiving written confirmation from an Indigenous authority for a withdrawal from a CFCSA court proceeding ensure timelines regarding ongoing CFCSA court proceedings and/or when an existing order is set to expire are monitored. If there is a possibility that an order may expire or if the matter has

been adjourned and a court date is upcoming consult with a Team Leader about next steps to ensure there are no gaps in the child/youth's care. Ensure that all decisions about next steps are made in consultation and cooperation with the relevant Indigenous authority.

***After receiving Indigenous authority's written confirmation and request to withdraw***

- Inform director's counsel of the written confirmation and request from the Indigenous authority.
- Promptly serve notice under section 48.2(1) of the CFCSA on the following individuals:
  - the child/youth, if 12 years of age or older;
  - each parent;
  - any relevant designated representative, as applicable;
  - any relevant Indigenous authority other than the Indigenous authority that requested the withdrawal, as applicable;
  - the Public Guardian and Trustee if appointed the child's property guardian under section 58 of the CFCSA;
  - a person, other than a director, who has custody of the child under a CFCSA interim order or temporary custody order.

See [Out-of-Care Policies - Chapter 4](#) for withdrawals pertaining to a child/youth in the temporary custody of a person other than the director.

- Ensure applicable Indigenous governing bodies are provided notice of significant measures under the *federal Act*. Refer to [Policy 1.2 Upholding Indigenous Jurisdiction over Child and Family Services](#).
- Serve notice in accordance with [Provincial Court Rules – Rule 6](#) using the following forms for individuals:
  - [Form J – Director's Notification/Notice of Indigenous Authority Confirmation \(Withdrawal\)](#)
  - for each parent, designated representative and any other Indigenous authority other than the Indigenous authority that requested the withdrawal.
    - The Provincial Court Registry in Section I of [Form J – Director's Notification/Notice of Indigenous Authority Confirmation \(Withdrawal\)](#) is the registry at the court location where the CFCSA court file is held. The Court Registry File Number is the number for the existing CFCSA court matter.
    - Provide a copy of [Form 3.1 – Application for an Order Respecting Indigenous Law](#) with [Form J - Director's Notification/Notice of Indigenous Authority Confirmation \(Withdrawal\)](#).

- [Director's Notification/Notice to Child \(Withdrawal\)](#) form for each child over 12 years of age.

- A child over 12 years of age should be served in person. If possible, invite the Indigenous authority to participate in serving the child.

*Note: A child under the age of 12 should still be informed if an Indigenous authority has provided written confirmation and a request that the director withdraw even though they are not required to be formally served, depending on their age and developmental level.*

- [Director's Notification/Notice to Public Guardian and Trustee or Other](#) form for the Public Guardian and Trustee or a person, other than the director, who has custody of the child/youth under a CFCSA temporary custody.
- Complete a [Certificate of Service](#) for each individual served.
- If an individual required to be served notice under section 48.2(1) of the CFCSA cannot be located or otherwise served consult with a Team Leader and director's counsel.
- Request director's counsel check the court file to determine if any application has been made by an individual entitled to make an application. This is to be done 8 days after the last individual entitled notice was served.
- If an application was made see *Application for an Order Respecting Indigenous Law* below.
- If no application was made promptly, without delay, notify the applicable Indigenous authority in writing using the [Outcome of Notification/Notice Period](#) form of the following (CFCSA s. 48.2(1)):
  - That no application has been made;
  - Any other information the director considers relevant, including if an application was made and the applicant does not intent to proceed with the application.
- Obtain written confirmation from the Indigenous authority of the date and time the Indigenous authority will provide, or continue to provide, Indigenous child and family services in relation to the child/youth (CFCSA s. 48.4(2)). The Indigenous authority may do this at any time they chose.
- Inform director's counsel of the date and time the Indigenous authority provided so the matter can be put on the CFCSA Family Court List Day in the applicable community after the date and time provided by the Indigenous authority.
- Complete a [Form G - Report to Court Withdrawal](#) and present it in court after receiving confirmation of a court time (CFCSA s. 48.4(3)).

***After receiving Indigenous authority written confirmation of intention to have custody***

- Inform director's counsel of the written confirmation from the Indigenous authority.

- If the written confirmation pertains to a child/youth who has been in care under a continuing custody order for more than five years, contact the Provincial Court Registry where the continuing custody order was made and request the court file be returned to the registry from offsite storage.
  - Promptly serve notice under section 50.02(2) of the CFCSA on the following individuals:
    - the child, if 12 years of age or over;
    - each parent;
    - the parties to the proceeding in which the continuing custody order was made.
    - any relevant designated representative, as applicable;
    - any relevant Indigenous authority other than the Indigenous authority that requested the continuing custody order cancellation, as applicable.
  - Ensure applicable Indigenous Governing Bodies are provided notice of significant measures under the *federal Act*.
  - Serve notice in accordance with [Provincial Court Rules – Rule 6](#) using the following forms for individuals:
    - [Form K – Director’s Notice of Indigenous Authority Intention to Have Custody](#) for each parent, designated representative and any other Indigenous authority other than the Indigenous authority that requested the withdrawal.
      - The Provincial Court Registry in Section I of [Form K](#) is the registry at the court location where the continuing custody order was granted. The Court Registry File Number is the same number of the court file for the continuing custody order application.
      - Provide a copy of [Form 3.1 – Application for an Order Respecting Indigenous Law](#) with [Form K – Director’s Notice of Indigenous Authority Intention to Have Custody](#).
    - [Director’s Notice to Child \(End CCO\)](#) form for each child.
      - A child over 12 years of age should be served in person. If possible, invite the Indigenous authority to participate in serving the child.
- Note: A child under the age of 12 should still be informed if an Indigenous authority has provided written confirmation and a request that a continuing custody order be cancelled even though they are not required to be formally served, depending on their age and developmental level.*
- Complete a [Certificate of Service](#) for each individual served.
  - If an individual required to be served notice under section 50.02 of the CFCSA cannot be located or otherwise served consult with a Team Leader and director’s counsel.



- Request director's counsel check the court file to determine if any application has been made by an individual entitled to make an application. This is to be done 11 days after the last individual entitled notice was served.
- If an application was made see procedures in *Application for an Order Respecting Indigenous Law* below.
- If no application was made promptly, without delay, notify the applicable Indigenous authority in writing using the [Outcome of Notification/Notice Period](#) form of the following:
  - That no application has been made;
  - Any other information the director considers relevant, including if an application was made and the applicant does not intent to proceed with the application.
- Obtain written confirmation from the Indigenous authority of the date and time the Indigenous authority will provide, or continue to provide, Indigenous child and family services in relation to the child/youth. The Indigenous authority may do this at any time and may also provide a date and time at a later date.
- Inform director's counsel of the date and time the Indigenous authority provided so the matter can be put on the CFCSA Family Court List Day in the applicable community after the date and time provided by the Indigenous authority.
- Complete a [Form H - Report to Court - Continuing Custody Order Cancellation](#) and present it in court after receiving confirmation of a court time.

### ***Application for extension - Withdrawal and CCO Cancellation***

- An individual provided notice who is entitled to make an application may apply to the court for an extension of the time period to make an application. The application must be made before the end of the time period the individual provided notice has to make an application (e.g. 7 days for withdrawals and 10 days for continuing custody order cancellations). Information pertaining to how an individual may make an application for an extension is included in [Form J - Director's Notification/Notice of Indigenous Authority Confirmation \(Withdrawal\)](#) or [Form K – Director's Notice of Indigenous Authority Intention to Have Custody](#).
  - If an individual serves the director notice of a hearing related to an application for an extension, the director must serve notice to the Indigenous authority that provided the written confirmation to the director of the date, time and place of the hearing at least two (2) days prior to the hearing related to the application for an extension.
  - Inform the Indigenous authority in advance of formally serving notice of an application, if an application for an extension is anticipated or has been made by an individual, if possible.
  - Inform director's counsel upon being served notice of a hearing related to an application for an extension.



### ***Application for an Order Respecting Indigenous Law – Withdrawal***

- The following individuals are entitled to make an application ([Form 3.1 – Application for an Order Respecting Indigenous Law](#)) to determine whether Indigenous law applies to a child/youth in care under a temporary custody order and have seven (7) days after the date they were served notice to make an application (CFCSA s. 48.3(2)):
  - each parent;
  - any relevant designated representative, as applicable;
  - any relevant Indigenous authority other than the Indigenous authority that requested the withdrawal, as applicable.
  - In very rare circumstances, a director may make an application for an order respecting Indigenous law. A decision to proceed with the application can only be made with approval of the Provincial Director of Child Welfare.
- The individual (applicant) after making the application, must serve notice of the application on the director at least 12 days before the date set to hear the application in accordance with [Provincial Court Rules – Rule 6](#).
- Upon receiving notice of the application from the individual (applicant) for a child/youth in care under a temporary custody order, promptly serve notice of the time, date and place of the hearing of the application on the following at least 10 days before the date of the hearing application in accordance with [Provincial Court Rules – Rule 6](#) :
  - the child, if 12 years of age or older;
  - each parent;
  - the Indigenous authority;
  - any relevant designated representative, as applicable
  - any relevant Indigenous authority other than the Indigenous authority that requested the withdrawal, as applicable;
  - the Public Guardian and Trustee if appointed the child's property guardian under section 58 of the CFCSA;
  - a person, other than a director, who has custody of a child under an interim order or temporary custody order under the CFCSA.
- If an individual cannot be served within 10 days of the hearing, consult with a Team Leader and director's counsel.
- Ensure that all parties are informed of the availability of alternative dispute resolution methods.
- The director must consult and cooperate with Indigenous authorities and/or Indigenous communities when an application is made to support resolving the matter in a timely manner.

- Ensure timelines regarding ongoing CFCSA court proceedings and/or when an existing order is set to expire are monitored if there is an application made, including if there is a plan to use alternative decision-making methods such as mediation or culturally specific traditional dispute resolution methods. If there is a possibility that an order may expire or if the matter has been adjourned and a court date is upcoming consult with a Team Leader about next steps to ensure there are no gaps in the child/youth's care. Ensure that all decisions about next steps are made in consultation and cooperation with the relevant Indigenous authority. Follow Chapter 5 – Child and Youth in Care Policies for children/youth in care until a resolution is reached regarding the applicability of Indigenous law.
- If the court orders that the Indigenous law applies, withdraw as outlined in the sections above.
- If the court orders that CFCSA proceedings continue, any existing CFCSA order remains in place and the director follows the applicable policies.

### ***Application for an Order Respecting Indigenous Law – Maintaining Continuing Custody Order***

- The following individuals are entitled to make an application using [Form 3.1 – Application for an Order Respecting Indigenous Law](#) that a continuing custody order be maintained for a child/youth in care under a continuing custody order and have ten (10) days after they were served notice to make an application:
  - each parent;
  - the parties to the proceeding in which the continuing custody order was made;
  - any relevant designated representative, as applicable;
  - any relevant Indigenous authority other than the Indigenous authority that requested the withdrawal, as applicable.
  - In very rare circumstances, a director may make an application for an order respecting Indigenous law. A decision to proceed with the application can only be made with approval of the Provincial Director of Child Welfare.
- The individual (applicant) after making the application, must serve notice of the application on the director at least 12 days before the date set to hear the application in accordance with [Provincial Court Rules – Rule 6](#).
- Upon receiving notice of the application from the individual (applicant) for a child/youth in care under a continuing custody order, promptly serve notice of the time, date and place of the hearing of the application on the following at least 10 days before the date of the hearing application in accordance with [Provincial Court Rules – Rule 6](#).
  - the child, if 12 years of age or older;
  - each parent;

- the relevant designated representative, as applicable
  - the Indigenous authority;
  - the Public Guardian and Trustee.
- If an individual cannot be served within 10 days of the hearing, consult with a Team Leader and director's counsel.
- Ensure that all parties are informed of the availability of alternative dispute resolution methods.
- The director must consult and cooperate with Indigenous authorities and/or Indigenous communities when an application is made to support resolving the matter in a timely manner.
- Ensure timelines regarding ongoing CFCSA court proceedings and/or when an existing order is set to expire are monitored if there is an application as to whether Indigenous law applies made, including if there is a plan to use alternative decision-making methods such as mediation or culturally specific traditional dispute resolution methods. If there is a possibility that an order may expire or if the matter has been adjourned and a court date is upcoming consult with a Team Leader about next steps to ensure there are no gaps in the child/youth's care. Ensure that all decisions about next steps are made in consultation and cooperation with the relevant Indigenous authority. Follow Chapter 5 – Child and Youth in Care Policies for children/youth in care until a resolution is reached regarding the applicability of Indigenous law.
- If the court orders that the Indigenous law applies, the Indigenous authority must provide written confirmation of the date and time when it will have custody of the child/youth.
- If the court orders that the Indigenous law does not apply, the continuing custody order remains in place.

#### ***Upon the Director's Withdrawal or Continuing Custody Order Cancellation***

- Where applicable, any supervision order or order under s.97(5) (agreements and orders for child support) that are in effect will be cancelled.
- If an order under s.97(5) is cancelled, any arrears owing in respect of that order are not cancelled.
- Any access order will end upon withdrawal or cancellation of a CCO.
- If there are any PIO or restraining orders under the CFCSA, these orders will not automatically be cancelled when the director withdraws. It is possible for the director to maintain/let expire a protective intervention order at the request of the Indigenous authority, however a restraining order should be cancelled.
- The director should consult and cooperate with the Indigenous authority and work with director's counsel when it is applying to cancel a restraining order or a protective intervention order.

- Where applicable, applications for CFCSA court orders will also end, including any application for a continuing custody order.

### ***After the Withdrawal or Cancellation of Continuing Custody Order***

- The procedures below apply any time after an Indigenous authority has provided written confirmation and a request that the director withdraw from court proceedings or that a continuing custody order be cancelled. Working in consultation and collaboration with a child/youth's Indigenous community and Care Circle or Team should occur wherever possible throughout the various stages of withdrawing from court proceedings or cancellation of a continuing custody order.

### ***Planning for Transition to an Indigenous Authority***

- Work collaboratively with the Indigenous authority when planning to transition a child/youth in care to its care or planning for a child/youth in care to receive services from the Indigenous authority, to support a transition that is as seamless as possible.
- Activities related to transferring responsibility for a child/youth in care to an Indigenous authority will vary depending on the Indigenous authority's plans for the child/youth's care and the timing of the transfer.
- Ensure planning for the child/youth's transition to an Indigenous authority involves the following individuals in the child/youth's life, as appropriate: the parent(s), extended family, the Indigenous community or communities, members of the Care Circle or Team, caregiver, other trusted adults.
- Ensure all medical services, including doctor's offices, clinics, assessment centres are informed of the child/youth's transition and provided information on who to contact.
- Ensure that the child/youth's school and other supports who may not be part of the Care Circle or Team are informed of the child/youth's transition.
- Ensure that all active safety concerns pertaining to the child/youth have been discussed with the Indigenous authority, are properly documented and that a plan has been made to ensure the safety and well-being of the child/youth.

### ***Informing and supporting children/youth in care***

- Upon receiving a written request from an Indigenous authority to withdraw from CFCSA court proceedings or to have custody of a child/youth in care under a continuing custody order, meet with the child/youth in person to inform them of what will occur, include the Indigenous authority in this meeting if possible. Ensure this is done in a way that is developmentally appropriate.
- Facilitate the child/youth meeting the Indigenous authority and support the relationship leading up to the transition, if possible.
- Determine who has important relationships with the child/youth, including their parent(s), extended family, Indigenous community or communities, members of

the Care Circle or Team, current caregiver and involve these individuals in discussions with the child/youth about the transition, if appropriate. The most current information should be collected from the caregiver; see below for information on working with the resource worker and caregiver.

- Inform the child/youth in person as soon as possible when the Indigenous authority has confirmed the date and time when it will be providing services or have custody of the child/youth.

***Working with the caregiver to support a child/youth's transition to an Indigenous authority***

- Upon receiving a written request to withdraw from CFCSA proceedings or written confirmation that an Indigenous authority intends to have custody of a child/youth in care, liaise with the resource worker for the caregiver and make a plan about who will be responsible for which aspects of the transition as it pertains to the caregiver and placement (See [Chapter 8 - Resource Work Policies](#) for more details; see below for information on liaising with the rest of the care team)
  - Ensure this involves a flow of information to the caregiver so they remain informed and able to support and facilitate transition to the Indigenous authority that is as seamless as possible.
- Wherever possible, meet with the resource worker and the child/youth's current caregiver in person to discuss the transition. More than one meeting may be required depending on the child/youth's needs and the complexity of their needs.

*Note: Although a concrete timeline may not be available at this stage, a caregiver should be provided with as much notice as possible so they can prepare the child/youth in care, themselves, their family and other children and youth in care in their home for the transition. See Policy 5.5 – Working in Collaboration with Caregivers.*

- Facilitate communication between the caregiver and the Indigenous authority, if appropriate.
- Work with the resource worker to request the caregiver complete the Child's Routine form prior to the transition.
  - Work with the resource worker to ensure the caregiver receives support in completing this form.
- Collect all original identification from the current caregiver and ensure it is transferred to the Indigenous authority.
- Support the child/youth and the current caregiver through the transition process.

*Note: once a child/youth has left the caregiver's home and is receiving Indigenous child and family services from an Indigenous authority, contact with the caregiver is at the discretion of the Indigenous authority. The resource worker can support the caregiver to have discussions with the Indigenous authority about this prior to the transition.*

### ***Working with the Care Circle or Team to Support Transition***

- Upon confirming that an Indigenous law applies to a child/youth in care, as outlined in [Policy 1.1 Working With Indigenous Children, Youth, Families and Communities under the CFCSA](#) invite the applicable Indigenous authority to be a part of the child/youth's Care Circle or Team (even if a formal confirmation has not been received from the Indigenous authority').
- Upon receiving a written confirmation from an Indigenous authority, inform the child/youth's Care Circle or Team, including the child/youth's parent, if appropriate. See Policy 5.4 – Working in Collaboration with Caregivers for who should be part of the Care Circle or Team.
- If the child/youth is receiving services from Children and Youth with Support Needs, Child and Youth Mental Health (CYMH) and/or Youth Justice Services, ensure contact is facilitated between these services and the Indigenous authority.
- If a Care Circle or Team member's involvement will be ending, ensure that all documents pertaining to their involvement are on the child/youth's record.
- When the date and time the Indigenous authority will provide services or have custody arrives, ensure that Care Circle or Team members are advised. Collect all updated information from them for transfer to the Indigenous authority.

*Note: Best practice would be to ensure that all updated information from the Care Circle or Team would be incorporated into the Care Plan. However, depending on the date and time of transfer, this may not be possible.*

### ***Supporting a Child/Youth with a Transition***

*Note: This refers to a child/youth's physical change in living arrangements when an Indigenous authority has taken custody of an Indigenous child/youth in care.*

- Support the child/youth throughout the change in living arrangements by answering questions and providing necessary information. When the child/youth has been in one placement for an extended period of time (e.g., several years) make extra efforts to support them in understanding why the change is occurring in a developmentally appropriate way and involve the Indigenous authority if possible.
- When appropriate, involve the child/youth in the packing of personal belongings, and ensure that they have luggage and other appropriate containers as needed for their belongings.
- Ensure that the child/youth takes their personal belongings with them. This includes, but is not limited to, special equipment required for the child/youth's care as well as belongings that have a sentimental value such as toys, jewelry, pictures, and keepsakes.
- Arrange for the child/youth to obtain adequate prescription medication to last them until well after the transition to the Indigenous authority.
- Arrange for the child/youth to receive medical, dental, and/or optical care prior to leaving care, as needed.



- Work collaboratively with the Indigenous authority to ensure minimal disruption to the child/youth's relationships, school and community activities.
- When the child/youth will continue to attend the same school, notify the school about the transition to the Indigenous authority and who the contact person or people will be at the Indigenous authority. If the child/youth's legal status has changed, inform the school of this.
- Involve the child/youth, parent(s), extended family members, caregivers and other significant persons, if appropriate, when planning for the transition to the Indigenous authority.
- Provide the child/youth with all relevant information, documents and assistance necessary to facilitate the transition to the Indigenous authority, as appropriate.
- If the Public Guardian and Trustee (PGT) is property guardian for the child/youth (under all CCOs and some TCOs), provide adequate notice for the PGT to be involved in planning for the child/youth leaving care, including management of RDSP funds for youth with support needs if required. See 5.6 – Involving the Public Guardian and Trustee.

### ***Preparing the Care Plan, Transition Recording and Supplemental Information for Transfer***

- Ensure the Care Plan is reviewed and reflects the current circumstances of the child/youth or that relevant supplemental information is provided where the Care Plan may no longer be up to date.
  - The Care Plan is reviewed in preparation for the child/youth leaving care in accordance with 5.7 - Assessment and Planning for a Child/Youth in Care where possible.
- All Care Plan domains (Identity, Health, Education, Placement/Living Arrangement, Legal, Self Care and Independence, Permanency Plan) should be considered in the review described above to reflect the status of the child/youth at time of transfer.
- Ensure that a standard Transfer Recording is complete, including all details of the Indigenous authority transfer.
- Ensure that all Reportable Circumstances are clearly documented and that any active Reportable Circumstance files are up to date.
- Ensure all medical records are up to date and that details of any medical issues e.g. physical health, mental health, cognitive, are clearly documented.
- Ensure the child/youth's caregiver and Care Circle or Team is consulted to contribute to the Care Plan or supplemental information if possible.

### ***Closing the Child/Youth's File after Transition to an Indigenous Authority***

- Ensure all information on ICM is documented and up to date.

- Ensure the Legal Screen on ICM is up to date and reflects the withdrawal from court proceedings or cancellation of the CCO.
- Ensure that a Transfer Recording is complete.
- Ensure the Child Service and/or any applicable Family Service file is closed on ICM.



<b>Chapter 5: Children and Youth in Care</b>	
<b>Policy 5.2: Assuming Responsibility for a Child/Youth in Care</b>	
<b>Effective Date of Policy:</b> <b>June 30, 2017</b>	<b>Amendment Date of Policy:</b> September 21, 2024

### **Policy Statement**

There is an understanding of the director's guardianship authority, duties and responsibilities to children in care, as well as the child/youth's circumstances.

### **Outcomes**

- Children/youth in care have safe and stable placements.

### **Standards**

**5.2(1)** Gather and document information about the child/youth's history and current circumstances:

- to assist with finding a placement that will best address the child/youth's needs; and
- update the information at regular intervals based on Care Plan timelines, or when there are significant events in the child/youth's life, including a change of placement.

### **Definitions**

**Hazard:** Something that could potentially physically harm or have an adverse physical effect on a child/youth

## Procedures

### ***Developing an Understanding of the Child/Youth's Circumstances***

- Review court order(s) (including access orders) or agreement and determine the scope of the director's guardianship authority, duties and responsibilities. For further information, refer to Appendix A: Guardianship Responsibilities.
- Determine whether the child/youth is Indigenous, and if so, refer to Policy 5.1: *Supporting the Cultural Identity of Indigenous Children and Youth in Care* for further information.
- Actively seek out and engage with the child/youth's parents, siblings, extended family, as well as those who have a significant relationship with or a cultural or traditional responsibility to the child/youth.
- Determine the parents' and extended family's involvement with the child/youth and the parents' continued rights and responsibilities regarding health care, education and spiritual/religious upbringing. Refer to Appendix A: Guardianship Responsibilities, for information regarding legal status and guardianship responsibilities related to children/youth in care.
- Review all Family Service and Child in Care file information, including closed files and information from other jurisdictions.
- Wherever possible, meet in person, virtually or by telephone with previous workers who have been involved with the child/youth, including those who have provided child protection, family support services, Child and Youth Mental Health, Child or Youth with Support Needs, or other MCFD services.
- Meet with the child/youth, caregiver, family members and others who are familiar with them, including school personnel, medical professionals and other service providers.
- Provide the child/youth with information about their legal status, i.e. a description of the order or agreement and what that means from the child/youth's perspective, in a manner appropriate to their developmental level.
- If the child/youth is pregnant or parenting, see Policy 5.6: *Assessment and Planning for a Child/Youth in Care*.

### ***Documentation in the Child/Youth's File***

- Complete an Opening /Review recording.
- Ensure that the information and associated documents in the child/youth's electronic and/or physical file is accurate and complete, to help provide as much continuity as possible in their care and relationships, including:
  - The child/youth's legal status;

- Records such as legal documents (including custody orders and care agreements) and the child/youth's birth certificate, Social Insurance Number (SIN), MSP Personal Health Number and Personal Education Number;
  - Interim Care Plan/Care Plan;
  - Medical, educational and other professional assessments, correspondence and reports;
  - If the goal for the child/youth is adoption, a certified copy of the registration of live birth;
  - Reportable circumstances and alerts;
  - The child/youth's views, including their understanding of, and attitude towards, identity and heritage;
  - The child/youth's family history and genealogy;
  - The child/youth's current family relationships, including visitation arrangements;
  - The child/youth's current placement/location.
  - The child/youth's care history;
  - The child/youth's placement history;
  - The child/youth's Life Book;
  - Names and contact information for family members, caregivers, and other significant persons in the child/youth's life;
  - Services provided and actions taken for the child/youth while in care;
  - Information about meetings with or about the child/youth;
  - Information about in-person contact with the child/youth, including required 90-day visits. This must be documented in the Integrated Case Management System (ICM) In-Person Child/Youth Visit applet (see policy 5.3);
  - A description of the child/youth, including a recent photograph, and with information about any tattoos/piercings, to be updated annually or more often when there is a significant change in their appearance;
  - The child/youth's citizenship or immigration status (for more information, refer to the [\*Immigration and Refugee Practice Guideline & Checklist for Assisting Children in Care\*](#)).
- For policy on documentation required for children/youth in care travelling outside Canada see [Travel by Children in Care and by Children on Adoption Residency](#)
- Apply for the [Child Disability Benefit](#) (CDB) for all children/youth in any form of care who may be eligible including those on youth agreements. [See CDB resource page for more information.](#)
- Once the child/youth has received the CDB, consider whether they are eligible for a [Registered Disability Savings Plan](#) (RDSP), and support the application

process as needed, depending on the child/youth's legal status. [See RDSP resource page for more information.](#)

- If a child/youth is Indigenous, case documentation also includes information about:
  - Whether the child/youth is Indigenous;
  - Whether the child/youth's First Nation, Nisga'a Nation or Nisga'a Village, Treaty First Nation, or Indigenous community has an agreement with the director under section 92.1 of the CFCSA respecting their involvement in planning for their children in care;
  - Where applicable, the child/youth's and parents'
    - status registration number, and the parents' registration status; and/or
    - First Nation membership or whether the child/youth is entitled to be a member; and/or
    - Registration, membership or citizenship with a Métis organization; and/or
    - registration or membership with an Inuit region.
  - The parents' place of residence at the time of removal;
  - The child/youth's cultural planning.
- When a child/youth does not have appropriate identification, ensure that applications are made to obtain legal documents such as birth certificate and Social Insurance Number.
- Ensure that the child/youth's and family's case files are kept confidential and in a secure location at all times.
- Review the child/youth's electronic and physical files annually or whenever there is a change in circumstances of the child/youth or family and update as needed.

*Note: The quality of personal information contained in the files is important to children/youth in care and their families. These records provide a unique biographical and developmental account of their life in care. For some children/youth, the file may be the only source of information about their families, the circumstances that brought them into care, and life events during their time in care. It is important that the documentation is relevant, accurate and complete. Under s. 28 of FOIPPA, the director is obligated to ensure that all personal information that will be used by the director to make a decision about a child/youth is accurate and complete. As information is collected and documented, consider that this will be part of a permanent record that may be eventually be read by the child/youth.*

### **Placement of the Child/Youth**

- Accompany the child/youth to their placement.
- Discuss with the caregiver all relevant information about the child/youth's needs.

- If it is not possible to accompany a child/youth to their placement, notify a team leader or supervisor, document the rationale, and identify someone else who can do so, e.g. another worker, community professional, Indigenous community member. Ensure that you visit the child/youth in the home within 72 hours of placement
- In exceptional circumstances, if a worker is unable to accompany a child/youth to their placement, and is unable to visit the child/youth in the home within 72 hours, an exemption must be requested from the team leader. A plan to see the child/youth in the home must be developed as soon as possible. The plan must be reviewed every 72 hours until the child/youth is seen in the home. Follow the procedures below when viewing the home and considering a child/youth's specific needs.
- At the time of placement, view the home and surroundings, check for any potential hazards, and document the findings, taking into consideration the child/youth's age and developmental, emotional, and mental capacity. Hazards could include but are not limited to:
  - **Water-based hazards** such as swimming pools, hot tubs, spas, jacuzzies, wading and inflatable pools, aquariums, ponds, wells, lakes, rivers, creeks, streams etc.
  - **Fire and burn hazards** such as wood burning stoves, fireplaces and firepits etc.
  - **Physical hazards** such as a drop in height, uncovered maintenance holes or septic tanks, uneven or loose terrain, exposed nails, broken glass, loose wires, building materials, heavy machinery etc.
  - **Substance hazards** such as cannabis, toxic substances, medications etc.
- Other safety concerns may include **weapons/firearms** such as knives, blades, axes, and guns of any kind.
- The assessment of hazards in and around the home at the time of placement should primarily consider the individual child/youth's support needs and developmental level. Where required by policy, an overall assessment of the home, including hazards, is completed separately by the resource worker as part of the [Environment of Care Checklist](#).

- Taking into consideration the child/youth's support needs and developmental level, discuss any hazards or concerns with the caregiver at the time of placement, develop a plan to mitigate them, and inform the resource worker.
- If there are concerns that cannot be mitigated at the time of placement, follow up with a team leader or supervisor and with the resource worker to determine the appropriate action.
- Ensure that the child/youth resides in a safe environment in which they are nurtured and protected from harm or the threat of harm.
- When planning for a placement of a 2SLGBTQ+ child or youth, refer to the [Practice Guidelines: 2SLGBTQ+ Inclusiveness in Child Welfare Settings](#) for guidance on appropriate individualized placement decisions.
- Place the child/youth with a caregiver who has or is willing to develop an understanding of and sensitivity to the child/youth's views, cultural and ethnic heritage, spiritual beliefs and identity.
- Consistent with Section 71 of the CFCSA, priority is given to placing a non-Indigenous child/youth with a relative. If placing the child/youth with a caregiver who is their relative is not consistent with their best interests, then place the child/youth according to the three items listed below. Each is important and all of them should be followed whenever possible. They are as follows:
  - In a location where the child/youth can maintain contact with relatives and friends;
  - In the same family unit as the child/youth's siblings;
  - In a location that will allow the child/youth to continue in the same school.
- If the child/youth is Indigenous, priority must be given to placing the child/youth as follows (in order of priority) (s. 71(3)):
  - First, with an adult caregiver from the child/youth's extended family or within their Indigenous community (s. 71(3)(a));
  - Second, if it is unsafe to place the child/youth as above, with an adult caregiver from another Indigenous family (s. 71(3)(b));
  - Third, if it is unsafe to place the child/youth as above, according to the considerations listed above for non-Indigenous children/youth.
- The priorities listed in s. 71(3)(a) and (b) are not met by placing an Indigenous child/youth with their siblings in the same home with a non-Indigenous caregiver.
- Workers must consider the child/youth's best interests as set out in Section 4 of the CFCSA when deciding where to place the child/youth. All relevant factors must be considered including:
  - the child/youth's safety;

- the child/youth's physical and emotional needs and level of development;
  - the importance of continuity in the child/youth's care;
  - the quality of the relationship the child/youth has with a parent or other person and the effect of maintaining that relationship;
  - the child/youth's cultural, racial, linguistic and religious heritage;
  - the child/youth's views;
  - the effect on the child/youth if there is a delay in making a decision; and
  - if the child/youth is Indigenous, the importance of the child/youth being able to learn about and practise their Indigenous traditions, customs, and language and belong to their Indigenous community.
- If it is not possible to immediately place the Indigenous child/youth with an adult caregiver from the child/youth's extended family or from within their Indigenous community, determine whether this can occur as soon as possible after the child/youth comes into care.
- Considering the best interests of the child/youth, when possible, select a caregiver who:
- Is willing to support the long-term plan for the child/youth, consistent with their Care Plan, including return to parents or another permanency plan;
  - Provides support, in the case of an Indigenous child/youth, to the child/youth in learning about and practising their Indigenous traditions, customs, and language(s) and in belonging to their Indigenous community;
  - Provides the best match with the child/youth's needs, personality and goals;
  - Is willing to work with and include the child/youth's family members in the child/youth's life;
  - Has a previous relationship with the child/youth and/or their family;
  - Is willing to commit to caring for the child/youth for the duration of their time in care.
  - Has the required skills and abilities to meet the needs of the child/youth.
- Document all actions that have been taken to identify placement priority options consistent with section 71 of the CFCSA. In the case of Indigenous children/youth, where applicable, document why placement with an adult caregiver from the child/youth's extended family, Indigenous community or another Indigenous family is unsafe.

### ***Hotel Placement for Children/Youth in Care***

*Hotels are not appropriate living arrangements for children/youth in care. Children/youth in care may only be placed in hotels in exceptional circumstances for short*

*durations approved by a designated director when no other appropriate resource is available.*

*For the purpose of this policy, the term “hotel” includes hotels, motels, bed and breakfasts or any other short-term lodging that is commercially available to the general public.*

*This policy applies to all children/youth in care, including those on an Independent Living Agreement. However, it does not apply to children/youth in care:*

- *Staying in a hotel while travelling with a caregiver;*
  - *Staying in a hotel with a caregiver due to an emergency (eg. wildfire, flood)*
  - *Staying in a hotel as part of an experience related to a school field trip or extracurricular activity;*
  - *Staying in a hotel that serves as accommodation related to the child/youth’s employment (e.g., work camp); or*
  - *Who independently check into a hotel without the approval or support of a director (e.g., AWOL or runaways).*
- Prior to placement of a child/youth in care in a hotel, obtain approval from the designated director responsible for the Service Delivery Area or Delegated Aboriginal Agency in which the child/youth’s file is managed, by:
- Email: submission of a completed *Hotel Placement Form* by way of email to the designated director and receipt of written approval from the designated director by way of email response; or
  - Verbal: if circumstances necessitate verbal approval from the designated director, submission of a completed *Hotel Placement Form* by way of email to the designated director and receipt of written approval from the designated director by way of email response to occur within 24 hours.
- If the responsible designated director cannot be contacted in a timely way, obtain approval from another designated director, including the Provincial Director of Child Welfare.
- Ensure that placement of a child/youth in care in a hotel is documented in ICM. Responsibility for ensuring up-to-date electronic documentation belongs, in the following order, to:
- The worker who placed the child/youth in the hotel (on the day of placement in a hotel, with the assistance of After Hours/ Centralized Screening for ICM entry if necessary);
  - The guardianship worker for the child/youth; and



- The designated director with responsibility for the respective Service Delivery Area or Delegated Aboriginal Agency in which the child/youth's file is managed.
- When a child/youth in care is placed in a hotel, their Section 70 rights as a child/youth in care and the guardianship responsibilities of the director continue to apply.
- Assess the hotel accommodations and care arrangements to ensure that the quality of care and supervision is appropriate to the child/youth's needs.
- The child/youth must be cared for by a delegated worker or approved caregiver.
- Provide the child/youth's caregiver with all relevant information about the child/youth's needs.
- Ensure that the caregiver is caring for no more than one child/youth or, in the case of a sibling group, no more than three children/youth.
- Meet with the child/youth and the caregiver daily until the child/youth is moved to an appropriate resource, and provide any immediate supports that are needed.
- Contact the designated director daily to:
  - Provide an update on the child/youth's safety and well-being;
  - Provide an update on the plan to move the child/youth to a resource; and
  - Obtain approval for the child/youth to remain in the hotel.
- The designated director informs the Provincial Director of Child Welfare in writing of the child/youth's initial placement in the hotel within 24 hours of the placement and on each subsequent day of the hotel placement. Information provided includes:
  - The completed [Hotel Placement Form](#); and
  - Any updates related to:
    - The child/youth's well-being;
    - The care arrangements for the child/youth, including any supports provided;
    - Efforts and plans to move the child/youth to a resource; and
    - The date the child/youth is moved to a resource.
- The Provincial Director of Child Welfare:
  - Tracks and monitors each hotel placement, including the duration;
  - Notifies the Representative for Children and Youth if a child/youth has been living in a hotel for longer than 3 days. The following information is provided to the Representative for Children and Youth:
    - The completed [Hotel Placement Form](#), and
    - Any updates related to:

- The child/youth's well-being;
- The care arrangements for the child/youth, including any supports provided;
- The plan to move the child/youth to a resource;
- Any other information requested by that office; and
- The date the child/youth is moved to a resource.

**Appendix A: Guardianship Responsibilities**

<b>Legal Status</b>	<b>Director, Public Guardian and Trustee (PGT)</b>	<b>Parent(s)</b>	<b>Child/Youth</b>
<b>Voluntary Care Agreements/ Special Needs Agreements (Sections 6 &amp; 7, CFCSA)</b>	Director has care of the child/youth.	Parents remain the personal and property guardian of the child/youth, and delegates to the Director as many of the guardianship responsibilities as is required to give effect to the agreement.	Under the <i>Infants Act</i> , the child/ youth may consent to their own health care if they have understanding of the nature and consequences of the health care, and that it is determined to be in their best interests.
<b>Removal, before presentation (Section 32, CFCSA)</b>	Director has care and control of the child/youth, with limited guardianship responsibilities, such as the right to: <ul style="list-style-type: none"> <li>• authorize a health care provider to examine the child;</li> <li>• consent to necessary health care if, in the opinion of a health care provider, the health care should be provided without delay;</li> <li>• Consent to routine school, social and recreational activities.</li> </ul>	Parents retain some of the personal guardianship responsibilities and remain the child/youth's property guardian.	As above
<b>Interim and Temporary Orders (Section 47, CFCSA)</b>	Director is temporarily the personal guardian; e.g. provides consent to necessary health care. Director does not have authority to consent to adoption.	Court can order that parents retain authority to consent to health care, education and/or religion. Parents remain the property guardian unless the court appoints the PGT.	As above

<b>Legal Status</b>	<b>Director, Public Guardian and Trustee (PGT)</b>	<b>Parent(s)</b>	<b>Child/Youth</b>
<b>Continuing Custody Order (Section 50, CFCSA)</b>	Director is the child/youth's sole personal guardian and may consent to their adoption; PGT is the child/youth's sole property guardian.	The parents' guardianship is terminated and therefore have no guardianship responsibilities.	As above

<b>Chapter 5: Children and Youth in Care</b>	
<b>Policy 5.3: Safety and Well-being of Children/Youth While in Care</b>	
<b>Effective Date of Policy:</b> <b>June 30, 2017</b>	<b>Amendment Date of Policy:</b> September 21, 2024

### **Policy Statement**

It is the director's statutory responsibility to ensure that a child/youth's safety and well-being are paramount considerations, and throughout the child/youth's time in care, their rights are respected and actively promoted.

### **Outcomes**

- Children/youth are safe.
- Children/youth in care receive care consistent with the rights defined by Section 70 of the CFCSA.
- Children/youth know their rights and entitlements according to their developmental level.

### **Standards**

- 5.3(1)** Maintain in-person, private contact with a child/youth in care at least once every 90 days and properly document details of the contact in the Integrated Case Management System (ICM) In-Person Child/Youth Visit applet.
- 5.3(2)** Consult with the Team Leader and submit a written request for an exemption to the Designated Director if, under exceptional circumstances, a child/youth cannot be seen privately and in-person within the required 90-day period. Develop and document a plan prioritizing the need to see the child/youth and review the plan every 14 days until the child/youth is seen.
- 5.3(3)** In consultation with the Team Leader, respond immediately to any concerns about the physical, emotional and/or psychological safety and

well-being of the child/youth in care. Immediately notify the resource worker if there are concerns regarding the resource. Document details of the response and the plan to address concerns.

**5.3(4)** Inform the child/youth about their rights, as defined in Section 70 of the CFCSA, as well as information about the MCFD Complaints Process, during the development of the Interim Care Plan (within 30 days of the child/youth coming into care), and then at least annually or if circumstances arise that make a review necessary (such as a significant event occurring in the life of the child/youth), in a manner appropriate to their developmental level.

## Procedures

### ***Contact with the Child/Youth***

- Accompany the child/youth to their initial placement and any subsequent placements. If you are unable to accompany the child/youth, follow Policy 5.2 and develop a plan to see the child/youth in the home as soon as possible.
- Develop a meaningful relationship with the child/youth by maintaining regular, purposeful contact in order to oversee their care and development, to ensure their safety and well-being and to celebrate milestones and achievements.
- Whenever possible, meet with the child/youth:
  - Within 7 days of placement;
  - When there is a significant change in the child/youth's circumstances, Care Plan or family;
  - When there is a change in the child/youth's worker;
  - On or near the child/youth's birthday and other special occasions.
- Have in-person, private visits with the child/youth at least every 90 days, and more frequently whenever possible. A private visit should only include the child/youth and the worker, and must:
  - be in person
  - take place in a location where the child/youth feels safe and secure
  - enable the child/youth to speak freely
- In consultation with a Team Leader, a private visit may include another individual in the following circumstances:
  - **The child/youth requests a support person:** e.g. Designated Representative, advocate, teacher, legal counsel etc.

- **The child is aged 0-5:** the caregiver may be present or nearby.
  - **The child/youth has significant medical, communication or behavioural needs:** a medical professional or another person may be present where required for communication, health and/or safety reasons.
- Not-private visits are discretionary, in-person visits with a child/youth where others may be present. Not-private visits must be documented in the ICM In-Person Child/Youth Visit applet and categorized as one of the following:
- **Not-private Relational Visit** – A visit that supports relationship-building with the child/youth and considers their specific needs. E.g. attendance at a graduation ceremony, sporting event, theater performance, cultural ceremony, other activities important to the child/youth, etc.
  - **Not-private Planning Meeting** – A visit with a child/youth that takes place during a planning meeting. E.g. Circle meeting, cultural planning meeting, family case planning conference, integrated case management (ICM) meeting, etc.
  - **Not-private Visit with Caregiver** – A visit that occurs in or outside of the home with a caregiver that involves having a discussion about a child/youth's needs and ongoing care. E.g. preparation for upcoming planning meetings, checking in about how the child/youth is doing in the home, etc.
  - **Not-private Visit in the Home** – A visit that takes place in the home and cannot be categorized as another not-private visit type. E.g. to support the child/youth in a meeting with another professional, to help address specific medical, behavioural or other support needs, collaborative planning, etc.
- Details regarding the circumstances of the visit should be included in the Visit Description section of the ICM In-Person Child/Youth Visit applet. Consult with a Team Leader if you need support to determine the applicable visit type.
- Some private visits with the child/youth will occur in their home and/or include seeing their home environment. Visits may also take place outside of the home and should be in a location where the child/youth feels safe and secure.
- When visits occur in the home, view the home and surroundings, and pay specific attention to the child/youth's personal space. Immediately follow up with a Team Leader if any concerns are noted and with a resource worker if there are concerns with the resource.
- During visits with the child/youth, consistently seek their views about their own safety and well-being, the care they are receiving, how their needs are being met, any concerns they have, significant events they have experienced and their

wishes on planning, in a manner appropriate to their age and developmental, emotional, and mental capacity. During visits with the child/youth, observe their physical appearance and demeanour, properly document any observations and immediately follow up with a Team Leader if any concerns are noted.

- Determine whether more frequent visits with the child/youth are needed, based on their vulnerability, support needs and visibility in the community.
- Document both private and not-private visits in In-Person Child/Youth Visit applet in the Integrated Case Management (ICM) system within five business days. Include circumstances of the meeting, the child/youth's views, significant events, and decisions or agreements reached.
- If there are exceptional circumstances where you are unable to see a child/youth privately within the required 90-day period, consult with your Team Leader and submit a written request for an exemption to a Designated Director.
- Where an exemption is granted, develop and document a plan to prioritize seeing the child/youth, and review the plan every 14 days until the child/youth is seen. Document any exemption approvals in the ICM In-Person Child/Youth Visit applet.
- If a child/youth declined to meet during a scheduled private visit, document as an 'exemption to private visit' in the ICM In-Person Child/Youth Visit applet. Document any attempts to arrange a meeting with a child/youth that did not result in a scheduled visit in ICM case notes. If a child/youth is refusing a private visit or regularly missing visits, discuss and address any concerns with the child/youth and consult with a Team Leader if needed.

*Note: The connection a child/youth in care has with their worker is important for the child/youth's development and future outcomes. As much as possible, provide opportunities to spend meaningful time together.*

### **Safety of the Child/Youth**

- If there are items in the child/youth's possession that are unsafe or inappropriate, plan with the child/youth and the caregiver about how such items will be dealt with (e.g. stored, disposed of, returned to parents for safekeeping).
- Respond immediately to information from the child/youth or others that indicates that the child/youth's safety may be at risk, and take the necessary steps to address the safety concern, in consultation with a supervisor.



- If information is received that a person other than an approved caregiver is or will be travelling with a child or youth, or temporarily staying or living in the caregiver's home, a review of ICM information may be completed on that person, without their consent, to ensure the safety or well-being of the child/youth. (Refer to ss. 32 and 34 of the [Freedom of Information and Protection of Privacy Act](#) [FOIPPA] for more information.)
- When completing this information review it must be limited to the circumstances noted above, and must be:
  - Limited to a review of existing information available in ICM (other sources of information require supervisory approval - see below); and,
  - Completed to ensure a child/youth's safety or well-being.
- If a concern for the child/youth's safety or well-being is noted following review of the ICM information, this information may be disclosed under [CFCSA s. 79](#) (Disclosure without consent) as necessary to ensure the safety and well-being of the child/youth.
  - Determine whether the information needs to be shared with the child/youth and/or caregiver to ensure the child/youth's safety or well-being on a case-by-case basis (see [Confidentiality and Disclosure of Information Guidelines](#) for further information on disclosures without consent).
- Consult with a supervisor and obtain approval prior to reviewing any existing information about the person held in physical and/or electronic records other than in ICM.

*Note: If an adult or youth 18 years and over visits or stays overnight in the home where the child/youth lives for more than 30 days refer to the [Resource Work Policies](#) for additional screening requirements.*

- If information is received about abuse or neglect of a child/youth in care in a foster care home, see the [Resource Work Policies](#) for information related to determining further action.
- If there is a death of a child/youth or a critical injury or serious incident, refer to the [Reportable Circumstances Policy](#).
- If the child/youth has experienced any form of emotional/psychological trauma as a result of a critical injury or serious incident, facilitate access to appropriate support services.
- Consider involving police if the child/youth has been the victim of a criminal act that may fall within the mandate of the police to investigate. In such circumstances, a report to police is required if the child/youth consents to the

reporting to police or if making a report to police is necessary to ensure the safety or well-being of any child/youth or safety of any adult.

- Ensure that the child/youth knows that they can apply for the [Crime Victim Assistance Program \(CVAP\)](#) if they have been a victim of violent crime. Further information about the program can be found on the [website](#).

### ***Promoting Continuity and Stability for the Child/Youth***

- Promote and support opportunities for the child/youth to develop and maintain emotional attachments with their parents, siblings, extended family and others who are significant in their life.
- Include the four dimensions of permanency: cultural, relational, physical and legal, when developing permanency plans for children/youth in care.
- Whenever possible, develop an out-of-care living arrangement that will provide the opportunity for the child/youth to maintain and develop lifelong relationships with extended family or other individuals who have a relationship with or a cultural or traditional responsibility to the child/youth, including the following options:
  - Extended Family Program Agreement;
  - Interim or temporary out-of-care order: placement with a person other than the parent under the director's supervision under section 35(2)(d) or section 41(1)(b) of the CFCSA;
  - Permanent transfer of custody after Continuing Custody Order under section 54.1 under the CFCSA;
  - Permanent transfer of custody under section 54.01 of the CFCSA;
  - Adoption.
- When deciding about visitation and access to the child/youth, consider their best interests, including attachment and continuity of relationships, as well as belonging to their Indigenous community for Indigenous children and youth.
- Regularly review access orders or provisions for access to determine whether the arrangement is consistent with the child/youth's wishes and best interests.
- Maintain or, where required, develop stable living arrangements for the child/youth as quickly as possible.
- As much as possible, minimize changes in the child/youth's placements.
- Inform and involve the caregiver in developing and implementing strategies to promote the child/youth's stability and continuity of lifelong relationships, as well as belonging to their Indigenous community for Indigenous children and youth.

- As much as possible, avoid disruption of services and activities that were in place when the child/youth came into care.
- Determine that the services identified to meet the child/youth's needs and to support the overall goal of their Care Plan are provided in a timely and consistent manner, and results are assessed regularly.
- Make every effort to prevent unnecessary delays in decision making and implementation of court orders and agreements.

### ***The Rights of Children/Youth in Care***

*Note: The rights of children and youth in care as defined in section 70 of the CFCSA can be found throughout the Children and Youth in Care policies, standards and procedures. However, it is also important that children and youth in care regularly be informed of and educated about these rights and the MCFD Complaints Process, in a manner appropriate to their developmental level.*

- Ensure that the child/youth's care reflects their section 70 rights.
- Workers ensure that Indigenous children/youth in care are informed and educated that they have an additional right to receive guidance, encouragement and support to learn about and practise their Indigenous traditions, customs and languages, and belong to their Indigenous communities.
- Educate the child/youth about their rights in a manner appropriate to their developmental level:
  - During the development of their Interim Care Plan, within 30 days of coming into care;
  - At least annually;
  - When there is a significant change in their circumstances (i.e. a move, a change in worker, etc.);
  - When they request information about their rights.
- Use different methods of assisting the child/youth in understanding their rights, depending on their developmental level, including:
  - Work with caregivers and community to support the child/youth's rights;
  - For children with increased maturity or developmental level, provide the child/youth with written and verbal information about their rights in age appropriate language and work with caregivers and community to support the child/youth's rights;
  - For younger children and children without the capacity to understand their rights, review their rights with a relative or other adult (not the current caregiver) who knows the child/youth and can act in their best interests.

- For older youth, assist in developing skills and capacity to advocate for their rights.
- Use different resources to help explain a child/youth's rights, in a manner appropriate to their developmental level, such as:
  - **This is me and I have rights:** for younger children, an interactive workbook;
  - **Know Your Rights:** a brochure developed by youth for youth on Section 70 rights of children/youth in care;
  - **Your Life Your Rights:** a resource guide for youth looking to explore their rights: <http://fbcyicn.ca/what-we-offer/resources/know-your-rights>
- Document each instance when the child/youth has been provided with information about their rights.
- Review the child/youth's rights with their caregiver when they are first placed with the caregiver, and then at least annually.
- In situations where a child/youth reports that their rights have not been respected:
  - Meet with the child/youth and others involved to try to resolve the issue;
  - If required, offer an alternate dispute resolution process for resolving the issue;
  - Review with the child/youth how they can proceed with the MCFD Complaints Process if they choose to do so;
  - Provide the child/youth with information about and assist them in contacting the Representative for Children and Youth, the Ombudsperson, or community or provincially based advocacy services;
  - Support the child/youth throughout the time it takes to resolve the issue.

**Note:** *With the exception of the rights to be informed about and assisted in contacting the Representative for Children and Youth and to privacy during discussions with the Representative, section 70 rights do not apply to a child/youth who is in a place of confinement, which includes a youth custody centre under the Youth Criminal Justice Act or a mental health facility under the Mental Health Act (s. 70(3)). However, when the director has custody of a child/youth who is in a place of confinement, the director retains guardianship rights and responsibilities. This requires continued concern for the child/youth's safety and well-being and active planning for their care upon release or discharge from the facility.*

### ***Youth in Care Who are Involved in the Criminal Justice System***

- In situations where a youth who is in care by a court order is charged under the *Youth Criminal Justice Act*:
  - Assist the youth to contact legal counsel or contact legal counsel on behalf of the youth, if legal counsel has not already been retained. For further information, refer to the [Practice Guideline: Legal Counsel for Children in Care Facing Criminal Charges](#).
  - Advise the youth of their right to privacy in discussions with legal counsel;
  - Advise the youth of their right to consult with legal counsel prior to making any statement to the police;
  - Seek the youth's views regarding whether they would like the worker or someone else to be available for support while they are being interviewed, searched or questioned by the police where criminal charges are possible;
  - Report to the director any incident where a youth in care has been involved in a crime of violence, consistent with Reportable Circumstances policy;
  - Continue to provide emotional support to the youth throughout their involvement in the justice system.
- In situations where a youth is incarcerated, as much as possible continue with preparations to assist them to live successfully in the community when they leave care.

<b>Chapter 5: Children and Youth in Care</b>	
<b>Policy 5.4: Working in Collaboration with Caregivers</b>	
<b>Effective Date of Policy:</b> <b>June 30, 2017</b>	<b>Amendment Date of Policy:</b> February 19, 2025

### **Policy Statement**

When children/youth are in care, caregivers are included on the Care Circle or Team to support assessment and planning. Caregivers are provided with all necessary information known about the child/youth at the time of placement and are updated as additional information becomes available throughout the period of the placement.

### **Outcomes**

- Children/youth have stable, caring placements.
- Caregivers are included on the Care Circle or Team to support assessment and planning

### **Standards**

- 5.4(1)** Provide the caregiver with as much information as possible about the child/youth at the time of placement and as information becomes available throughout the period of the placement, including all information necessary for the optimal care and safety of the child/youth and any information relating to possible safety risks posed to the caregiver or the caregiver's family by the child/youth.
- 5.4(2)** The Caregiver is included as a vital and respected professional member of the child/youth's Care Circle or Team .

## Procedures

### ***Including the Caregiver in the Care Team, Planning and Sharing of Information***

*Note: In order for a caregiver to provide the best possible care for a child/youth, they must be included as part of the Care Circle or Team and they require as much information as possible about the child/youth in a timely way. The more understanding a caregiver has of a child/youth's history and experiences, the better the caregiver can meet the child/youth's needs. Refer to the [Resource Work Policies](#) for more information.*

- The caregiver is part of the child/youth's Care Circle or Team and as such actively takes part in planning for the child/youth. Ensure timely, appropriate and adequate information sharing with the child/youth's caregiver as well as their family and others who are significantly and routinely involved in the day-to-day care of the child/youth.

### ***Information Sharing with the Caregiver***

- Provide the caregiver with copies of the Voluntary Care Agreement or Special Needs Agreement, and the Interim Care Plan/Care Plan, when available.
- Provide the caregiver with relevant information, at the time of placement and as information becomes available throughout the period of placement, about the care and safety of the child/youth and any information relating to safety risks posed to the caregiver or the caregiver's family.
- If you have reason to believe a child/youth may have vulnerabilities or support needs, provide the caregiver and the resource worker with any relevant information, and consider whether there is a need to make any adjustments or risk mitigations in the environment of care.
- If there is a risk to the Caregiver or the caregiver's family identified develop a plan to address the risk with the Care Circle or Team.
- Caregivers are consulted and have meaningful input into decisions affecting their home, family and any other placements in the home.
- Provide information to the caregiver, in writing whenever appropriate, about the child/youth and their family, including:
  - The child/youth's full name, date of birth and legal status;
  - Information about the child/youth's overall goal and Care Plan, and the expectations of the caregiver to support that plan;
  - Circumstances leading to the placement, including:
    - Family information relevant to caring for the child/youth;
    - Cautions or restrictions on the child/youth's activities or contacts;

- The names and telephone numbers of family members or significant others, as noted in the Care Plan, who are available as supports to the child/youth;
- Available information is shared with the caregiver for the care of the child, including, but not limited to, any history of violence or illegal activity, as well as medical, educational, behavioural, personal care and relevant family information in addition to guardianship, custody and access arrangements;
- In the case of an emergency placement, information is received as soon as possible;
- Contact information for the worker and their supervisor, as well as information about how to reach Centralized Screening for assistance after hours;
- Information related to the child/youth's cultural and ethnic heritage, spiritual beliefs, values and identity;
- For 2SLGBTQ+ children/youth, information on providing a safe, respectful and affirming environment (refer to the Practice Guidelines: 2SLGBTQ+ Inclusiveness in Child Welfare Settings);
- For an Indigenous child/youth, information related to their Indigenous community, including how they will be supported in learning about and practicing their Indigenous traditions, customs, and language(s) and in belonging to their Indigenous community;
- For an Indigenous child/youth, information regarding the impact of colonization, in particular residential schools, and the resulting intergenerational trauma and how it may impact the child/youth, their family and their Indigenous community.

### ***Planning with the Child/Youth's Care Circle or Team***

- Ensure Caregivers have timely notification of a child/youth's move and are involved in the transition planning and activities from the foster home to another placement;
- Any safety risks to the child/youth, including the need to protect them from contact with another person (provide a copy of any police enforceable orders preventing contact);
- Names and contact information of persons who have access to the child/youth and how access will be arranged;
- How contact with parents, siblings, extended family, friends and community members will be facilitated;



- How arrangements will be made for continuity in the child/youth's care, including participation in sports, recreational clubs or other activities;
- Information related to the child/youth's education, including where they will attend school and a copy of their school report, if available;
- The child/youth's daily care, including mealtime and bedtime routines, sleeping habits, comfort items, toys and food preferences (for more information, refer to the Child's Routines form CF4065);
- Information about the child/youth's interests, hobbies, friends and activities;
- Any trauma triggers the child/youth may have;
- Specific child management approaches that will benefit the child/youth's development based on an assessment of their individual needs;
- Scheduled appointments with service providers/professionals;
- Known physical and/or mental health history and needs, e.g. allergies (particularly life-threatening food allergies), prescriptions, treatments, concerns;
- Management of special dietary needs and administration of medications;
- The names and contact information of professional supports, including the child/youth's physician;
- The child/youth's placement history and previous experiences in care or in the child/youth's home that may explain their behaviour and/or demeanor toward the caregiver;
- Any allegations of abuse or neglect involving the child/youth in previous placement settings, whether the allegations were investigated, and the outcome (without providing any identifying information for the purpose of confidentiality);
- Notification procedures if the child/youth is lost, goes missing or runs away, or if they suffer an injury or is at serious risk of harm (refer to Policy 5.12: When a Child/Youth is Missing);
- Any other information that will assist the caregiver in responding to the individual needs of the child/youth;
- If the child is an infant or a child with support needs, ensure the caregiver has an approved crib or other sleep surface as recommended by the [Safer Sleep brochure](#) and as appropriate to the infant or child's developmental needs. Ask if the caregiver is familiar with the most recent version of the [Safer Sleep brochure](#). If there are questions or concerns, review the [Safer Sleep brochure](#) or [translated version](#) with the caregiver and discuss safe and unsafe sleeping practices to assist them in developing a Safer Sleep arrangement.

- Make every effort to meet with the caregiver in person within 7 days of the child/youth's placement to provide an opportunity to address any questions or concerns they may have.
- Involve the caregiver in:
  - Assessments and case planning;
  - Providing opportunities for the child/youth to establish stability and continuity of lifelong relationships.
- Maintain all documentation and information in the child/youth's file.
- Ensure that a copy of the information provided to the caregiver is in the file.

<b>Chapter 5: Children and Youth in Care</b>	
<b>Policy 5.5: Involving the Public Guardian and Trustee</b>	
<b>Effective Date of Policy:</b> <b>June 30, 2017</b>	<b>Amendment Date of Policy:</b>

### Policy Statement

The Public Guardian and Trustee (PGT) is the property guardian for a child/youth under the following circumstances:

- The director has continuing custody of a child/youth under section 49, 41(1)(d), or 42.2(4)(d) of the CFCSA;
- The director has temporary custody of a child/youth and there is a court order making the PGT the temporary property guardian of a child, under section 58 of the CFCSA;
- The Director of Adoption is guardian of a child who has been relinquished for adoption under Section 24 of the *Adoption Act*;
- The director and the PGT are the guardians of a child under section 51 of the *Infants Act*.

The PGT protects the legal rights and financial interests of children/youth in care for whom the PGT is the property guardian.

### Outcomes

- The PGT is appropriately involved in planning for a child/youth when acting as the child/youth's property guardian.

### Standards

**5.5(1)** When the PGT is the guardian of the child/youth's property:

- Involve PGT staff in case planning for the child/youth, as required to represent the child/youth's legal and financial interests;

- Inform PGT staff as soon as possible of any known event that could affect the child/youth's legal or financial interests;
- Request up to date information from the PGT about the child/youth's trust fund or ongoing legal or financial matters and maintain current information in the child/youth's file.

## Procedures

*Note: When the PGT is appointed as the property guardian of a child/youth in care, they protect the child/youth's legal rights and financial interests and, if appropriate, may take action on behalf of the child/youth to address circumstances when those rights and interests need to be upheld.*

*Note: The PGT will initiate contact with guardianship workers where a child/youth in care has funds in trust with their office. The PGT will make contact with the worker annually starting when the child reaches 14 years age.*

## ***Involving the Public Guardian and Trustee***

- When a child/youth is in temporary custody, consult with the PGT and consider making an application to court for the appointment of the PGT as the child/youth's temporary property guardian:
  - When an event occurs that might affect the child/youth's financial or legal interests during the term of the temporary custody order; or
  - At the request of the PGT.
- When the PGT is the child/youth's property guardian, ensure that the PGT is provided with a copy of:
  - The continuing custody order as per section 50(4) of the CFCSA; or
  - The temporary custody order when the court has made an order to appoint the PGT as the child/youth's property guardian, as per section 58(4) of the CFCSA.
- Provide the PGT with information at the time it is appointed the child/youth's property guardian and annually thereafter, using the following PGT forms, which the PGT sends to the child's worker: the *Information Required by the PGT for Children in Continuing Care* form for children newly in continuing care; and the *Annual Review* form for children in continuing care. (These forms provide the PGT with information about the child/youth's disability designation(s) or diagnosis (es) when applicable, for the purpose of setting up a Registered Disability Savings Plan (RDSP) on behalf of the child/youth, as well as protecting the child/youth's legal and financial interests and assisting with transition planning.)

- When the PGT is appointed as the child/youth's property guardian:
  - Inform the PGT about the child/youth's circumstances and any known event that could affect their legal or financial interests;
  - Involve the PGT in the child/youth's case planning and the provision of services as required to represent the child/youth's legal and financial interests;
  - Obtain information or updates from the PGT about a child/youth's trust fund or ongoing legal or financial matters, as needed;
  - Involve the PGT in transition planning for a child/youth in preparation for them leaving care.
- If a youth in care has money that is being managed by the PGT as the youth's property guardian and there are concerns that when they are nearing the age of 19 years, they may not have the ability to manage that money without assistance, contact the PGT to discuss options to assist the youth.
- When the PGT is no longer the child/youth's property guardian as the result of a Section 54.1 order, adoption, or return to parent, provide the PGT with a copy of the court order.
- When considering a permanent transfer custody under section 54.1 of the CFCSA, or under s. 54.01 and the PGT has been appointed the child/youth's property guardian under s. 58, involve the PGT early in the process and obtain their consent before applying for the order. For more information, refer to [Out of Care Policies](#).
- When an incident occurs that does not fall under the criteria of a Reportable Circumstance (where the PGT is electronically notified) and there is the possibility of a legal claim to be made on behalf of the child/youth, notify the PGT by completing the *Initial Notification to the Public Guardian and Trustee of British Columbia* ([Form CF2681](#)). (For information about reportable circumstances criteria, refer to [Reportable Circumstances Policy](#).)
- If the child/youth in care is Indigenous, whether on or off reserve or treaty lands at the time of their removal, contact the PGT to investigate whether there are entitlements or money in trust for the child/youth through their First Nation, Treaty First Nation or Nisga'a Nation.
- For information about the roles and responsibilities of MCFD and ICFS Agency workers and the PGT, refer to the protocol agreement [In Respect of Roles and Responsibilities of the Public Guardian and Trustee, the Ministry of Children and Family Development and Community Living British Columbia](#).

<b>Chapter 5: Children and Youth in Care</b>	
<b>Policy 5.6: Assessment and Planning for a Child/Youth in Care</b>	
<b>Effective Date of Policy:</b> <b>June 30, 2017</b>	<b>Amendment Date of Policy:</b> February 19, 2025

### Policy Statement

When a child/youth comes into care, an assessment of their needs is completed with the child/youth's caregiver and a Care Plan is developed and implemented in a way that promotes the child/youth's overall well-being and promotes the best possible outcomes.

### Outcomes

- Children/youth's needs are met.

### Standards

- 5.6(1)** Within 30 days of the child/youth coming into care, develop an Interim Care Plan in consultation with the child/youth's caregiver.
- 5.6(2)** Within 6 months of the child/youth coming into care, develop a written Care Plan in consultation with the child/youth's caregiver, parents, Indigenous community (if applicable), and the child/youth (according to their developmental ability).
- 5.6(3)** Review the child/youth's Care Plan at minimum every 6 months or more frequently if requested by the child/youth's caregiver, parent, Indigenous community or circumstances arise with the child/youth that make a review necessary.
- 5.6(4)** Make reasonable efforts to consult with the child/youth's parent, Indigenous community (if applicable) and the child/youth (according to their developmental ability) when developing a Care Plan document for a court proceeding.

- 5.6(5)** Make reasonable efforts, at least annually, to involve an Indigenous child/youth's Indigenous community in planning for the child/youth under a continuing custody order and where applicable, conduct planning in accordance with any agreement with the director under section 92.1 of the CFCSA.
- 5.6(6)** Planning for youth in care who are married or in a marriage-like relationship occurs at all stages of care planning.
- 5.6(7)** Planning for youth in care who are pregnant and/or parenting occurs at all stages of care planning, in ongoing care planning and more frequently as required.

## **Procedures**

### ***Developing the Interim Care Plan***

- Within 30 days of the child/youth coming into care, complete an initial assessment of their needs and develop an Interim Care Plan with their caregiver, using the Family Plan/Interim Care Plan template ([Form CF0634](#)), that includes:
  - The child/youth's needs that are to be addressed, including the establishment of stable and ongoing living arrangements (including return to parents or extended family);
  - Contact with the child/youth's parents, siblings, extended family, community, Indigenous community when a child/youth is Indigenous, and others involved with the child/youth;
  - If there is a risk to the caregiver identified, develop a plan to address the risk with the Care Circle or Team ;
  - A description of the services required to implement the Interim Care Plan;
  - The child/youth's physical and mental health care needs and appointments;
  - Where the child/youth will attend school, including whenever possible, strategies to arrange for the child/youth to attend the same school;
  - Maintaining the child/youth's involvement in social, recreational and spiritual instruction and activities.

### ***Developing the Care Plan***

*Note: The child/youth's Care Plan is a living, working document that remains relevant as the child/youth matures and as their circumstances change. Action-based planning with their caregiver continues throughout the child/youth's stay in care.*

*The Caregiver is actively involved in the Care Plan process and knows about any changes to the Care Plan.*

*Documentation of all aspects of the Care Plan ensures that children and youth in care have a record of decisions made, priorities set and actions taken during the time they are in care.*

- Within 6 months of the child/youth coming into care, complete a full assessment of their needs with their caregiver and develop and implement a Care Plan following the domains of the Care Plan template (found in ICM, or using [Form CF2594](#)).
- The caregiver's knowledge and experience of what the child/youth needs is taken into consideration when planning for a child/youth, including advocating for the child/youth's supports or services.
- Encourage and support the child/youth's participation in the development of their Care Plan, as appropriate to their developmental level and ability.
- Assist the child/youth with the development of both short-term and long-term goals.
- Identify and address any barriers to informing and involving the child/youth in case planning and decision making, including:
  - Providing the child/youth with an interpreter or advocate where required;
  - Involving those who can promote a greater understanding of the child/youth's views about cultural, identity or other issues;
  - Providing the child/youth with counselling or other therapeutic interventions or supports if needed to help them cope with information contained in their plan.
- When appropriate and consistent with the child/youth's best interests, invite and support the participation of their caregiver and significant people in their life to develop the Care Plan, including their parents, siblings, extended family and community, their caregiver, advocates, proposed care providers/ caregivers/ adoptive parents, and any other individuals who have a significant relationship with the child/youth (this constitutes the child/youth's Care Circle or Team ).
- Determine if the Indigenous community has an agreement with the director under section 92.1 of the CFCSA and conduct planning and decision-making in accordance with the agreement.



- For Indigenous children and youth from Indigenous communities without a s. 92.1 agreement, make reasonable efforts at least annually to involve their Indigenous community in planning for children under a continuing custody order, including:
  - Supporting the child/youth to learn about and practise their Indigenous traditions, customs, and language, and to belong to their Indigenous community;
  - Exploring permanency options, with a particular focus on achieving cultural permanency;
  - Providing culturally safe services and supports;
  - Supporting the youth's transition to adulthood.
- Make active reasonable efforts, including multiple attempts to connect with and involve the Indigenous community through multiple communication channels (ie) in-person, telephone, email.
- Once the child/youth's Care Circle or Team is established, arrange a meeting to develop a collaborative understanding of the child/youth's strengths and needs.
- Develop a social and medical family history of the child/youth's natural family (for a sample guide to information that can be collected, refer to the *Birth Family Medical and Social History Forms* CF2671 , CF2671a, and CF2671b) in order to understand the child/youth's cultural, religious/spiritual, and medical histories and current support system.
- Complete each domain of the Care Plan within the context of the child/youth's age and developmental level.
- Document any in-person planning meetings where the child/youth is present in the In-Person Child/Youth Visit applet in the ICM system. If this includes a private visit, document the private visit in the ICM applet within five business days.
- Include information in the Care Plan pertaining to the unique needs of Indigenous children/youth in care.
- Review the content of the child/youth's Care Plan, as well as their Life Book and Health Care Passport, and develop a plan to address any outstanding items. (For information about what to include in a child/youth's Life Book, refer to the [Adoption Services Toolkit & Resources](#).)
- For a child/youth in continuing custody who does not have Canadian citizenship, as soon as possible begin the process of applying for Canadian citizenship for the child/youth (obtaining citizenship can be a lengthy process and should be resolved prior to the child/youth leaving care). Fully explain the process to the child/youth and take into account their views and their best interests. (For more

information, refer to the [Immigration & Refugee Practice Guidelines and Checklist for Assisting Children in Care.](#))

- Document a response to assessment recommendations, including any referrals that are required, as well as reasons for not following recommendations when appropriate.
- Obtain a supervisor's approval and signature on the Care Plan.
- Obtain signatures, or confirmation of agreement on the Care Plan from the caregiver(s) and those with primary involvement related to implementing the plan.
- The signature of children and youth age 12 and over, with the capacity to understand what they are signing, must be sought once a year. Use discretion for children under 12 depending upon their developmental level and ability.
- Provide copies of relevant sections of the Care Plan to the child/youth and members of their Care Circle or Team. The child/youth's caregiver receives a complete copy of the Care Plan.
- Discuss with the child/youth the confidentiality and safety of their information, and where copies of the Care Plan will be kept.

### ***Reviewing the Care Plan***

- Regardless of the child/youth's current type of placement (e.g. Family Care Home, Staffed Resource, Independent Living Agreement, Youth Custody Centre, etc.), review the child/youth's Care Plan (for further information, refer to the Care Plan Practice Guide):
  - At minimum 6 months after a new or annual Care Plan is completed, or more frequently if specified in the Care Plan or if circumstances arise that make a review necessary (such as a significant event occurring in the life of the child/youth);
  - When there is a change in the permanency goal;
  - In preparation for the child/youth leaving care.
- For regular Care Plan reviews, convene a Care Plan review meeting with the child/youth, their caregiver, and their Care Circle or Team to:
  - Assess whether the Care Plan is effective in achieving the overall goal, particularly in relation to the child/youth's need for stability and continuity of lifelong relationships;
  - Review whether the services provided are effective in meeting the goals identified in the Care Plan.

- Document any in-person planning meetings where the child/youth is present in the In-Person Child/Youth Visit applet in the ICM system. If this includes a private visit, document the private visit in the ICM applet within five business days.
- If an Indigenous child/youth's Indigenous community has an agreement with the director under section 92.1 of the CFCSA, conduct the review in accordance with the agreement.
- The child/youth's Care Plan can be reviewed in response to developments in their daily life and care, when necessary, without convening a Care Plan review meeting.
- For a child/youth in care by temporary order or agreement, notify the parents of the event or circumstances that prompt a review of the child/youth's Care Plan, and include them in a review of the plan and any resulting changes.
- A review of the Care Plan related to youth justice concerns includes the participation of the youth probation officer. (For more information, refer to [Assessment and Planning for Young People Involved with Youth Justice Services](#).)
- If required, based on the review, revise the child/youth's Care Plan.
- Reviews and resulting revisions to the child/youth's Care Plan are based on an assessment of their current situation, strengths and needs.
- Obtain a supervisor's approval and signature.
- Keep copies of the child/youth's revised Care Plan in their file.
- Update on ICM the date the child/youth's Care Plan was completed.
- Provide copies of relevant sections of the revised Care Plan to the child/youth and members of their Care Circle or Team. The child/youth's Caregiver receives a complete copy of the revised Care Plan.

### ***Annual Care Plan***

- Within 6 months after a review of the Care Plan is completed, develop a new Care Plan with the child/youth's caregiver.
- Each domain assessment should be reformulated for each annual completed Care Plan.

### ***Planning for Youth in Care in a Marriage or Marriage-Like Relationship***

*Note: Under the Marriage Act, a child under the age of 16 cannot marry without an order of the court. A youth from 16 to 19 years of age requires consent from their parent or guardian to marry. The Marriage Act also allows a child 16 years of age and older to*

*apply to the court for permission to marry if their guardian withholds consent for unreasonable or improper motives.*

*When a child/youth is living in a marriage-like relationship with an intimate partner, the legal rights and responsibilities that are applied to that relationship are described in a number of different laws, including the Family Law Act and the Income Tax Act, and these laws have different definitions of what it means to be a “spouse”.*

- Ensure that the marriage or marriage like relationship the youth is in is considered a key factor in all applicable stages of care planning (developing the Care Plan, reviewing the Care Plan and annual Care Plan) and in ongoing Care Planning.
- When working with a youth who is living with their spouse or intimate partner, assess their need for Youth Service assistance, as with all other youth in accordance with the [Standards for Youth Support Services and Youth Agreements](#).
- Marriage and marriage-like relationships are among the factors considered when assessing a youth’s need for assistance and protective measures, as well as ongoing support for their safety and well-being (e.g., issues of concern such as domestic violence and sexual exploitation).

### ***Planning for Pregnant and/or Parenting Youth in Care***

- Ensure that planning for pregnant and/or parenting youth in care is considered a key factor in all applicable stages of care planning (developing the Care Plan, reviewing the Care Plan and annual Care Plan), in ongoing Care Planning and more frequently as required.
- Assist the pregnant youth in care to engage in support services and planning, including but not limited to:
  - Counselling;
  - Prenatal support and education;
  - Prenatal allowance for the purchase of such items as vitamin supplements;
  - Identified informal supports such as family, extended family and other responsible adults in the youth’s life.
- Assist and support the youth to make informed decisions and healthy choices.
- If the youth is considering adoption for their child, follow the [Practice Standards and Guidelines for Adoption](#) and consider involving an adoption worker early on.
- When a youth in care becomes a parent while in care and plans to raise the child, the youth is the child’s guardian and has all parental responsibilities, including legal and financial, for the child.

- When a child/youth in care has a dependent child (including those born while in care) do NOT bring the dependant child into care solely to provide medical support (i.e. coverage for primary care, pharmacare, optical coverage, dental coverage, medical equipment or supplies).
  - To ensure enrollment on MSP and Pharmacare for dependent children, contact Health Insurance BC at 1-800-663-7100.
  - MCFD Specialized Provincial Services (SPS) should be contacted at [MCF.MedicalBenefitsProgram@gov.bc.ca](mailto:MCF.MedicalBenefitsProgram@gov.bc.ca) regarding all dependent children of a child/youth in care who may require any of the following: dental, optical, medical equipment and medical supplies. Note: Eligible benefits are identical to those outlined in the [Health Supports for Children in Care Guide](#), and SPS does not assist with organizing primary medical care appointments.
  - Consult with a Team Leader if there is uncertainty about how to obtain coverage for medical support, prescription medication or other medical services for the dependent child of a child/youth in care.
- A parenting youth is entitled to independent legal advice if there is a legal proceeding involving the custody of their child, either under the CFCSA or the FLA, or if they are considering adoption.
- Assist the parenting youth in care to engage in support services and planning, including but not limited to:
  - Financial assistance from provincial and federal programs to support the youth with expenses related to the care of the dependent child;
  - Child care;
  - Transportation;
  - Postpartum counselling services, including sexual health;
  - Parenting support and educational programs.
- If a pregnant youth in care is Indigenous, make reasonable efforts to ensure they are connected to their community/communities (see Policy 5.1(a) – *Supporting the Cultural Identity of Indigenous Children and Youth in Care*)
  - If the youth is not connected, make ongoing efforts to try to connect them to their community/communities.
  - If the youth's Indigenous community provides voluntary prenatal services, speak with the youth and encourage them to connect with the community and/or Indigenous authority to receive prenatal services and any other support services.

*Note: An Indigenous community may not have laws that apply to all types of Indigenous child and family services e.g., Voluntary services, child protection services.*

- If an Indigenous youth in care is parenting, make reasonable efforts to ensure they are connected to their community (see 5.1(a) – Supporting the Cultural Identity of Indigenous Children and Youth in Care).
  - If the youth is not connected, make ongoing efforts to try to connect them to their community.
  - If the youth's Indigenous community provides voluntary services, and the parenting youth may benefit from support services, speak with the youth and encourage them to connect with the community and/or Indigenous authority to receive support services.

If protection concerns arise pertaining to the child of the parenting youth and the youth's Indigenous community has a child protection law that applies to the child of the parenting youth, ensure the Indigenous authority receives the report. See [Child Protection Response Policies \(Chapter 3\)](#) Policy 3.10.

<b>Chapter 5: Children and Youth in Care</b>	
<b>Policy 5.7: Putting the Care Plan into Action</b>	
<b>Effective Date of Policy:</b> <b>June 30, 2017</b>	<b>Amendment Date of Policy:</b> February 19, 2025

### **Policy Statement**

Throughout a child/youth's time in care, actions are taken to meet the objectives set out in their Care Plan to promote the conditions that lead to the best possible outcomes for the child/youth.

### **Outcomes**

- Child/youth's needs are met.

### **Standards**

**5.7(1)** Complete each domain of the child/youth's Care Plan.

**5.7(2)** Make reasonable efforts, at least annually, to involve an Indigenous child/youth's Indigenous community in planning for the child/youth under a continuing custody order and, where applicable, conduct planning in accordance with any agreement with the director under section 92.1 of the CFCSA.

## Procedures

### Care Plan Domains

#### Permanency

*Note: Children/youth in care who have a number of changes in placement can experience a lack of consistency and predictability, as well as feelings of rejection. The likelihood of a child/youth being placed in a permanent living arrangement decreases with each change of placement that they experience. This could be related to the fact that there is a marked increase in disruptive behaviours in children/youth who experience multiple placement moves.*

*Note: Refer to Policy 6.2 Developing the Concurrent Permanency Plan for information about the concurrent permanency plan, which is part of the child/youth's Care Plan.*

- Develop a plan to fulfill the child/youth's need for stability and continuity of lifelong relationships that identifies the responsibilities of those involved in the case planning for the child/youth to support reunification or consider all other options for care.
- When it is determined that a child/youth will not return to the care of their parents, develop an alternate plan for permanency by:
  - Providing the child/youth's parents, extended family and others who are significant in their life with information about the importance of permanence and stability for the child/youth's development and overall well-being.
  - Considering all suitable homes, including the child's current caregiver, as a possible permanent family for a child/youth, subject to s. 71 of the CFCSA and s. 16 of the Federal Act. Involving and seeking input from the child/youth's Indigenous community if the child/youth is Indigenous.
  - Addressing the four dimensions of permanency, including cultural, relational, physical and legal permanency.
  - Collecting information about the child/youth's birth family's history from their parents and/or extended family (for a sample guide to the kinds of information that can be collected, refer to the Birth Family Medical and Social History – forms CF2671, CF2671a, and CF2671b).
  - Considering the child/youth's individual strengths, needs, emotional and developmental levels.
  - Considering the importance of an Indigenous child/youth being able to learn about and practise their Indigenous traditions, customs and language, and belong to their Indigenous community.



- Document the permanency planning process in the child/youth's Care Plan and review every 6 months, or more often if there is a significant change in their circumstances.

*Note: When there is more than one permanency option proposed and there is disagreement about which plan would best meet the child/youth's needs, consider the use of Collaborative Planning and Decision Making with the involved parties.*

*Note: For older youth who are about to age out of care, if a caregiver or other person who has a significant relationship with the youth is interested in adopting them, it is advisable to arrange the adoption prior to the youth leaving care. Although post-majority adoption is possible, the director would not be involved. A post-majority adoption would require the prospective adoptive parent to take responsibility for hiring a lawyer to assist with completion of the adoption.*

### **Identity**

*Note: Children and youth in care who are from minority groups are vulnerable to racism and discrimination and action must be taken to address circumstances where a child/youth in care experiences harm as a result of racism and discrimination. Depending on the child/youth's circumstances, this may range from educating those involved to taking legal action to address the discrimination.*

#### ***Respecting and Cultivating a Child/Youth's Culture***

- Make reasonable efforts to obtain information pertaining to the child/youth's cultural identity on an ongoing basis and when any new information comes to light, including but not limited to the following intervals:
  - When a previously unknown parent or family member is identified;
  - Whenever a change of placement or legal status is being considered; and
  - When the child's care plan is reviewed, at a minimum of every six months.
  - If notified by an Indigenous community that the child/youth is Indigenous.
- Whenever possible, involve service providers, caregivers and community members who are knowledgeable about and sensitive to the child/youth's views, cultural and ethnic heritage, spiritual beliefs and identity in case planning and the provision of services.
- All planning for Indigenous children/youth takes into consideration:
  - The principle that Indigenous families and Indigenous communities share responsibility for the upbringing and well-being of Indigenous children (s. 2(b.1));
  - The impact of residential schools on Indigenous children, families and communities (s. 3(c.1)); and

- The importance of the child/youth being able to learn about and practise their Indigenous traditions, customs and language, and belong to their Indigenous community (s. 2(f), s. 4(2), 70(1.1))
- Provide services and take actions that are sensitive to and respect the views, cultural and ethnic heritage, spiritual beliefs and identity of a child/youth by:
  - Supporting the child/youth's understanding of and connection with the culture and community they identify with;
  - Providing services for Indigenous children and youth that support them to learn about and practise their Indigenous customs, traditions, and languages, and to belong to their Indigenous communities;
  - Exploring the possibility of the child/youth's family, extended family, friends, community and cultural groups or organizations providing cultural resources for the child/youth;
  - Placing the child/youth, whenever possible, with extended family or within the same cultural community. For further information, refer to Policy 3.5, Less Disruptive Measures and Placement Decisions under Removal and Custody Orders and [Out of Care Policies](#);
  - Placing the child/youth with a caregiver who has or is willing to develop an understanding of and sensitivity to the child/youth's cultural, racial, religious heritage, or otherwise identified community, and is willing to support ongoing contact with members of the child/youth's community, when it is not possible to place the child/youth within their extended family or community;
  - Providing the caregiver with information about the child/youth's cultural heritage. For more information, refer to Policy 5.4: Providing the Caregiver with Information;
  - Providing the services of a language and/or cultural interpreter to assist in assessment, planning and service delivery, when necessary and appropriate.
- Support a child/youth in care in understanding and cultivating their heritage, spiritual beliefs and identity by:
  - Determining the child/youth's heritage and history;
  - Providing the child/youth with information about their heritage and identity in a manner appropriate to their developmental level;
  - Supporting the Indigenous child/youth to learn about and practise their Indigenous customs, traditions, and language(s), and to belong to their Indigenous community;
  - Identifying and involving someone from the child/youth's community or cultural group to be the child/youth's cultural contact or mentor;

- Encouraging and providing opportunities for the child/youth to participate in the cultural and religious instruction and events of their choice, as well as assisting the family to understand the child/youth's right to make those choices, when there is conflict or misunderstanding;
- Including the child/youth's caregiver in these opportunities with the child/youth when it is appropriate to do so.

### *Gender Identity, Gender Expression and Sexual Orientation*

- Refer to [Practice Guidelines: 2SLGBTQ+ Inclusiveness in Child Welfare Settings](#) for information on promoting recognition and respect of the diversity of sexual orientation, gender identities and expressions to preserve the dignity of this population and create welcoming, safe and affirming practices and environments for children and youth in care.
- Respect and acknowledge a child/youth's sexual orientation, gender identity and preferred gender expression, when planning with and for them.
- When considering a placement for the child/youth, ensure that the child/youth:
  - Is consulted about placement decisions;
  - Is placed in an environment where their gender expression and preferences will be respected and affirmed.
- Transgender children/youth should not automatically be placed according to their sex assigned at birth; they should be placed according to where they feel most comfortable, often (but not always) in accordance with their gender identity.

### *If a Child/Youth in Care is being harmed by Racism or Discrimination*

- If a child/youth in care is being harmed by discrimination or racism, including disrespect for or discrimination based on the family's circumstances or the child/youth's gender identity, take action by:
  - Validating the child/youth's experience by acknowledging the event or situation and the potential trauma it causes;
  - Seeking specialized services if required to reduce or mitigate the trauma;
  - Educating the child/youth about discrimination and racism;
  - Educating the child/youth about the history and strengths of their culture;
  - Educating the caregiver about steps they can take to address the discrimination and racism experienced by the child/youth;
  - Making a formal report or application to end the discrimination, when available; e.g., Human Rights complaint; threat assessment when a school is involved.

- Where it appears that a child/youth may have been a victim of a crime because of their race or identity, consult with and report the matter to the police.
- In situations where there are allegations of discrimination or racism on the part of the caregiver, a quality-of-care review is conducted. (For more information about a quality of care review, refer to the [Quality of Care Protocols \(MIS\)](#)).
- In circumstances where a child/youth has been harmed by discrimination or racism, consult with and involve those who may play a role in addressing and ending racism or discrimination, including:
  - Public Guardian and Trustee of British Columbia: <http://www.trustee.bc.ca/>
  - British Columbia Human Rights Tribunal: <http://www.bchrt.bc.ca/>

### *Developing a Life Book*

- When it is determined that the child/youth is likely to remain in care for more than 6 months, begin to develop a Life Book for the child/youth to:
  - Provide an opportunity to connect in a meaningful way with the child/youth;
  - Produce an important record of the people, events and milestones in the child/youth's life during the period in care, giving them a sense of personal history and continuity. Refer to the [Foster Family Handbook](#) for detailed information about the development of a Life Book.
- Maintain the child/youth's Life Book jointly with the child/youth and their caregiver.
- Ensure that the child/youth's Life Book goes with them whenever there is a change in placement, and when the child/youth leaves care.
- Make a copy of the child/youth's Life Book before any change in placement and before the child/youth leaves care, in order to ensure that the contents are not lost.

## **Health**

### *Determining the Child/Youth's Initial Physical and Mental Health Care Needs*

- Determine whether the child/youth has approved medical coverage. For information regarding medical, dental and optical coverage for children/youth in care, refer to [Health Supports for Children in Care and Youth Agreements](#).
- Determine whether an Indigenous child/youth is registered under the *Indian Act* in order to establish the benefit amounts to which they are entitled.
- Identify the child/youth's primary physician. Ideally this is a physician already in place and identified by the child/youth's parents. If there is no primary physician

in place, and if the plan may be for the child/youth to eventually return to their family, consider the family's location when identifying a primary physician for a child/youth in care.

- Identify any medical specialists who have been involved in the child/youth's medical care prior to the child/youth entering care, with a view to maintaining the involvement of the same specialists, where appropriate, for the period of time that the child/youth is in care.
- An initial medical exam is completed at the time the child/youth comes into care. The medical exam is completed by the child/youth's primary physician whenever possible, within 24 hours if neglect or physical abuse is suspected or evident, and within one week in other instances.
- Complete the child/youth's permanent medical record, using Form [CF1606: \*Child's Permanent Medical Record\*](#).
- Although the use of walk-in clinics may be necessary at times, it is preferable for children/youth to receive care from a primary physician in order to work towards consistent follow up and complete medical records. If a walk-in clinic is used on occasion, advise the caregiver to request that a report be sent to the child/youth's primary physician.
- If a youth seeks medical assistance independently, encourage them to see their primary physician or, if they attend a walk-in clinic, to request that a report be sent to the primary physician.
- The child/youth's caregiver is informed about and prepared for any medical condition that may result in an emergency (s. 79(j) allows the director to disclose information to caregivers that relates to children in their care).
- Consult with the child/youth, in a manner appropriate to their developmental level, as well as their parents, primary health care provider, and caregiver to determine:
  - The child/youth's current health status, including medical and dental history, vaccinations, allergies, health concerns and physical or developmental disabilities;
  - The child/youth's current and future physical and mental health care needs, and how those needs will be addressed;
  - Specific responsibilities of those involved in planning to assist in meeting the child/youth's health care needs and objectives.
- Continue to monitor the child/youth's physical and mental health care needs through active involvement and coordination of services, and through Care Plan

reviews that include continual assessment of the child/youth's physical and mental health care needs and objectives.

- When a worker is aware that a child/youth in care is at risk of an overdose or has overdosed:
  - Ensure immediate health and safety of the youth is addressed;
  - Ensure youth and their caregiver are trained and obtain a naloxone kit;
  - Discuss with youth and caregiver the risks of non-medical opioid use, how to connect with local health authority or community substance use services clinic, and the benefits of connecting with a substance use practitioner;
  - Provide youth and caregiver with fact sheet on opioid awareness and information on how to access/refill naloxone kits; and
  - Ensure an adequate plan for safety is in place and documented (including harm reduction planning).
  - Refer to [Opioid Use – Working with Youth and Parents Using Illegal Opioids](#) for more information.

*When Additional Assessments are required to address the Child/Youth's Physical and Mental Health Care Needs*

- When it is indicated that a child/youth requires additional or higher-level assessments:
  - Referrals are made in a timely manner;
  - Relevant information is shared with the person conducting the assessment;
  - The child/youth is accompanied to scheduled appointments by their worker, caregiver or other appropriate adult;
  - When the assessment is complete, review information and attend any meetings scheduled for the purpose of reviewing the assessment to obtain clarification of information and/or recommendations as required.
- Consider the issues identified in assessments related to the child/youth's physical or mental health during the Care Plan process and address assessment recommendations.
- During a child's placement, ensure the caregiver is always informed in a timely manner of any change in services to the child whether services have been added or removed. This applies equally to services for the caregiver.
- When an assessment recommendation is not followed or addressed, document the reasons for this decision.

- When a child/youth receives a diagnosis that may require support (e.g. Autism Spectrum Disorder), indicate this in their Care Plan and make appropriate referrals for specialized services.

### *Addressing the Child/Youth's Ongoing Health Care Needs*

- Arrange regular medical exams for the child/youth, with the exception of those referred to in the *Infants Act* who do not consent, using the following schedule (as recommended by the Canadian Paediatric Society):
  - for infants and toddlers: at 2, 4, 6, 9, 12, 18 months, and 2 years;
  - for children 2 to 4 years of age: every year;
  - for children/youth 5 years of age and older: every one or two years; and
  - more frequent attention as recommended by the child/youth's physician.
- Arrange regular dental exams for the child/youth every six months, beginning at age three, unless the child/youth's dentist recommends that they occur more frequently.
- Arrange annual optical exams for the child/youth by a qualified ophthalmologist or optometrist. Routine eye examinations are covered for those children/youth 18 years of age and under.
- Children/youth in care have their hearing tested as recommended by the BC Early Hearing Screening Program or when language development or hearing is in question.
- All information about the child/youth's medical, optical, dental and hearing care is documented in their Care Plan and Health Care Passport. (The Health Care Passport, Form CF 2601, is available as a hard copy booklet from the Distribution Centre.)
- Provide the child/youth's immunization status upon request to a medical health officer (or other authorized person, such as school personnel) in accordance with the [Vaccination Status Reporting Regulation](#)
- Update the Health Care Passport with the caregiver and ensure that it follows the child/youth whenever there is a change in placement.
- For additional information about health care, optical and other supports refer to: [Health Supports for Children in Care and Youth Agreements](#).
- For additional information regarding dental care refer to: [Dental Benefits for Children in Care and Youth Agreements](#).
- Arrange a medical exam for children/youth who are about to leave care, with the exception of those referred to in the *Infants Act* who do not consent, prior to their



leaving care. All documentation on the child/youth's Health Care Passport is up to date.

### *Decision Making About Physical and Mental Health Care for Children/Youth*

- Decision making about physical and mental health care for the child/youth is determined by:
  - The capability of a child/youth to consent to their own health care;
  - The scope of the director's guardianship authority, duties and responsibilities;
  - The capability of the child/youth's parents to consent to health care when the child/youth is not capable of providing consent.
- Make every reasonable effort to ensure that a capable child/youth's decisions about their own health care are made voluntarily.

*Note: Section 17 of the Infants Act gives children/youth the right to consent to health care if the health care provider is satisfied that the child/youth understands the nature and consequences of the health care and has determined that the health care is in the child/youth's best interests. This does not mean that parents, guardians and caregivers are not involved in discussions and decisions about the child/youth's health care. What this means is that if a health care provider has determined that a child/youth meets this threshold, it is the child/youth that must consent to the health care before the health care provider can provide the health care. Furthermore, health care providers must provide confidential health care to a child/youth who requests it, if the health care provider is satisfied that the child/youth has the capability to look after their own health care needs and has determined that the health care is in the child/youth's best interests.*

- When there are doubts about the child/youth's capability to consent:
  - Consult with the child/youth, to the fullest extent possible, and their Care Circle or Team about having an assessment of their capability completed;
  - If it is agreed that an assessment of the child/youth's capability is warranted, arrange for an assessment by a physician to determine whether the child/youth understands the nature, consequences and reasonably foreseeable benefits and risks of the proposed health care;
  - Request that the assessment take into consideration the child/youth's cultural and religious heritage;
  - If the child/youth is not willing to be assessed for capability, if the director is considering making an application under section 29 of the CFCSA, consult first with the health care provider and request that the matter be referred to the ethics committee of the local health authority or hospital for review and recommendation about the proposed treatment.



- When a child/youth who is assessed as capable refuses health care that a physician indicates is in the best interests of the child/youth, facilitate a discussion among those persons involved in making decisions about the child/youth's care in order to reach a resolution of the issues.
- Those involved in making decisions about their care may include:
  - The child/youth;
  - Members of the child/youth's immediate and extended family;
  - Other workers involved with the child/youth;
  - Caregiver(s);
  - Health care providers, including physicians, nurses, specialists or others;
  - Representatives of the child/youth's Indigenous community, if the child/youth is Indigenous;
  - Any other significant persons identified by the child/youth.

*Note: Section 29 of the CFCSA qualifies the child/youth's right under section 17 of the Infants Act to consent to or refuse medical treatment. Section 29 applies when a child/youth that is assessed capable of giving consent, or the guardian of an incapable child/youth, refuses to give consent to health care that, in the opinion of two medical practitioners, is necessary to preserve the child/youth's life or to prevent serious or permanent impairment of the child/youth's health. Under section 29, the court may make an order authorizing the necessary health care. Although the court may authorize the necessary health care, no court has the authority to order or compel a medical practitioner or other health care provider to perform a medical procedure. Therefore, prior to making an application under section 29, it is important to determine that the health care provider will perform the necessary medical procedure – if authorized to do so by the court – even when faced with a continued refusal from the child/youth and/or their guardian.*

### *Decision Making About Immunization*

- Children/youth in care receive regular immunizations using the basic schedule and record of immunization that is included in the Health Care Passport.
- Provide the child/youth's immunization status upon request to a medical health officer (or other authorized person, such as school personnel) in accordance with the [Vaccination Status Reporting Regulation](#)

*Note: In accordance with Sections 47 or 50 of the CFCSA, a director generally has authority to consent to immunizations of a child/youth in the director's custody. An exception is where, respecting a child/youth subject to the temporary custody of the director, a court has specifically ordered that a parent retains the ability to consent to health care for a child/youth. Under Section 94 of the CFCSA, a director may authorize a caregiver to carry out any of the director's rights and responsibilities – including the*

*ability to consent to such health care for a child/youth as standard immunizations. If no custody order under the CFCSA has yet been granted but the child/youth has been removed from the family home, the director may consent to necessary health care for the child/youth only if, in the opinion of a health care provider, the health care should be provided without delay (s. 32(2)(b)). When a child/youth is in care by agreement, their parent normally retains the right to consent to health care, including immunizations. An important caveat to all of this is that, under Section 17 of the Infants Act, an older child/youth may have the legal right to consent, or not, to their own health care, including immunizations.*

### **Managing Critical Health Care Issues**

- When a child/youth in care who is terminally ill or who suffers from a potentially life-threatening medical condition:
  - The situation is reported to the director;
  - The child/youth, their parents and/or caregiver are fully informed about the child/youth's medical condition, the nature of any proposed health care and the consequences, risks and benefits associated with the proposed health care;
  - Determine the scope of the director's role and authority in making health care decisions for the child/youth;
  - When there are doubts about the child/youth's capability to consent, the child/youth has access to a formal capability assessment;
  - Facilitate a structured discussion with the child/youth and/or their parents about advance health care directives, when appropriate;
  - A documented health care plan is developed for the child/youth, which includes:
    - A determination of their capability to consent to their own health care;
    - The director's role, as well as the role of the child/youth's parents, in making health care decisions on behalf of the child/youth;
    - Any critical health care decisions, including any advance health care directives, agreed upon with the child/youth and/or their parent(s);
  - For further information, refer to [Managing Critical Health Care Decisions](#).
- In situations involving placement of hospitalized high-risk or medically fragile children/youth, make certain that:
  - There is a discharge planning meeting before the child/youth leaves the hospital that includes a plan for ongoing medical care, as well as training, support and supervision of the caregiver in providing for the child/youth's daily needs;

- The child/youth's caregiver, as well as the child/youth's parents when appropriate, are in attendance at the discharge planning meeting;
- The child/youth's health care plan is reviewed at least every six months.

### ***Death of a Child/Youth in Care***

- The death of a child/youth in care must be reported to the director immediately. For detailed information, refer to [Reportable Circumstances Policy](#).
- For information about when a child/youth in care dies, refer to [Death of a Child in Care, in an Out of Care Placement or in an MCFD Financially Supported Placement](#).

### **Behavioural Development**

#### ***Understanding a Child/Youth's Context for Behaviour***

*Note: Research and experience indicate that behavioural and emotional problems are prevalent among children/youth in care. Often, they are manifestations of emotional stress or predictable reactions to disruptive events in their life. A trauma informed response is empathetic, informed and thoughtful in order to reduce or eliminate systemic trauma that could intensify the child/youth's emotional and/or behavioural problems. The building of a trusting relationship with the child/youth can result in a positive connection to help counteract challenging behaviours. (For more information about trauma informed practice, refer to the document entitled [Healing Families, Helping Systems: A Trauma-Informed Practice Guide for Working with Children, Youth and Families](#))*

- Determine whether a child/youth has persistent emotional and behavioural challenges.
- Provide the child/youth's caregiver with the appropriate level of preparation, guidance, support and respite to be able to provide a consistent and nurturing care experience for the child/youth.
- Collaborate with the caregiver's resource worker to support the caregiver to meet the needs of the child/youth.
- Arrange for the child/youth to receive effective treatment and therapeutic support to address their persistent emotional and behavioural problems.
- For Indigenous children/youth, this may include the involvement of traditional healers or Elders within the child/youth's Indigenous community. Ensure that the impact of residential schools, and the resulting intergenerational trauma, are considered in planning and decision-making regarding treatment.

### *Informing the Child/Youth about Behavioural Expectations and Consequences*

- Consistent with section 70 of the CFCSA, ensure that the child/youth is informed about:
  - The standard of behaviour expected by the caregiver;
  - The consequences of not meeting the caregiver's expectations;
  - Ministry standards regarding behaviour management practices.

### *Behaviour Management*

- Caregivers are provided with guidance and training that promote positive behaviour management practices, including actions that:
  - Are motivated by the desire to assist the child/youth to learn responsibility and self-control;
  - Are reasonable and relate to the nature of the behaviour;
  - Model respectful behaviour;
  - Support Indigenous children/youth in belonging to their Indigenous communities;
  - Do not compromise the child/youth's rights or treat the child/youth's rights as privileges;
  - Respond to the behaviour as promptly as possible;
  - Are based on praise, encouragement and structuring of the environment for success in meeting appropriate developmental objectives, whenever possible;
  - Recognize the child/youth's strengths.
- There are specified behaviour management practices that are expressly prohibited, including, but not limited to:
  - Deprivation of a child/youth's basic rights or needs, such as food, clothing, shelter or bedding;
  - Physical discipline, such as spanking, shaking, slapping or hitting;
  - Degrading actions, such as humiliation and ridicule;
  - Restraint, other than for the immediate physical safety of the child/youth or others, after all other available procedures and techniques have been proven ineffective, and only for the brief time necessary to keep the child/youth or others safe;
  - Seclusion (not including time out) or confinement;
  - Assignment of unreasonable exercise or work that may be excessive or harmful to the child/youth;
  - Threats of removal from the care setting in order to manipulate or coerce the behaviour of the child/youth;

- Arbitrary or unauthorized denial of visits, telephone contact or correspondence with family members or guardians;
  - Application of consequences in situations where it is not certain that the child/youth's behaviour has warranted them;
  - Being disciplined by another child/youth who has not been designated as a temporary caregiver;
  - Coercive behaviour by the caregiver(s) regarding their religious or personal beliefs.
- For more information about the use of restraint and/or seclusion, refer to Policy 5.13: *Restraint and Seclusion Regarding Children and Youth in Care*.

## **Education**

### ***Assessing the Child/Youth's Learning Needs***

- Within 30 days of the child/youth coming into care, meet with their school and include the child/youth and their caregiver, and parents if appropriate.
- Develop an initial plan, which may include but is not limited to:
- Assessments;
  - Educational supports or other activities to support the child/youth through their transition to care;
  - How contact and communication will be facilitated.
- Assess the child/youth's learning needs by:
- Gathering information from relevant sources, including the child/youth, their family, school, day care, preschool, family physician and/or pediatrician, caregiver, Indigenous community and any others with direct knowledge of the child/youth's abilities and needs;
  - Arranging for the child/youth to be evaluated by a qualified professional if there are any concerns or indications that they may have a learning difficulty for which they will need additional support.
- Consult with school staff to determine whether the child/youth requires an Individualized Educational Plan (IEP).
- If necessary services are not available within the school system, consult with a supervisor to determine whether obtaining services outside of the school system would be the best plan for the child/youth.

### *Preparing for the Preschool Aged Child's School Readiness*

*Note: Research indicates that early childhood development that supports children's school readiness helps them become successful in school. Day care and preschool can be supportive tools to assist children to become school ready. Consideration should be given to the child's need for nurturing and attachment with the primary caregiver when determining the use of these programs. Day care and preschool programs can provide continuity for young children who are already involved in programs or who will continue after their time in care. However, if a child is experiencing many changes, the addition of a new program could be overwhelming to them and could negatively impact their connection with the caregiver.*

- If it is determined that the child would benefit from attendance in a program to address their developmental needs, explore with the caregiver and Indigenous community (if the child is Indigenous), the child's participation in an early childhood development program.
- Consider the views of the child and their family, as well as the cultural context of available programs when determining whether to enrol the child in a particular program.
- Children in care are eligible for preschool and child care program funding through the ministry's [Child Care Subsidy Program](#).
- If the cost of a program is more than the subsidy allowance provides, determine how those costs will be covered prior to the child's attendance in the program.

*Note: Research indicates that many children/youth that come into care have not had the opportunity for highly interactive early childhood stimulation, which promotes competence and interest in learning. Others may have fallen behind, have learning difficulties, behavioural and emotional problems, or a sense of hopelessness that blocks their ability to achieve their potential in school. These children require additional assistance and support if they are to be successful in school.*

### *Planning for the School-Aged Child/Youth's Education*

- Depending on the child/youth's age and in accordance with their Care Plan:
  - Ensure that they are enrolled in a government-accredited school, vocational or skills training program, or specialized educational program that meets the child/youth's individual needs;
  - Have regular contact with the school and participate in school meetings. For information about information sharing with the school, refer to the [Joint Educational Planning and Support for Children and Youth in Care: Cross-Ministry Guidelines](#);

- Encourage and provide opportunities for the child/youth to participate in school activities, outings and extracurricular programs that will enhance learning and promote acquisition of academic and social skills;
  - Ensure that the school has an Individualized Educational Plan (IEP) for the child/youth if they have been assessed as having special learning needs;
  - Arrange for the child/youth to receive additional educational supports in order to address their learning needs, when recommended by the school or other professional, or when requested by the child/youth.
- Whenever possible, support children/youth to remain in the same school they attended before the current placement, in order to ensure continuity, minimize disruption in their education and promote relational and physical permanency.
  - A change in school is only considered when there is no other reasonable option or when the Care Circle or Team determines that the child/youth will benefit from a change in school environment.
  - When a change of schools is necessary, contact the current and new schools to help facilitate a smooth transition for the child/youth, and to ensure that school records and other important information is transferred to the new school.
  - Address specific issues as they arise, such as prolonged absence or lack of achievement, in collaboration with school staff and the child/youth's caregiver as part of the child/youth's Care Circle or Team.
  - Review the education program for the child/youth at least twice annually and document in the Care Plan.

*Note: Supporting educational success, including meeting with school personnel, requires active involvement from the worker, the caregiver and others who are significant in the child/youth's life. Research indicates that high expectations and support are linked to higher student achievement.*

### ***Planning for the Education of Youth Transitioning to Adulthood***

- In accordance with the youth's Care Plan, determine with the youth their education and vocational goals, as well as the services and supports that can be provided to assist with their education or vocational development. More information about transition planning for children and youth can be found in Policy 5.10 Supporting Transition Planning for Youth in Care.
- Determine with the youth whether a specialized education program or service is required to best meet their potential and goals. Options can include, but are not limited to:



- Tutoring;
  - Apprenticeship programs;
  - Industry programs;
  - Alternate education programs;
  - Home schooling;
  - Indigenous education programs;
  - Accelerated programs;
  - Challenge programs;
  - Other individualized programs, including government accredited independent schools.
- After the child's 14<sup>th</sup> birthday and prior to their 19<sup>th</sup> birthday, advise them about the services and supports that may be provided to eligible young adults through SAJE Income Support Agreements, the Life-Skills, Training and Cultural Connections program and the Provincial Tuition Waiver Program. Explain the role of the SAJE Navigator and how they can assist eligible youth in determining their goals and accessing agreements and benefits.
- For youth who plan to complete high school, plan with them to participate in graduation activities with their classmates.
- During the youth's Grade 11 year, begin to make a plan about how graduation expenses will be covered.
- For youth in care under the age of 19 years who are planning to attend post-secondary education or training, refer to the Practice Directive: [Post-Secondary Supports for Children in Care or on Youth Agreements.](#)
- For youth with support needs who are or may be eligible for adult services from Community Living British Columbia (CLBC), follow the transition planning protocols and begin the process when the child is at least 14 years of age. Information about transition planning for children and youth with support needs can be found in Policy 5.11 Supporting Transition Planning for Youth in Care with Support Needs.

*Note: While secondary school graduation is an important goal for many children and youth in the community, plans for children/youth in care should be individually developed according to their interests and goals. Individual plans may include a focus on trades, functional skills and other post-secondary education or training options. It is important that graduation from secondary school and/or other education programs are recognized as important milestones in a youth's life.*

*Note: Financial assistance and support services are available for youth who have reached the age of majority and want to continue their education:*



- *SAJE Income Support Agreements (SISA) are available to eligible young adults from 19 years of age up to their 27th birthday to continue their educational, vocational, life-skills, combination, or take part in a rehabilitative or mental health programming. See the SAJE Income Support Agreements Policy and Procedures for more information.*
- *The Learning for Futures Grant is available to individuals who are eligible for the Provincial Tuition Waiver Program and studying at the undergraduate level in an eligible course or program at one of 25 public post-secondary institutions, Native Education College, or an eligible union trades training provider. Students who meet the eligibility criteria will receive \$3,500 annually.*
- *Several post-secondary institutions across BC have established tuition-waiver programs to support young people who are currently or formerly in care, in order to help them pursue post-secondary education.*
- *Additional information regarding post-secondary supports for children/youth in care or formerly in care, including the following resources:*
  - [Post-Secondary Supports Eligibility Chart](#);
  - [Post-Secondary Financial Support Process for Youth/Young Adults in Continuing Care](#).

*Further information about these supports services can be found on the [Youth Transition Services](#) web page.*

### *Risk/Threat Assessment for Children/Youth with Behavioural Issues*

*Note: Children/youth in care may have difficulty functioning within the regular school system due to the impact of trauma and/or specific behavioural or medical issues.*

- *When it is determined that a child/youth poses a risk to school staff or other students, work with the Threat Assessment Team in the child/youth's school district to respond to the immediate situation. For information about threat assessment and intervention used by the Ministry of Education, refer to the document [When Words Are Not Enough](#)*
- *Consult with a Child and Youth Mental Health Clinician or other behaviour management specialist to determine the best supports and interventions for the child/youth.*
- *If necessary, consider alternatives to in-school education programs in order to accommodate the child/youth's behavioural, medical or trauma related needs and to ensure the safety of others.*
- *Assess the immediate safety of the child/youth's caregiver and family members to determine whether increased intervention is needed. Document the planning for the safety of the caregiver for all Care Circle or Team members.*

- Develop a plan to meet the child/youth's education needs while protecting their safety and well-being, as well as the safety and well-being of others around them.

### **Social/Recreational Activities**

*Research has shown that hobbies, sports activities and other recreational and social activities are important in promoting skills and interests that enhance the child/youth's cognitive, social and physical development, and can lead to a sense of accomplishment and competence. Social and recreational activities can include lessons, clubs, camps, hobbies, sports, artistic pursuits and activities organized by a school, club, association, or a geographical, cultural or religious community.*

*Children/youth in care have the right under Section 70 of the CFCSA to participate in social and recreational activities if available and appropriate and according to their abilities and interests.*

*Signing permission forms for routine school activities:*

- Caregivers sign required permission forms allowing the child/youth to participate in routine school activities, including forms that include waivers and indemnities, unless
  - the activity is considered to be a high-risk activity (see information below),
  - the activity is potentially inappropriate for the particular child/youth, and/or
  - the caregiver has concerns about signing a form.
- If the caregiver does not sign a required permission form to permit a child/youth to participate in routine school activities, the caregiver must bring the form to the attention of the child's/youth's guardianship worker as soon as possible so that they can determine whether to sign the form prior to the activity taking place.

*Note: Caregivers are insured against liability under the Caregivers Group Liability Program, and section 101 of the Child, Family and Community Service Act that states that no person, including foster parents, are personally liable for anything done or omitted in good faith in exercising a duty or function under the Act.*

- Parental consent may be needed for a child or youth in care under a Voluntary Care Agreement or a Special Needs Agreement depending upon the terms of the agreement.
- Parental consent respecting a child or youth in care under an Interim or Temporary Custody Order may be needed if the Provincial Court has ordered, as permitted under s. 47(3) of the CFCSA, that the parent retains the ability to make

necessary decisions about the child's education and religious upbringing (This is an unusual circumstance.)

- Guardianship workers advise caregivers of situations when parental consent is required.
- See table below for a summary of who has authority to sign permission forms:

<b>Legal Status</b>	<b>Routine School, Social/ Recreational Activities</b>	<b>High Risk Activities</b>
In care by agreement (VCA, SNA)	Caregiver  (unless parent retains this responsibility under the agreement)	Guardianship worker (unless parent retains this responsibility under the agreement)
Agreement under Extended Family Program	Care provider  (unless parent retains this responsibility under the agreement)	Care provider (unless parent retains this responsibility under the agreement)
Removal	Caregiver	Parent
Interim and Temporary Custody of the Director	Caregiver	Guardianship worker
Continuing Custody of the Director (CCO)	Caregiver	Guardianship worker
Out of Care custody order	Out of care care provider	Out of care Care provider

- Before signing permission forms, including waivers and indemnities, care givers and guardianship workers consider:
  - The level of risk of the activity;
  - Congruency with the child/youth's care plan;
  - The child/youth's views, ability to participate and interest in the activity;
  - The quality and nature of supervision;
  - Whether the activity will help support the positive development of the child/youth's cultural identity;

- How the activity supports an Indigenous child/youth in learning about and practising their Indigenous traditions, customs, and language, and in belonging to their Indigenous community;
  - How the activity fits in with other scheduled activities and daily routines in the child/youth's life;
  - Whether the activity may interfere with family relationships and contact with family members with the child/youth;
  - Transportation requirements to and from the activity and the ability of the caregiver to meet those requirements;
  - The cost of the activity and availability of funding.
  - Recommendations for safety relating to each sport or activity the child/youth participates including:
    - [Canada Safety Council](#) recommendations on a variety of sporting and leisure activities;
    - RCMP requirements in [Firearm Users Younger than 18](#); and
    - Provincial information on [Off-Road Vehicle Safety](#).
  - If the child/youth has the necessary equipment to safeguard against accidents or injuries.
  - If the child or youth has the necessary qualifications or licenses required for the activity, and if child or youth receives proper instruction if they have not participated in the activity previously.
  - If the child/ youth knows what to do in an emergency.
- When necessary, contact applicable organizations and agencies for information to assist in an assessment of the level of risk associated with a non-routine activity.
  - For a child/youth under an EFP agreement or an out of care court order, indemnity forms are signed by the child/youth's out of care care-provider (unless parent retains this responsibility under the EFP agreement), not by an MCDF or ICFS Agency delegated worker.

### *Signing permission forms for other types of recreational activities:*

- Permission forms including waivers and indemnities for non-school routine activities can also be signed by caregivers unless the activity is considered to be high risk, or the caregiver has concerns about signing.

### *High Risk Activities:*

- Because some activities have a higher degree of risk associated with them, the decision about a child/youth's participation is made by a child/youth's

guardianship worker considering the information outlined above for routine school activities and information included under the heading 'Assessing Risk'.

- Examples of activities considered to be higher risk include but are not limited to, the following:
  - Scuba diving
  - Snowmobiling
  - Horseback riding
  - Riding on or driving motor bikes, scooters, motorcycles, all terrain vehicles (ATVs)
  - Shooting - see information below
  - Hunting - see information below
- In addition to the criteria outlined above regarding participation in routine activities, consider the following when assessing risk for the child's/youth's participation in non-routine activities:
  - The adult operator's safety record for the activity,
  - The degree of supervision to be provided during all periods of activity and rest,
  - The ability of the service provider's staff to handle a crisis,
  - The mode of transportation to be used to take the child/youth to and from the activity,
  - Whether the equipment to be used meets current standards established for its use,
  - The staff's demonstrated qualifications to perform their particular part of the proposed activity,
  - The participant's requirement for specialized training and/or certification before participating, and
  - Whether emergency procedures are in place.
- Contact applicable organizations for information that might help in the risk assessment or strategies to reduce the level of risk associated with a non-routine activity, including, but not limited to the:
  - British Columbia Camping Association that accredits camps in accordance with their standards and provides information on various camps
  - Outdoor Recreational Council of British Columbia
  - Horse Council of British Columbia
  - Canadian Equestrian Federation,
  - British Columbia Snowmobile Federation
  - National Boating Safety School

- Off-Road Vehicle Act
- When determining whether or not a child/youth participates in an activity considered to be high risk:
  - Review all of the available information about the activity and consider the relevant information outlined in this guideline,
  - Include the child/youth according to their age and stage of development in discussions about their involvement in the activity,
  - Educate the child/youth about the possible consequences of their involvement, including, when appropriate, the involvement of other professionals who may provide information and advice,
  - Recommend whether or not the child/youth can participate based upon their best interests and cultural needs,
  - Discuss the recommendation and supporting reasons with your supervisor, and
  - Make a decision with your supervisor, and notify MCFD Finance of any decision to sign a waiver for the child/youth's participation in a high-risk activity by scanning the signed waiver and sending it in an email to [CIC.Indemnity@gov.bc.ca](mailto:CIC.Indemnity@gov.bc.ca)
- Consult with your Director of Operations or ICFS Agency equivalent position if there is difficulty in determining whether or not the child/youth participates in an activity.
- If the child/youth's guardianship worker is not available and a decision is required, the worker's supervisor in consultation with the child/youth's caregiver makes the decision.
- Advise the child/youth and caregiver of the decision and the reasons for it.
- Document all meetings, discussions and/or steps that led to the decision as well as the decision-making process in ICM.
- If a caregiver or a child/youth in care disagrees with the decision and a resolution cannot be made in discussion with the guardianship worker or supervisor, discuss the issue with the involved Director of Operations or the ICFS Agency equivalent position.
- If the issue remains unresolved, offer cooperative planning and decision-making processes.
- Keep copies of signed permission forms, including waivers and indemnities on the child/youth's file.

### *Giving Consent for Other Activities:*

- For situations that are outside of typical social or recreational activities, but require a worker's consent:
  - Educate the child/youth about the consequences of such an action, including, when appropriate, the involvement of other professionals who may provide information and advice;
  - Make a decision based on the child/youth's best interests and cultural needs.

### *Hunting by non-Indigenous children/youth:*

- Children in care must be 14 years old to hunt. Before a child in care is allowed to participate in hunting activities, the child's mental, emotional and behavioural capabilities must be fully assessed by the guardianship worker.
- Written approval to participate in hunting must be received from the child/youth's guardianship worker before permission is given.
- Children in care by agreement or in temporary custody must have written permission from their guardians to hunt, while those in continuing custody must have their guardianship worker's approval.

*Note: In British Columbia, individuals must be over 19 to apply for a licence to own a firearm. Youth in care who hunt generally use firearms owned by a foster parent or lent by a parent. All firearms and ammunition in a foster home must be securely stored according to the rules of the firearms acquisition permit and in accordance with Standard E.2.21 of the [Standards for Foster Homes](#).*

### *Indigenous right to harvest fish and game:*

- Hunting and/or fishing for sustenance supports traditional diets and is considered a key aspect of many Indigenous cultures. In connecting an Indigenous child/youth in care with their culture, a guardianship worker may support the child/youth's engagement in hunting or hunting-related activities if the guardianship worker determines that the Indigenous child/youth in care will be safe while participating in a hunt.
- Before providing consent for an Indigenous child/youth to go hunting, the child/youth's guardianship worker confirms that:
  - The child/youth will be under the close supervision of a responsible person who is exercising their inherent Indigenous right to harvest fish and game for traditional, ceremonial and food purposes or who holds a valid hunting or firearms license;
  - The child/youth expresses an interest in participating in the hunt; and

- The child/youth's level of participation in the hunt is based on their abilities, understanding of the cultural relevance, and competencies related to safety.

**Definitions:**

**Waiver:** *An intentional relinquishment or abandonment of a right to sue for damages. In signing the waiver, the caregiver or guardianship worker (on behalf of the ministry) is:*

- *acknowledging that there is inherent risk in the activity, and*
- *agreeing that a child/youth in care can participate despite the risk, and*
- *agreeing not to sue the organization for damages resulting from the child/youth in care's participation.*

*Note: A waiver does not protect an organization from being sued as a result of outright negligence.*

**Indemnity:** *Security against hurt, loss or damage, or exemption from incurred penalties or liabilities. A promise to compensate anyone who suffers a loss caused through a child's act or default. In signing the indemnity, the caregiver or social worker (on behalf of the ministry) is promising that the government will pay for damages to property or suffered by another participant caused by, or resulting from the participation in the activity of, a child in care.*

**Self-Care and Independence Skills**

*Note: Many children and youth growing up in their own families learn to be independent, responsible adults by gradually being given more responsibility as they mature. Children and youth in care need additional training and support because they are more likely to leave their caregiver's home at an earlier age than children/youth growing up in their own families, sometimes without the same network of family support.*

- Children/youth learn independence skills throughout their time in care, based on age and level of maturity, from the time they are young.
- By the time the child is 14 years old, preparation for independence should be well underway regardless of which permanency options are being considered.
- Support the child/youth to gradually take increased responsibility for aspects of their life, according to their capabilities.
- Consistent with the child/youth's Care Plan, regularly assess their capacity for successful living in the community and develop plans to build on their strengths and address the vulnerabilities identified:
  - According to the child/youth's developmental level;
  - By involving the child/youth's Care Circle or Team.



- Seek the child/youth's views about their goals for the future, both short-term and long-term, and the level of support and kinds of services that would assist them in achieving their goals.
- Ensure that the child/youth's Care Plan identifies the services that will be available to enhance their self-care skills and knowledge within each of the Care Plan domains.
- Work collaboratively with others who are involved with the child/youth to prepare them for independence:
  - Through an ongoing process of building and assessing the child/youth's independent living skills and providing education and opportunities to exhibit those skills;
  - By establishing and strengthening the child/youth's connections with family, extended family, friends, community, as well as informal and formal supports.
  - For Indigenous children/youth, by supporting them to learn about and practise their Indigenous traditions, customs, and languages, and to belong to their Indigenous community.
- For youth who are 16 years of age and older, consider a referral for a Youth Transition Conference where available.
- For youth who will be in the continuing custody of the director until they turn 19 years of age, ensure that they are aware of the support and services available to young people who have been in care, and know how and when to apply for those services. (For more information, see [Youth Transition Services](#).)
- Support the youth's development of independence skills in a manner appropriate to their developmental level. The [Skills Guide for Self Care and Independence Skills](#) is a useful resource to assist with this.

### *Drivers' Licenses for Youth in Care*

- When a youth in care wishes to obtain a driver's license:
  - Assess their level of emotional maturity and stability to determine whether they demonstrate the ability to be a safe driver if properly trained;
  - Determine whether they are willing to take a driver's training course.
- When a youth applies for a learner's license or a driver's license:
  - Accompany them to the local Motor Vehicle License Office;
  - Ensure that they have the required identification;
  - Provide identification, including letter of delegation, to indicate guardianship and consent.

- The director may contribute to the cost of the youth obtaining a driver's license and the driver's training course, depending on the circumstances of the youth.
- If the youth is in continuing custody and is employed, discuss with the youth about an appropriate amount for them to contribute toward the costs.
- If the youth is in care by agreement or under a temporary custody order, discuss with the parents and the youth about an appropriate amount for the youth and, if appropriate, the parents to contribute toward the costs.
- The purchase of motor vehicle insurance is the responsibility of the youth, not the director or the youth's caregiver, and requires the worker to provide consent for youth under the age of 18 years.

<b>Chapter 5: Children and Youth in Care</b>	
<b>Policy 5.8: Supporting and Assisting a Child/Youth with a Change in Placement</b>	
<b>Effective Date of Policy:</b> <b>June 30, 2017</b>	<b>Amendment Date of Policy:</b> May 18, 2021

### Policy Statement

Stability for a child/youth in care is promoted by preventing or reducing changes in their placements wherever possible.

### Outcomes

- Children/youth experience a change in placement when it is in their best interests and within the context of their Care Plan and long-term stability.
- Children/youth have stable placements.

### Standards

**5.8(1)** Document efforts that have been made to support the current placement before a decision to move a child/youth from one placement to another is considered.

### Procedures

#### ***Supporting and Assisting a Child/Youth with a Change in Placement***

*Note: This refers to a child/youth's change in living arrangements that do not include a return to parent, adoption or other permanency options. Instead, this refers to a change of foster care placement or other in-care out of home living arrangement.*

*Note: A change in a child/youth's care arrangement may be disruptive and emotionally destabilizing. All efforts are made to support a placement when possible. When a change in placement is determined to be necessary, prevent and mitigate as much as possible the trauma that a child/youth may experience when making the transition.*

### ***Before Deciding to Move a Child/Youth in Care***

- Determine that all possible efforts to resolve issues have been taken prior to considering a change in living arrangements for a child/youth, including additional training for the caregiver, enhanced supports or services, and resolution of possible conflicts between adults involved in planning for the child/youth using Collaborative Planning and Decision Making processes.

### ***Deciding to Move a Child/Youth in Care***

- Consider the need for a change in the child/youth's living arrangement as a potential opportunity to review available living arrangements within their extended family and community.
- When considering a change in placement for a child/youth in care, take into consideration their views, developmental level, specific care needs, length of stay and relationship with the current caregiver, and history of trauma and loss.
- If required, liaise with the Resource Worker to support the caregiver and/or their family in receiving services to address loss, grief and family change.
- All placement changes must comply with the placement priorities described in section 71 of the CFCSA.
- Consider the long-term implications of the decision, including the potential impact of the move on the child/youth and whether the new placement will provide stability and the opportunity for attachments with the caregivers.
- When the child/youth's circumstances, age or developmental level are barriers to involving them in the decision making, meet with them in person and explain the reasons that have led to the decision to move them, with the assistance of an interpreter if necessary, in a language and manner appropriate to the child/youth's age and developmental level.
- Consult with and obtain approval from a supervisor regarding a decision to change the child/youth's placement.
- Involve the following in the decision about where to place the child/youth:
  - The child/youth;
  - Whenever possible and appropriate, the child/youth's parents, extended family and those who have a significant relationship with the child/youth;
  - Members of an Indigenous child/youth's Indigenous community;
  - The child/youth's current caregiver when this is consistent with the child/youth's best interests;
  - The proposed caregiver.

- When determining where to place the child/youth, refer to Policy 5.2: *Assuming Responsibility for a Child/Youth in Care*.
- Document the reasons for the decision to change the child/youth's placement and the steps taken to assist them with the transition.

### ***If the Child/Youth is Indigenous***

- Determine if the Indigenous community has an agreement with the director under section 92.1 of the CFCSA and conduct planning and decision-making around changing placements in accordance with the agreement; and
- Involve their Indigenous community in identifying:
  - The strengths of the community and possible options for the care of the child/youth;
  - Members of the child/youth's extended family or community who are willing and able to assume the child/youth's care.

### ***Preparing the Child/Youth for a Move***

- Whenever possible and appropriate, before moving the child/youth, prepare them for the move by:
  - Arranging for at least one visit to the child/youth's new home and, if possible, one overnight visit;
  - Developing a plan to support and promote the child/youth's connections with the current caregiver;
  - Completing the Child's Routines form ([CF4065](#)) and providing the completed form to the new caregiver;
  - Providing the child/youth with the means to maintain contact with those they have significant relationships with;
  - Providing the child/youth with the opportunity to discuss concerns, fears and other feelings related to the move;
  - Offering to refer the child/youth for supportive counselling when needed.

### ***When Children/Youth Move to or from another Jurisdiction***

- When it is determined, in consultation with the child/youth and their Care Circle or Team, that the best living arrangement for the child/youth requires a move to or from:
  - Another Service Delivery Area, refer to policies [Child and Family Services File Transfer Under the Child, Family and Community Service Act Policies](#) and [Joint Child and Family Services File Management Policies under the Child, Family and Community Service Act](#); or

- Another province/territory, refer to the [Provincial/Territorial Protocol on Children and Families Moving Between Provinces and Territories](#) and the [Interprovincial Practice Agreement \(IPPA\) Interactive Resource Guide](#)

### ***Preparing the Current Caregiver for the Child/Youth's Move***

- Before the child/youth's move to the new placement, provide the current caregiver with information about the reasons for the child/youth's move, when and how the move will occur, and any relevant information about the proposed caregiver in order for the current caregiver to help support the child/youth during the transition.
- Ensure Caregivers have timely notification of a child/youth's move and are involved in the transition planning and activities from the Caregiver's home to another placement.
- In circumstances where the caregiver has requested a child/youth in their home be moved, after all possible efforts to resolve the situation have been made both the child/youth and the caregiver need a transition plan. It is understood that this is a difficult decision for the caregiver and additional supports may be required.
- Meet with the child/youth and the current caregiver to discuss how the move will occur, including the transfer of all of the child/youth's personal possessions, documentation and other items to the new placement.
- Collect all original identification from the current caregiver and provide it to the person assuming care of the child/youth, refer to MCFD's Retaining Child in Care Identification Policy.
- Support the child/youth and the current caregiver through the transition process and provide assistance with ongoing contact as needed.

### ***Supporting the Child/Youth During and After a Change in Placement***

- When appropriate, involve the child/youth in the packing of personal belongings (all personal belongings are respected and packed in luggage and other appropriate containers).
- Ensure that the child/youth takes their personal belongings with them to the new placement. This includes special equipment required for the child/youth's care as well as belongings that have a sentimental value such as toys, jewellery, pictures and keepsakes. If the child/youth states that they do not want to keep some of their belongings, return those items to their parents whenever possible and/or appropriate.
- Ensure that the child/youth has a place to put their belongings in the new placement.

- Work toward minimum disruption to the child/youth's relationships, school and community activities.
- When the child/youth is able to continue to attend the same school, notify the school about the child/youth's change in placement.
- For Indigenous children/youth, ensure they are supported to continue learning about and practising their Indigenous traditions, customs, and languages, and belonging to their Indigenous community.

<b>Chapter 5: Children and Youth in Care</b>	
<b>Policy 5.9: Planning for a Child/Youth Leaving Care</b>	
<b>Effective Date of Policy:</b> <b>June 30, 2017</b>	<b>Amendment Date of Policy:</b> May 18, 2021

### **Policy Statement**

When a child/youth leaves care, they are supported in making a successful transition to an ongoing living arrangement that is stable and secure.

### **Outcomes**

- Children/youth's important relationships are safely maintained.
- Children/youth are connected to their cultural communities.

### **Standards**

**5.9(1)** Before a child/youth leaves care, provide them or the person assuming care with supports and documentation, based on the listing included in the procedures.

## **Procedures**

### ***Planning for the Child/Youth Leaving Care***

- When considering a plan to return a child/youth to their parent(s), a move to an alternate out-of-care living arrangement, or a move to a legally permanent arrangement, refer to Policy 3.8: *Returning Children and Youth to Parents or Considering Permanency Alternatives*.
- Review the reasons why the child/youth came into care and the Care Plan to ensure that the objectives related to the safety and well-being of the child/youth have been achieved.



- Consult with and obtain approval from a supervisor regarding any plan for a child/youth to leave care.
- Involve the child/youth, relevant family members, caregivers and other significant persons when planning for the transition.
- For Indigenous children/youth, determine if the Indigenous community has an agreement with the director under section 92.1 of the CFCSA and conduct planning and decision-making for the transition in accordance with the agreement.
- Consider the child/youth's best interests when determining the timelines of the transition process.
- Provide all relevant information, documents and assistance necessary to facilitate the transition to the new living arrangement.
- Arrange for the services and supports needed to assist the child/youth and their family after they leave care.
- Determine who has important relationships with the child/youth, including their current caregiver and how those relationships will continue after they leave care.
- Support the child/youth and their caregiver in adjusting to the change in their relationship.
- If required, liaise with the Resource Worker to support the caregiver and/or their family in receiving services to address loss, grief and family change
- If the Public Guardian and Trustee (PGT) is property guardian for the child/youth, provide adequate notice for the PGT to be involved in planning for the child/youth leaving care, including management of RDSP funds for youth with support needs if required.

### ***When the Child/Youth Leaves Care***

- Coordinate and monitor the child/youth's transition in order to avoid, if possible, their return to care, interruption of services, or further disruption in their living arrangement.
- When a child/youth leaves the caregiver's home, the Care Circle or Team notes if the caregiver wants to be considered as a future placement, where possible, should the child/youth return to care.
- When appropriate, involve the child/youth in the packing of personal belongings, and ensure that they have luggage and other appropriate containers as needed for all of their belongings.

- Ensure that the child/youth takes their personal belongings with them when they leave care. This includes special equipment they may require as well as belongings that have a sentimental value such as toys, jewellery, pictures and keepsakes. If the child/youth states that they do not want to keep some of their belongings, return those items to their parents whenever possible and/or appropriate.
- Provide the child/youth or the person assuming care with the child/youth's:
  - Essential documents, such as birth certificate and health care card;
  - Medical and educational history and other relevant information, including copies of medical and school reports, and other relevant documents;
  - Life Book.
- Provide the child/youth or the person assuming care with information about the reinstatement of medical coverage.
- Arrange for the child/youth to receive medical, dental, and/or optical care prior to leaving care, as needed.
- Arrange for the child/youth to obtain adequate prescription medication until they or their parent/care provider is able to obtain medication.
- If applicable, advise the person assuming care of the child/youth to contact the Canada Revenue Agency for information about federal benefits such as the Canada Child Benefit and the Child Disability Benefit.
- If applicable, advise the person assuming care of the child/youth and the child/youth if over the age of 14 about the SAJE Program and its benefits, they may be eligible to access after their 19<sup>th</sup> birthday.
- When appropriate, arrange an event or ceremony to mark the transition from the child/youth's current living arrangement to their new arrangement.
- When appropriate, provide a copy of the latest Care Plan to the child/youth and the person assuming care.
- For information about what should be included in the child/youth's file, refer to the documentation list in Policy 5.2: *Assuming Responsibility for a Child/Youth in Care*.
- Complete a Closing Recording.
- Unless a Youth Agreement is made, close the child/youth's electronic and physical case files after they have left care, following procedures as outlined in the [Child Protection Response Policies](#).

*Note: When providing the child/youth and/or the person assuming care with information about access to the child/youth's information, explain that a request for information may involve a great deal of documented personal information. It is important that they understand the need for a stable living arrangement in order to have a suitable storage arrangement for their personal information. In addition, discuss with a child/youth the possible need for support as they review their file history.*

*Records can be obtained by submitting a [Personal Freedom of Information Request](#).*

<b>Chapter 5: Children and Youth in Care</b>	
<b>Policy 5.10: Planning and Preparing for Adulthood</b>	
<b>Effective Date of Policy:</b> <b>June 30, 2017</b>	<b>Amendment Date of Policy:</b> August 12, 2024

### Policy Statement

Beginning at age 14, or upon entering care (for youth who enter care after age 14), youth are supported to plan for their transition to adulthood. For the purposes of this policy, “youth” refers to individuals between the ages of 14 and 19.

Transition planning occurs as part of regular Care Planning outlined in Policy 5.6 and Policy 5.7, from ages 14 up until a youth’s 19<sup>th</sup> birthday, or earlier transition out of care, if applicable. It is based on the youth’s goals and the identification of resources that can support them to achieve those goals and develop life skills necessary for adulthood.

For Indigenous youth, see [Policy 1.1 Working with Indigenous Children, Youth, Families and Communities](#) regarding the best interests of an Indigenous child, working with Indigenous communities, and promoting attachment and emotional ties with family when a child/youth is separated from them.

Note: This policy complements the transition planning provisions outlined in Policy 5.11 *Supporting Transition Planning for Youth in Care with Support Needs* for applicable youth.

### Outcomes

#### ➤ Youth in care:

- have a sense of belonging with caring people who support their transition to adulthood.
- are connected to their cultures and community/communities prior to age 19.
- are supported to develop the necessary life skills for adulthood.
- are supported to build career and educational/vocational goals.

- are knowledgeable about resources, services, and supports available to them in adulthood.
- are centred in the transition planning process and their voices inform decision-making.
- have a safe and stable place to live once they reach adulthood.

## Standards

### Standards

**5.10(1)** Transition planning is initiated with the youth and their Care Circle or Team when the youth is 14, or for youth who are over the age of 14, upon coming into care. This occurs by including goal setting and planning to support their transition into adulthood in their Care Plan and reviewing it at least annually with the youth.

**5.10(2)** A comprehensive Care Plan for youth in care, aged 14 and older, identifies transition planning goals and activities to support such goals across the Care Plan domains.

**5.10(3)** Concurrent permanency planning and family finding processes are continued throughout transition planning.

*Note: these standards must be met, regardless of whether a SAJE Navigator or SAJE Guide is involved with the youth.*

## Procedures

### ***Introducing youth to a Strengthening Abilities and Journeys of Empowerment Program (SAJE) Navigator for transition planning***

- **Beginning at age 14** (or upon the youth entering care if they do so after age 14), inform the child/youth they will be working with a SAJE Navigator and discuss with the youth whether they wish to participate in developing a SAJE Plan with the SAJE Navigator\*.

\*A SAJE Navigator is the worker responsible for focused transition (SAJE) planning with youth into adulthood up to 19.5 years. This includes regular engagement and collaboration with the youth, the guardianship worker, and their Care Circle or Team to develop and support SAJE planning. The SAJE Navigator provides expertise in transition planning, assessment of transition needs and develops the SAJE Plan in collaboration with the youth, guardianship worker, and the youth's Care Circle or Team. The SAJE Plan is available on the [Collaborate](#) platform.

\*[Collaborate](#) is a secure online platform that houses the Transition Plan. It is a tool designed to facilitate sharing information essential to transition planning among government agencies, community professionals, youth/young adult's receiving services and their Care Circle or Team.

See [Appendix A](#) for the guardianship worker responsibilities and the SAJE Navigator roles and responsibilities with transition planning.

- Explain the purpose and process of SAJE planning with the youth, the role of the SAJE Navigator as a member of the team, and how information will be shared with the youth's Care Circle or Team.
  - The SAJE Plan is a companion document to the Care Plan.
  - Developing the SAJE Plan includes the SAJE Navigator's continuous engagement and collaboration with the youth and their Care Circle or Team to support a strong transition into adulthood.
- Provide available program handouts and information to the youth.
- Explain to the youth that they have a choice about how they participate in their SAJE Plan and encourage them to participate.
  - Regardless of how the youth chooses to participate, explain that transition planning may be completed to support their planning and that they can access the SAJE Plan at any time.
  - Document when these discussions occur, and the youth's choice about their participation in the SAJE Plan in ICM.
- Seek or provide consent on behalf of the youth, using the SAJE Consent Form (found on Collaborate), for the SAJE Navigator to proceed with initiating steps to develop the SAJE Plan. Consent may be provided where it is in the youth's best interest, regardless of whether the youth chooses to participate directly in SAJE planning.
  - For youth on an Interim or Temporary Custody Order, Continuing Custody Order (CCO), or under the guardianship of a director under the *Infants Act* or under the *Adoption Act*, consent may be provided on behalf of the youth.
  - For youth on a Voluntary Care Agreement (VCA) or Special Needs Agreement (SNA), confirm whether guardianship authority for the purpose of SAJE planning has been authorized to the guardianship worker.
    - If this responsibility has been authorized, consent may be provided on behalf of the youth.
    - If this responsibility has not been authorized, the guardian of the youth (e.g., the parent) may provide consent.
- Connect the youth to a SAJE Navigator.
  - Facilitate an introduction to the SAJE Navigator and attend the meeting with the youth.
  - Continue to be involved in SAJE planning, including inviting the SAJE Navigator to Care Plan meetings with a transition planning focus.

- When a youth is not ready to participate in SAJE planning:
  - Facilitate a conversation with the youth about how they would like to participate.
  - Talk to the youth about the benefits of SAJE planning and inform them that a meeting with a SAJE Navigator can be facilitated if/when the youth is ready.
  - Inform the youth about how to access their SAJE Plan.
  - Ensure the youth understands that the SAJE Navigator is part of their Care Circle or Team and will support planning.
  - Inform the ongoing development of the SAJE Plan with the SAJE Navigator, and Care Circle or Team, including supporting task completion and skill development in preparation for youth engagement.
- When a SAJE Navigator is involved in SAJE planning for the youth, meet with the SAJE Navigator at a minimum every three months to discuss the youth's planning needs.
- For youth not engaged in SAJE planning, continue to encourage their active involvement.
  - Document when attempts have been made to engage youth in SAJE planning in ICM.
  - Planning for the youth's transition to adulthood must continue, even if the youth is temporarily unable to engage in the planning process.
- See [Appendix B](#) for an optional list of resources, supports and programs to aid in the planning and preparing for adulthood process.

### ***Registering youth with a Registered Education Savings Plan***

- Advise the child/youth, **age 12 or over, born after December 31, 2003**, on a Continuing Custody Order (CCO) that they may be eligible to receive the Canada Learning Bond (CLB).
  - For youth under other in-care statuses, the parent remains legal guardian\* for financial matters and would need to be engaged (\*Note: For Temporary Custody Orders, the court can award PGT as property guardian. Please consult with PGT).
- Explain the process and requirement to open a Registered Education Savings Plan (RESP) so the CLB can be deposited.
  - No financial contributions will be added to this RESP. The RESP is opened for the sole purpose of facilitating an application for the CLB.
- If the youth would not like to have a RESP opened for them, advise that they can apply for the CLB up until the age of 21.
  - Document this discussion in the Care Plan and share information with the SAJE Navigator or ICFS Agencies equivalent staff to document in the SAJE Plan, where applicable.

- If the youth would like to have a RESP opened for them, ensure that a RESP is opened in accordance with the [RESP/CLB Process Map](#), including the following:
  - Confirm the youth has a Social Insurance Number (SIN) in ICM.
    - If the youth does not have a SIN, contact the Public Guardian and Trustee (PGT) to request a SIN for the youth by emailing [CYS@trustee.bc.ca](mailto:CYS@trustee.bc.ca).
    - When the PGT provides the SIN, update ICM.
  - Seek consent from the youth using the [Appendix B – Consent to the Disclosure of Information Form](#) to share their name, date of birth (DOB), address, gender, and SIN with the financial institution to open a RESP, with the youth identified as the beneficiary.
    - See the [Appendix B – Sample Form](#) for more information.
  - Complete the [Appendix A – RESP/CLB Checklist](#).
  - Send the completed [Appendix A – RESP/CLB Checklist and Appendix B – Consent to the Disclosure of Information Form](#) to MCFD Finance at [MCFRESP@gov.bc.ca](mailto:MCFRESP@gov.bc.ca).
    - Place original copies on the CS file.
    - Document this action in the Care Plan and share information with the SAJE Navigator to document in the SAJE Plan, where applicable.
    - If there are additional questions about the RESP/CLB process, they may be directed to [MCFRESP@gov.bc.ca](mailto:MCFRESP@gov.bc.ca).
  - MCFD Finance will send periodic RESP statement information to the worker with guardianship responsibilities. Share this information with the youth to ensure their ongoing awareness of the savings plan and its value.
  - Discuss with the youth that they will need to open their own RESP account after they turn 19, and at that time, request MCFD Finance to transfer the funds to their account.
    - Funds must also be transferred to a new RESP in the name of a new guardian if the youth leaves care prior to 19.
    - MCFD is the subscriber (the owner of the account) while the youth is under the age of majority. Funds will be transferred to the youth's own RESP account (transferring ownership) when they turn 19.
  - Please visit [iConnect](#) to find resource materials regarding the CLB/RESP process.
    - [Checklist for Delegated Workers](#)
    - [RESP-CLB – What you need to know](#) (can be provided to youth)
- **When the youth is 18.5**, assist the youth to develop a plan to open their own RESP.
  - Remind the youth that when they turn 19, they must open a new RESP account and contact MCFD Finance to request a transfer of the RESP funds from the MCFD account to a new account.



- Consider any actions to help prepare the youth for this task before the youth turns 19.
  - Advise the youth of available options, such as a SAJE Navigator, SAJE Guide, or trusted adult to support RESP planning.
  - Document the youth's plan to open their own RESP in the Care Plan.
  - Provide the youth with [Opening a RESP for Young Adults](#) for more information.
- If MCFD has not opened an RESP for the youth **before the youth turns 19** to access the CLB, provide the youth with the [CLB Brochure](#).

### ***Considering Independent Living Agreements***

An Independent Living Agreement may be appropriate for a youth aged 16 or older, if they meet the following eligibility criteria:

- The youth is in care via a temporary or continuing custody order;
- There are no appropriate placement options immediately available;
- An Independent Living Agreement is appropriate given their Care Plan and readiness;
- An Independent Living Agreement best meets the youth's needs.

To further assess readiness, meet with the Care Circle or Team and consider:

- Level of emotional and behavioural development
  - Attendance at school or employment
  - Current level of independent functioning
  - Individual goals regarding living independently
- As ILAs share similarities with Youth Agreements, it may be helpful to review the [Standards for Youth Support Services and Youth Agreements](#) when considering an ILA.

### ***Monitoring and supporting Independent Living Agreements***

- Consult with a Team Leader to confirm that an ILA is the option that best meets the youth's needs.
- If an ILA is pursued, document this in ICM.
  - Use the ILA template ([CF2631](#)) to document responsibilities of the youth and the worker.
  - Determine with the youth and the Team Leader the level of contact required to meet the youth's needs while in an ILA.
    - More frequent contact is advisable when an ILA is first established or if a youth is experiencing a particularly difficult time and requires additional support.

- If daily contact is required, this may be supported by a contracted youth worker. Consult a Team Leader for further information.
- Consider a variety of ways to connect with the youth on a regular basis, such as having the youth pick up weekly ILA cheques. For youth who do not require weekly contact, establish regular text or phone call check-ins.
- Review with the youth the importance of self-reporting critical or serious incidents. Make sure to follow the procedures and timelines outlined in both the [Reportable Circumstances Policy](#) and Policy 5.12 [When a Child/Youth is Missing](#).
- Use the [YAG/ILA Cost Estimate Guide](#) and [YAG/ILA STOB Descriptor](#) and document financial arrangements using the Youth Agreement (YAG)/ILA Schedule A Payment Plan ([CF0700A](#)).
- If any minor changes to the ILA are required, document these changes using the Modification Agreement form ([CF0702](#)). A new Schedule A is not required if the 2<sup>nd</sup> page of the Modification Agreement is completed with financial details. Please note that substantive changes, such as changes to start or end dates of an Agreement, cannot be made through a Modification Agreement (a new Agreement would need to be signed).
- Collaborate with the youth and their Care Circle or Team to ensure appropriate social supports are in place to increase the likelihood that an ILA will be successful.
- Maintain regular in-person contact with the youth, and view their accommodation at minimum:
  - When the youth moves in; and,
  - At least every three months, or more frequently should there be a significant change in the youth's circumstances or Care Plan, or as agreed upon with the youth.

### ***Bridging the youth to adulthood before they turn 19***

- **When the youth is 18.5**, gradually transition the responsibility for supporting the youth to the SAJE Guide or ICFS Agencies equivalent staff member for those youth who turned 19 in a Continuing Custody Order, Youth Agreement, or have eligible status at 19 as determined by section 12.3 and 12.4 of the CFCSA.
  - When a youth who is receiving SAJE Navigator or ICFS Agency Equivalent services turns 18.5, explain to the youth that a SAJE Guide or ICFS Agency equivalent will be joining the team to support SAJE planning and ultimately replace the role of the SAJE Navigator past the youth's 19<sup>th</sup> birthday as their primary most-majority support if they choose to access SAJE Programming.
- **When the youth is 18.5**, ensure the necessary steps have been taken to obtain the youth's legal status in Canada, if applicable. [See the Immigration and Refugee Practice Guidelines](#).

- **When the youth is 18.5**, inform them of housing arrangements and resources available to them, based on their individual plans and needs, to help them secure safe and stable housing, including:
  - Continuing to reside with their caregiver through a SAJE Housing Agreement (SHA) or to reside independently through a SAJE Support Agreement (SSA) once they reach adulthood.
    - See the [SHA and SSA for Young Adults Policy](#) for further information.
    - If the youth is interested in a SHA or SSA, document this in the Care Plan.
  - Exploring roommate or co-housing situations, including residences offered through university.
  - Housing resources, including:
    - [Rent Supplement Program](#) offered by MCFD.
    - Subsidized housing or rental supplement programs offered by [BC Housing](#).
  - Information on their [rights and responsibilities](#) under the *Residential Tenancy Act*.
- **When the youth is 18.5**, advise the youth of the education services and supports that may be available to them in adulthood, including but not limited to the following programs:
  - SAJE Income Support Agreements (SISA) are available to eligible young adults from 19 years of age up to their 27th birthday to continue their educational, vocational, life-skills, combination, or take part in a rehabilitative or mental health programming. See the [SAJE Income Support Agreements Policy and Procedures](#) for more information.
  - [The Learning for Futures Grant](#) is available to individuals who are eligible for the [Provincial Tuition Waiver Program](#) and studying at the undergraduate level in an eligible course or program at one of 25 public post-secondary institutions, Native Education College, or an eligible union trades training provider. Students who meet the eligibility criteria will receive \$3,500 annually.
  - The [Provincial Tuition Waiver Program](#) (PTWP) supports students who are former youth in care by providing tuition and mandatory fee waivers while attending an eligible BC post-secondary institution.
  - Additional information regarding post-secondary supports may be provided to the youth, including the following resources:
    - [Post-Secondary Supports Eligibility Chart](#)
    - [Post-Secondary Financial Support Process for Youth/Young Adults in Continuing Care](#)
- **Before the youth turns 19**, ensure that the youth knows that they can apply for [Crime Victim Assistance Program \(CVAP\)](#) before they turn 20, if they have been the victim of a violent crime at any point in their life and a previous CVAP application has not been submitted.

- **When the youth turns 19**, close the youth file.
  - Close the physical and ICM CS case:
    - Complete a Closing Recording promptly.
    - Ensure MCFD medical coverage is closed off as this may impact the young adult's MSP coverage.
    - Refer to the appropriate [ICM Quick Reference Guide](#) for how to close cases and how to create a Post Majority (SP) case, if appropriate.
  - Close the youth's electronic and physical case files after they have left care, following procedures as outlined in the [Child Protection Response Policies](#).

## Appendix A – Worker Roles and Responsibilities with Transition Planning

	Guardianship Worker	SAJE Navigator
General Role	Ensures safety, wellbeing, and development of youth in care, including supporting youth to strengthen and build their network of supportive relationships.	Initiates focused SAJE planning, including supporting youth to strengthen and build their network of supportive relationships.
Ages Served	0 - 19	14 - 19.5*
Planning Document	Care Plan	SAJE Plan
Supporting Policy	<a href="#">Children and Youth in Care Policies (Policy 5.10)</a>	SAJE Navigator Policy
Transition Planning Responsibilities	<ul style="list-style-type: none"> <li>Introduces youth to transition planning.</li> <li>Seeks/obtains or provides consent, as applicable.</li> <li>Provides updates to SAJE Navigator, as needed.</li> <li>Invites SAJE Navigator to Care Plan meetings, where applicable.</li> <li>Undertakes transition planning responsibilities, where SAJE Navigator services not available.</li> <li>Opens Post-Majority Services (SP) file, signs and administers post-majority agreements, as needed, where SAJE Guide services not available.</li> </ul>	<ul style="list-style-type: none"> <li>Assesses and plans for ongoing SAJE planning needs.</li> <li>Creates, manages and updates SAJE Plan.</li> <li>Attends Care Plan meetings with transition focus.</li> <li>Schedules SAJE planning meetings, where needed.</li> <li>Invites SAJE Guide when youth is 18.5 and gradually transitions responsibilities.</li> <li>*Supports SAJE planning for young adults up to age 25, where needed.</li> </ul>

## **Appendix B – Resources to Support Transition Planning**

### **Preparing for Adulthood/Youth Transition Planning**

- [The Jig is Up: The Ultimate Metis Youth “Adulting” Resource Guide](#)
- [Youth Services Website](#)
- [Agedout.com](#)
- [Youth Independence Planner](#)
- [Life Skills Checklist](#)
- [Ansell-Casey Life Skills Toolkit](#)
- [Transitioning from Care brochure \(PGT\)](#)
- [PGT Youth Transitioning to Adulthood Resources and Links](#)

### **Health and Wellness**

- [Applying for Medical Services Plan \(MSP\)](#)
- [Foundry Programming](#)
- [British Columbia Mental Health Services](#)
- [BC Mental Health and Substance Use Services](#)
- [First Nations Health Authority](#)
- [Non-Insured Health Benefits](#) (for First Nations and Inuit persons)
- [Transition Houses and Safe Homes List](#)

### **Employment**

- [Work BC](#)
- [Work BC Services for Youth in Care](#)
- [Get Youth Working](#)
- [Work BC Career Toolkit](#)

### **Education and Training**

- [Provincial Tuition Waiver Program](#)
- [SAJE Income Support Agreements Policy and Procedures](#)
- [Learning for Future Grant](#)
- [PGT Educational Assistance Fund](#)
- [Dream Fund](#) (Federation of BC Youth in Care Networks)
- [Education Planner BC](#)
- [Scholarships and Bursaries Resource Guide](#)
- [Student Aid BC Grants & Scholarships](#)
- [Bladerunners Program](#)

### **Financial and Benefits**

- [Dollar\\$ and Sense](#)
- [Canada Pension Plan – Benefits for children under 25](#)

- [Service Canada](#) (Assistance for education/training programs)
- [Rights and Benefits](#) (for First Nations peoples)
- [Child Disability Benefit and Registered Disability Savings Plan FAQ](#)
- [Canada Revenue Agency – Introduction to Income Tax Program](#)

## **Rights and Advocacy**

- [Representative for Children and Youth](#)
- [Ombudsperson of BC](#)
- [Federation of BC Youth in Care Networks](#)

## **Housing**

- [BC Housing](#)
- [Residential Tenancy Branch](#)

## **Chapter 5: Children and Youth in Care**

### **Policy 5.11: Supporting Transition Planning for Youth in Care with Support Needs**

**Effective Date of Policy:**  
**October 1, 2018**

**Amendment Date of Policy:**  
April 4, 2024

#### **Policy Statement:**

Youth in care with support needs are supported to plan early for the transition to adulthood through a coordinated approach focusing on the youth within the context of their support network, community and culture.

#### **Outcomes**

- Children are supported to plan for transition to adulthood after their 14th birthday in accordance with their abilities.
- Children benefit from a collaborative and coordinated transition planning approach that is youth-centered and community-focused.

#### **Standards**

**5.11(1)** Transition planning is initiated for children who are 14 years of age by incorporating transition goals and services into the youth's Care Plan.

**5.11(2)** Required information and documentation for Community Living British Columbia (CLBC) eligibility determination are provided after the youth's 16th birthday and no later than six months after the youth's 17th birthday.



## Procedures

- Throughout the transition planning process, document the transition planning goals, services and planning activities in the youth's plan of care.
- Transition planning for eligible youth with support needs can include SAJE programming and supports as outlined in [Policy 5.10](#). For more information refer to the [Strengthening Abilities and Journeys of Empowerment](#) page on i-Connect.
- For youth choosing not to engage in transition planning, advise the youth of potential impacts of delaying planning, especially if they may be eligible for services and supports through the SAJE Program and/or from CLBC.
- For transition planning and sharing information regarding youth involved with Youth Justice Services or Youth Forensic Psychiatric Services, consult with the team leader and the youth's probation officer.

### ***Supporting an early and coordinated transition planning process when children turn 14***

- When the child turns 14, provide youth and their support networks with information about the transition planning process and potential adult supports and services.
- Encourage the parent to participate in transition planning when the parent/guardian remains involved with the youth and when it is in the best interest of the youth.
- Act as the transition planning coordinator and establish a transition planning team. Examples of team members include school staff, caregivers, service providers, and community members as appropriate.
- Ensure the youth has necessary identification including a Social Insurance Number (SIN), [birth certificate](#), or [proof of Canadian citizenship](#) and [BC ID Card](#).
- Confirm if the youth has been deemed eligible for the [Child Disability Benefit \(CDB\)](#) by checking if the ICM Case Plan tab is marked "I – In Pay".
- If the youth may be eligible for the CDB, but has not been assessed by a medical practitioner, indicate "Y" in the ICM Case Plan tab.
- Youth who are eligible for the CDB are also eligible for to have a [Registered Disability Savings Plan \(RDSP\)](#) opened and managed by the Public Guardian and Trustee (PGT). The PGT sends the worker an annual review form usually in the child/youth's birth month. The Annual Review form identifies if an RDSP has been set-up and the current value of the RDSP account. This form also identifies any other funds held by the PGT, any legal issues which have been referred to a PGT lawyer, and allows the worker to provide any additional relevant information.

- Discuss with the school the inclusion of transition goals in the youth's Individual Education Plan.

### **Eligibility for CLBC**

- Ensure adherence to timelines in Transition planning for youth in care who may be eligible for CLBC supports and services in order to avoid delays and/or funding challenges. Further details of these timelines or more information, is found in the [Services for Transitioning Youth Operating Agreement between MCFD/DAA and CLBC](#).
- Community Living BC (CLBC) accepts referrals beginning when a youth is 16 years of age. CLBC uses the DSM-5 diagnostic criteria as part of the eligibility requirements for CLBC-funded services and uses the term "intellectual disabilities". DSM-IV-TR diagnoses continue to be accepted as well. See the [CLBC policy on eligibility](#).
- One of the following two forms that must be completed and submitted along with assessment reports in all cases:
  1. [CLBC Eligibility Form - Assessor Report](#) (To be completed by the actual Assessor); or
  2. [CLBC Eligibility Form - Review](#) (To be completed by the reviewing psychologist if original Assessor is not able to complete the Assessor form)

*Please note: Any diagnosis of Intellectual Disability with an IQ greater than 70 (allowing for measurement error of +/- 5) upon application for eligibility to CLBC Services will be reviewed by a CLBC provincially contracted psychologist.*

### **Referral to CLBC adult services and supports**

- While the youth is 15, review the child service file to identify what assessments are needed to determine eligibility for CLBC services.
- If the youth may be eligible for the [Personalized Supports Initiative](#) from CLBC, ensure there is a copy on the file of the diagnostic report confirming a diagnosis of either Autism Spectrum Disorder or Fetal Alcohol Spectrum Disorder. This is in addition to the CLBC Eligibility Forms completed by a qualified assessor.
- If eligibility information and/or required assessments are not available, arrange funding for the required assessment(s).
- Scan all documentation and completed reports into ICM.
- Ensure youth has access to financial planning information and has opened a bank account if the youth has the capacity to manage their own funds.

- Provide all required information and documentation to CLBC for eligibility determination after the youth's 16th birthday and no later than six months after the youth's 17th birthday.
- If the youth does not consent to providing information to CLBC:
  - Advise the youth that failure to provide information to CLBC may delay receipt of CLBC services;
  - In consultation with the team leader, consider releasing information to CLBC without consent if it is in the youth's best interest.
- Follow-up with CLBC if notification of eligibility is not received within five business days of sending required documentation.
- Consider options for the youth's resource for when they turn 19. For more information on planning a resource or a shared residential resource, consult Appendix A – Shared Residential Services in [Services for Transitioning Youth Operating Agreement December 2015](#)
- If a youth is brought into care after their 16th birthday, consult with a CLBC facilitator as soon as possible about eligibility and collaborative planning to ensure that eligible services are in place at age 19.

### ***Referral for other services and programs***

- Consider a referral to [Services to Adults with Developmental Disability \(STADD\)](#) at age 16 if the program is available in the community. More information is available in Appendix B.
- If the youth has a physical disability and high-intensity care needs, contact the local health authority to determine eligibility for [Home and Community Care](#) or the [Choice in Supports in Independent Living \(CSIL\)](#) program.
- Before the youth's 18th birthday, consider if the youth is eligible for SAJE Housing Agreements or SAJE Support Agreements after their 19<sup>th</sup> birthday. Complete a referral to [BC Housing](#) if appropriate.
- When the youth is 18.5 years of age, provide support in applying for [Income Assistance](#) and/or [Persons with Disability \(PWD\)](#) benefits if appropriate.
- See Information on PWD benefits: [How to apply](#) and [Document Checklist](#). If a person has already been determined eligible for CLBC services a simplified application process is available for PWD.

### ***Youth with a Registered Disability Savings Plan (RDSP)***

- When a youth with an RDSP turns 17, the Public Guardian and Trustee (PGT) contacts the worker to initiate planning for the transfer of the holder of the RDSP from the PGT to the youth at age 19 or their legal representative.
- Determine if the youth has the capacity to manage their RDSP independently. This can involve consultation with the caregiver, school staff and others who know the youth well.
- The PGT can transfer the RDSP to young adults under specific circumstances depending on the youth's capacity and support network. A Representation Agreement may be needed. Having an RDSP does not affect PWD eligibility.
- Determine the youth's Disability Tax Credit (DTC) Certificate Status End Date by checking the date in the ICM Case Plan tab. The youth may need another T2201 completed if the DTC status ends prior to age 19.

### ***Consider unique cultural customs, traditions and practices***

- Transition planning includes consideration of relevant coming of age practices for youth transitioning to adulthood.

## **Appendix A: Checklist – Youth in Care with Support Needs Transitioning to Adulthood**

Complete the following checklist to ensure all activities have been undertaken when planning for a youth in care with support needs who is transitioning to adulthood.

### Age 14 - 15

- ☐ Explain to youth and caregiver the importance of early transition planning and the steps involved.
- ☐ When the parent/guardian remains involved with the youth and it is in the best interests of the youth, the MCFD/ICFS Agency worker encourages the parent to participate in transition planning.
- ☐ As the transition planning coordinator, establish a transition planning team, set up meetings and begin to develop a plan.
- ☐ Ensure the youth has necessary identification including a Social Insurance Number (SIN), birth certificate, or proof of Canadian citizenship and BC ID Card
- ☐ If not already done, consider if the youth could be eligible for the Child Disability Benefit.
- ☐ Discuss with school the inclusion of planning goals in youth's Individual Education Plan.
- ☐ Document the youth's transition planning goals and planning activities in the youth's plan of care.

### After 15<sup>th</sup> birthday:

- ☐ Gather required documents, assessment reports and consents.
- ☐ Arrange funding for required assessment(s) for eligibility purposes if not available.
- ☐ Ensure copies of assessments and other documentation is scanned into ICM file.
- ☐ Ensure youth has access to financial planning information and has opened a bank account if the youth has the capacity to manage own funds.

### After 16th birthday:

- ☐ If the youth is likely eligible for CLBC, consider a referral to STADD at age 16 if the program is available in the community. Refer to Appendix B for more information.

- ☐ After the youth's 16th birthday and no later than 6 months after the youth's 17th birthday, provide all required information to CLBC for eligibility.
- ☐ Follow-up with CLBC if notification of eligibility is not received within 5 business days of sending required documentation.
- ☐ If CLBC eligible, meet with the CLBC facilitator and include caregiver and other team members.
- ☐ If the youth does not consent to providing information to CLBC:
  - Advise the youth that failure to provide information to CLBC may delay receipt of CLBC services.
  - In consultation with the team leader, consider releasing information to CLBC without consent if it is in the youth's best interest.
- ☐ Discuss adult home living options with youth and their transition team. If the option of a shared resource is being considered, consult the [Services for Transitioning Youth Operating Agreement December 2015](#)
- ☐ If a youth is brought into care after their 16th birthday, consult with a CLBC facilitator as soon as possible about eligibility and collaborative planning to ensure that eligible services are in place at age 19.

After 17th birthday:

- ☐ For youth with an RDSP, participate in discussions with the Public Guardian and Trustee about planning for the transfer of the RDSP and the establishment of a Representation Agreement if needed.
- ☐ Determine the youth's Disability Tax Credit (DTC) Certificate Status End Date by checking date in ICM Case Plan Tab. If necessary, arrange for another T2201 to be completed by a health care professional.
- ☐ Before 18<sup>th</sup> birthday, support a referral to BC Housing if necessary.
- ☐ Assist youth in applying for post-secondary education/vocational training and relevant education bursaries before age 18 if appropriate.
- ☐ Support youth in completing any planning pieces before end of school. If available, explore with school team the option of extra year in school and coordinate request with school as needed.
- ☐ If youth is accessing CYMH services, connect with the CYMH practitioner about transition planning to adult mental health services.

At 18.5 years:

- ☐ At 18.5 years, support youth in applying for [Income Assistance](#) and/or [Persons with Disability \(PWD\)](#) benefits if appropriate.
- ☐ Ensure the youth is prepared for end of MCFD supports if they are not eligible for SAJE programming or do not choose to access SAJE programming at the time of their 19<sup>th</sup> birthday. If applicable, ensure the youth and their Care Circle or Team are aware that SAJE programming may be accessible until the youth or young adult turns 27.

If the youth has a physical disability and high-intensity care needs, contact the local health authority to determine eligibility for [Home and Community Care](#) or the [Choice in Supports in Independent Living \(CSIL\)](#) program.

## **Appendix B: Best Practice Guidelines for Workers working in communities offering Services to Adults with Developmental Disabilities (STADD)<sup>1</sup>**

### **1. Referral to STADD (at the age of 16):**

- Contact STADD by calling the central number 1-855-356-5609 to confirm if services are available in the community;
- If the youth is interested in working with a Navigator, obtain a signed HR3563 “Consent to Collect, Use and Disclose Personal Information” form for sharing MCFD information with the Navigator (the form is available at the bottom of the [Find a Navigator](#) web page);
- Initiate referral or support self-referral to STADD using Collaborate, the online platform to track referrals and share information with the case team; and
- If the youth is not ready to connect with STADD, provide information about contacting STADD for use at a later time.

### **2. After the STADD referral:**

- Participate on the transition team; monitor the status of the transition plan and communicate as necessary with other transition planning members using [Collaborate](#).
- As requested, provide information on MCFD policy and guidelines to individuals, support team members, and support networks.

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<sup>1</sup> Based on [Partner Organization Roles and Responsibilities for Youth and Young Adults with Developmental Disabilities](#)



## **Chapter 5: Children and Youth in Care**

### **Policy 5.12: When a Child/Youth is Missing**

**Effective Date of Policy:**  
**February 2016**

**Amendment Date of Policy:**  
May 21, 2025

#### **Policy Statement**

Appropriate action is taken to locate a missing child/youth and to safeguard them from harm or the threat of harm.

#### **Outcomes**

- Immediate steps are taken to locate a missing child/youth.
- Steps are taken to plan for any child/youth who has gone missing or is at risk of going missing.

#### **Standards**

- 5.12(1)** Activate an immediate plan to find the missing child/youth and to protect them from actual or potential harm, taking the same actions as a prudent and responsible parent.
- 5.12(2)** Continually monitor, update and revise the plan to ensure that efforts to locate the child/youth are sustained and reinforced, if necessary, until they are located and safe.
- 5.12(3)** Notify, consult and cooperate with the Indigenous community of an Indigenous child/youth who has gone missing, and ensure relevant coordination agreements or s.92.1 agreements are followed when working with Indigenous children and youth.

**5.12(4)** After a child/youth is no longer missing, ensure that a plan is in place for the caregiver that includes:

- What actions should be taken if the child/youth goes missing again; and
- How to strengthen the child/youth's relationship with the caregiver and feeling of safety and belonging in the home.

**5.12(5)** Consult with a supervisor immediately if a child/youth is no longer missing and unwilling to return to their placement.

**5.12(6)** Contact the police/RCMP if at anytime it is believed that a child/youth's health or safety is in immediate danger.

**Note:** *This policy applies to any child/youth in care that is missing, whether they are in a family care home setting or a staffed resource care setting.*

## Definitions

*Missing child/youth: any child/youth in care, including respite care:*

- whose whereabouts are unknown, and,
- who cannot be found after taking the same actions as a prudent and responsible parent

*Prudent and Responsible Parent: The prudent and responsible parent makes careful and sensible parental decisions that are intended to maintain the child/youth's health, safety and best interest.*

*Provincial Centralized Screening (PCS): Provides 24/7 child protection service across the province, including responding to reports from caregivers and/or the public when a child/youth in care is missing. 1-800-663-9122*

*Note: Responses taken by a caregiver, the child/youth's worker and/or PCS when a child/youth may be missing must be based on the individual child/youth's developmental capacity (e.g. their chronological and/or developmental age), the circumstances at the time the child/youth went missing (e.g. weather, if they are emotionally distraught) and any other contextual factors.*

## Procedures

- The [National Inquiry into Missing and Murdered Indigenous Women and Girls](#) has established Indigenous female, two-spirit and gender diverse children/youth are at increased risk of harm while they are missing. They are also

disproportionately represented in the care system and in the number of children and youth in care that go missing throughout Canada. This information and the effects of intergenerational trauma and colonization must be considered when determining the response to be taken by the child/youth's caregiver, the child/youth's worker, and PCS while the child/youth is missing and in developing a plan to prevent the child/youth from going missing. Refer to the [Aboriginal Policy and Practice Framework in British Columbia](#) and the [Trauma-Informed Practice Guide for Working with Children, Youth and Families](#) for more information on colonization and intergenerational trauma.

***Responding When a Child/Youth's Whereabouts are Unknown: Expectations of the Caregiver (child/youth is not yet considered to be missing)***

- Expectations of the caregiver include:
  - Before contacting PCS or the child/youth's worker, they must take the same actions a prudent and responsible parent would, with consideration of the child/youth's age, developmental and/or support needs, circumstances around their disappearance, and other contextual factors, including but not limited to:
    - Actively trying to contact the child/youth directly via their cell phone or other personal device;
    - Actively seeking out and contacting anyone who may know about the current or recent whereabouts of the child/youth. This may include the child/youth's friends, family, persons they are in a relationship with, members of the child/youth's Indigenous community, coaches, teachers, or other community professionals involved with the child/youth etc.;
    - Conducting a thorough search of the caregiver's property including the child/youth's room, the home and outdoor area;
    - Identifying and checking likely locations where the child/youth may be in the community; and
    - Taking further actions, as outlined in the [Practice Guideline: When a Child or Youth in Care is Missing](#).
  - If there are no immediate health or safety concerns, the caregiver should contact the child/youth's worker or PCS to determine next steps and if police/RCMP involvement is needed to search for the missing child/youth.

- If at any time they believe the child/youth's health or safety is in immediate danger, they must contact the police/RCMP and then contact the child/youth's worker or call PCS and select option 1 for the immediate queue to inform them that the police/RCMP were contacted. (See the list below for information to provide police/RCMP regarding a missing child/youth).
  - When the child/youth's general whereabouts or location becomes known, but the child/youth's health or safety is still considered to be in immediate danger, contact with the police/RCMP should clarify that the purpose of involving police is not to search for a missing child/youth but more specifically:
    - to conduct a wellness check or
    - to keep the peace if the caregiver is visiting an unsafe environment to pick-up the child/youth.
- Document any actions taken or efforts made to locate the child/youth at the earliest opportunity.

*Note: A youth on probation must be governed by the conditions of their probation with regards to time away from a foster home or Specialized Home and Support Service, curfew and/or required check-ins. Ensure a plan is in place for actions the caregiver should take if a youth breaches their probation, including contacting the youth's worker or PCS, the youth's probation officer or if police/RCMP must be contacted immediately.*

### **Responding When a Child/Youth is Missing: Expectations of the Caregiver**

- It is the responsibility of the child/youth's worker to ensure the caregiver knows that if they are unable to locate the child/youth they are expected to:
- Follow any specific plan the child/youth's worker has provided regarding actions to take when the child/youth is missing. This plan may include details such as:
    - Additional actions before contacting a child/youth's worker or PCS (e.g. whether to contact parents based on the child/youth's legal status and current relationship with parents).
    - When to contact the child/youth's worker or PCS including when to call PCS and select option 1 for the immediate queue or select option 2 for all other child protection reports or support services.
- If there is no previously provided plan, the caregiver is to contact the child/youth's worker or call PCS and select option 1 for the immediate queue, unless the caregiver has reason to believe the child/youth's health or safety is in immediate danger, then the caregiver is to call police/RCMP.

- Once contacted by the caregiver, the child/youth's worker or PCS must assess the situation and direct the caregiver on specific actions to take next, which may include contacting the police/RCMP.

*Note: There is no requirement for a caregiver to wait for a specific amount of time (e.g. 24 hours) before reporting a child/youth missing to the child/youth's worker or PCS, or if they believe the child/youth's health or safety is in immediate danger, directly to police/RCMP.*

*Note: Reporting a child/youth missing to the police/RCMP does not relieve the caregiver, the child/youth's worker, or PCS of their responsibility to continue working to locate the child/youth in collaboration with the police/RCMP.*

- Ensure the caregiver knows to communicate the following details to the child/youth's worker, PCS and/or the police/RCMP (if applicable):
  - If it is out of character for the child/youth to be missing;
  - If the child/youth has physical or mental health concerns that could increase the risk of harm (e.g. require medication) and/or a developmental disability;
  - If the child/youth was emotionally distraught when last seen by the caregiver, including any recent history of suicidal ideation or suicide attempts;
  - If the child/youth is known to actively use substances;
  - If the child/youth is in an area where there are extreme weather conditions such as freezing temperatures or snow and if the child/youth may not be appropriately dressed for the weather or terrain;
  - If there are any concerns that the child/youth's disappearance may be the result of suspicious or dangerous circumstances that suggest the child/youth may be the victim of violence; or
  - If there is reason to believe that the child/youth may have been involved in an accident or another situation that may have caused injury or harm.
- In addition to the above, the following information must also be provided if the child/youth is reported missing to the police/RCMP:
  - The child/youth's name (including any aliases), date of birth, and gender;
  - The child/youth's address and cell phone number;
  - The time and place where the child/youth was last seen, by whom and any information pertaining to last contact with the child/youth e.g. text message;

- A current picture of the child/youth and physical description, including:
    - Ethnicity,
    - Height,
    - Weight,
    - Hair colour/Length
    - Eye colour
    - Distinguishing characteristics (tattoos, birth marks, piercings, scars, etc.)
    - Other notable characteristics (glasses, braces, facial hair, physical disabilities, etc.)
    - What the child/youth was last seen wearing (describe clothing in as much detail as possible)
    - Items known or likely to be in possession of the child/youth (backpack, bike, cellphone, etc.).
  - A list of anyone who may have information about the current or recent whereabouts of the child/youth. This may include the child/youth's friends and associates, family, persons they are in a relationship with, members of the child/youth's Indigenous community, coaches, teachers, or other community professionals involved with the child/youth etc. Ensure addresses and phone numbers are provided if available;
  - If applicable, the name of the child/youth's school and teacher;
  - Factors that may pose an immediate risk to the child/youth's safety (e.g. sexual exploitation, gang affiliation, known to frequent unsafe locations);
  - Clear instructions that any information made public as part of efforts to locate the child/youth **must not** indicate that the child/youth is in care under the *Child, Family and Community Service Act*.
  - Clarification about how efforts regarding locating the child/youth will be communicated and to whom.
- If the caregiver informs the police/RCMP of the missing child/youth and requests action to locate the child/youth, they are required to contact the child/youth's worker or to call PCS and select option 1 for the immediate queue and advise that a report to police/RCMP has been made. Once notified, the child/youth's worker must complete a Reportable Circumstances Report.

### ***Responding When a Child/Youth is Missing: Child/Youth's Worker Responsibilities***

- It is the responsibility of the child/youth's worker to ensure the following occurs:

- A Reportable Circumstances Report is completed as required by the [Reportable Circumstances Policy](#).
  - All parties involved in searching for the child/youth are provided with all information pertaining to the possible whereabouts of the child/youth and are kept updated.
  - The child/youth's Indigenous community is notified, involved in planning, regularly updated, and consulted.
  - That the police/RCMP are aware that a child/youth's care status **must not** be made public.
  - Clarify with police/RCMP how efforts regarding locating the missing child/youth will be communicated and to whom after a report has been made.
  - Unless police/RCMP have directed otherwise, make reasonable efforts to notify the child/youth's parent or guardian as soon as possible, and where appropriate, work collaboratively with them.
  - Maintain contact with police/RCMP, the caregiver and parents or guardian regarding updates and revisions to the plan to locate the child/youth.
- Refer to the [Practice Guideline: When a Child or Youth in Care is Missing](#) for further actions to take.

### ***When a Child/Youth is No Longer Missing: Child/Youth's Worker Responsibilities***

- It is the responsibility of the child/youth's worker to ensure the following occurs:
- All parties involved in searching for the child/youth are notified as soon as possible that the child/youth is no longer missing. The child/youth's worker may request that the caregiver or other staff assist with contacts.
  - The child/youth's Indigenous community is notified as soon as possible that the child/youth is no longer missing.
  - If a child/youth is found at a medical or other community facility or is in the custody of the police/RCMP, the caregiver and/or worker makes arrangements to accompany a child/youth back to their placement.
  - When a child/youth is being discharged from a medical facility, ensure appropriate discharge planning takes place that allows for continuous care as the child/youth transitions back to the community. Consult the [Memorandum of Understanding for Hospital Discharge Planning to the Community for Children and Youth in Care](#) for further information.

- The child/youth is provided with medical assessment and treatment if injuries are observed or suspected. The child/youth's worker may request that the caregiver takes the child/youth for a medical assessment or treatment.
  - Appropriate support is provided for the child/youth if they experienced any form of emotional/psychological trauma while missing.
  - If there is reason to believe that the child/youth was the victim of violence, sexual exploitation or another crime, let the child/youth know you are concerned about them and consult with a supervisor on next steps.
  - If the injuries meet the criteria in the Reportable Circumstances Policy, make a further Reportable Circumstances Report.
  - Meet with the child/youth in person after they have returned at a time and place where the child/youth is comfortable. Discuss the following in a way that is trauma-informed and does not blame the child/youth:
    - Why the child/youth left, including if any of the following were contributing factors:
      - the physical resource and home environment;
      - the caregiver;
      - the child/youth's worker.
    - What happened while they were missing, who they were with and if they had any concerns about their safety while they were missing.
    - What could be done differently to prevent the child/youth from going missing again.
  - Reassess a child/youth's placement needs when they identify that their placement or relationship with their caregiver was a contributing factor as to why they went missing.
  - Consider alternative short-term arrangements and/or long-term arrangements for the child/youth if they are unwilling to return to their placement after they are no longer missing, when possible.
  - Ensure that the child/youth's Indigenous community is consulted and involved in any discussions the child/youth's worker has with the child/youth and that the Indigenous community is able to speak with and/or meet with the child/youth privately.
- Develop a plan with the child/youth's Care Circle or Team including their foster caregiver and/or staffed resource caregiver, and relevant service providers, to address identified needs and offer support services to help prevent the



child/youth from going missing again. See [Practice Guideline: When a Child or Youth in Care is Missing](#).

- Ensure that the child/youth's Indigenous community is involved and consulted with in the development of the plan. The plan must include:
  - Addressing any known root causes as to why the child/youth went missing.
  - Whether the caregiver should call the child/youth's worker or PCS and select option 1 for the immediate queue or select option 2 for all other child protection reports or support services if a similar situation occurs.
  - If there are no immediate health or safety concerns, that the caregiver should contact the child/youth's worker or PCS to determine next steps and if police/RCMP involvement is needed to search for the missing child/youth.
  - If at any time the caregiver believes the child/youth's health or safety is in immediate danger, that they must contact the police/RCMP and then contact the child/youth's worker or call PCS and select option 1 for the immediate queue to inform them that the police/RCMP were contacted.
  - Any additional prudent and responsible parenting actions that must be taken.
  - Maintaining or improving the child/youth's relationship with their caregiver.
  - Maintaining or improving the child/youth's relationship with their worker.
  - Strengthening the child/youth's connection to their family, community and culture.
- Provide a copy of the plan to the caregiver and ensure the plan is documented in ICM. The child/youth and the Care Circle or Team can be provided with a copy of the plan if requested.

**When a child/youth is located and does not return to their current placement (No longer missing)**

- The child/youth's worker makes efforts to contact the child/youth and see them in person, if possible, to speak with them and understand/assess their situation until the child/youth has returned to their placement. Refer to the [Practice Guideline: When a Child or Youth in Care is Missing](#) and [Trauma-Informed Practice Guide for Working with Children, Youth and Families](#) for guidance on how to have a conversation with the child/youth.
- If the child/youth's general whereabouts or location becomes known, but the child/youth's health or safety is still considered to be in immediate danger,

contact with the police/RCMP should clarify that the purpose of involving police is not to search for a missing child/youth but more specifically:

- to conduct a wellness check or,
  - to keep the peace if the caregiver is visiting an unsafe environment to pick-up the child/youth.
- 
- The child/youth's Indigenous community is informed when a child/youth is no longer missing and unwilling to return to their current placement. Consult and cooperate with the Indigenous community on an ongoing basis about efforts made to see the child/youth in person and to address any identified concerns.
  - Ensure that alternative placements or arrangements, both short-term and long term, have been considered for the child/youth if they do not wish to return to their resource after they are no longer missing.
  - Consult and work collaboratively with the resource worker who supports the child/youth's placement and caregiver.

<b>Chapter 5: Children and Youth in Care</b>	
<b>Policy 5.13: Restraint and Seclusion Regarding Children and Youth in Care</b>	
<b>Effective Date of Policy:</b> <b>June 30, 2017</b>	<b>Amendment Date of Policy:</b>

### Policy Statement

Caregivers are provided with information about the use of positive behaviour management methods.

Use of restraint is prohibited except in extraordinary circumstances:

- In an emergency, to protect a child/youth from risk of imminent harm to self or others when less restrictive means have been considered or attempted and determined to be insufficient in the circumstances; or
- As an extraordinary measure outlined in the child/youth's Care Plan.

Use of seclusion is strictly prohibited.

### Outcomes

- Children and youth are physically and emotionally safe.
- Children and youth are supported in developing positive coping behaviours.

### Standards

**5.13(1)** Where the use of restraint is part of the child/youth's Care Plan, the plan is approved by the designated director under the CFCSA.

**5.13(2)** Review the plan for the use of restraint with the child/youth's Care Circle or Team at minimum every six months.

**5.13(3)** The use of safe rooms/seclusion is prohibited under any circumstances.

## Procedures

### ***Preventing the Use of Restraint***

- Ensure that the caregiver is familiar with:
  - The use of trauma informed approaches and positive behavioural supports and interventions to determine appropriate behaviour management methods, based upon a child/youth's needs and consideration of their best interests.
  - How to take all reasonable steps in all circumstances to avoid the need for the use of restraint, including emergency restraint and when the use of restraint is included in the child/youth's Care Plan.
  - If restraint must be used repeatedly to de-escalate the same challenging behaviour, how to try different strategies and review their effectiveness in order to address the behaviour and reduce the need for restraint. This must be incorporated into the child/youth's Care Plan.
- When the use of restraint is included in the Care Plan, the child/youth is informed about potential situations in which restraint may need to be used in order to protect the child/youth or others from immediate physical harm.

*Note: Caregivers and service providers may use other behaviour management practices such as loss of privileges and 'time out'. Time out periods:*

- *Can be used if several clear warnings have been given prior to the time out in order to allow a child/youth to calm down, analyze the situation and sort out their feelings;*
- *Are in keeping with a child/youth's age and stage of development;*
- *Take place in a neutral area that is comfortable for the child/youth;*
- *Are not excessive; and*
- *Never occur in locked rooms or in seclusion.*

*Note: Positive behavioural supports and techniques are outlined in section D.1 of the [Standards for Foster Homes](#).*

### ***Planning for the Use of Restraint in the Child/Youth's Care Plan***

- In circumstances where the child/youth displays a pattern of behaviour that has or is likely to place them or another person at risk of immediate physical harm, and other approaches have been considered or are being developed, the use of restraint can be considered as part of the child/youth's Care Plan.

- Collaborate with a health professional who knows the child/youth and is knowledgeable in the safe use of restraint to develop a plan.
- The Care Plan is approved by a designated director, in writing.
- Provide information to the caregiver about notification procedures if restraint is used (i.e., verbal or written notification, daily or weekly briefings), and document these communications in the child/youth's Care Plan.
- The child/youth's Care Circle or Team reviews the plan for the use of restraint at minimum every six months.
- As part of the review, the child/youth's Care Circle or Team:
  - Considers other kinds of support that may be effective in reducing the behaviours of concern and could be used in place of restraint;
  - Evaluates the effectiveness of the plan and recommends adjustments as required.
- Advise the caregiver that:
  - Restraint is not to be used to enforce compliance or as a means of discipline or convenience;
  - Restraint is performed only by individuals who are trained in crisis intervention, including the safe use of restraint;
  - Medication and/or medical equipment are used in accordance with the child/youth's Care Plan.

### ***The Use of Restraint***

- If restraint is used:
  - It is used only in extraordinary circumstances;
  - It involves the least control and the least amount of time necessary to ensure immediate safety;
  - Is appropriate to the child/youth's level of development and condition;
  - Efforts are made to re-establish communication and end restraint as soon as possible; and
  - The child/youth is never left unattended while under restraint.

### ***Following the Use of Restraint***

- Following the use of restraint the caregiver:
  - Evaluates the child/youth's physical and emotional well-being;
  - Provides debriefing and support to the child/youth and any other individuals who are involved or witness the episode;

- Documents the use of restraint; and
  - Notifies the child/youth's worker.
- When notification is received that restraint was used (physical, chemical or mechanical restraint), an incident report is created, and a supervisor is informed.

### **Seclusion**

- The use of safe rooms, confinement and seclusion of children/youth for any reason, including behavioural management strategies, is not permitted.
- This does not include the behavioural management approach of periods of "time out", where a child/youth exercises a degree of cooperation and self-control.

### **Definitions**

**Restraint** is defined as the intentional restriction of a child or youth's movement or behaviour by use of physical, chemical and/or mechanical means.

**Physical restraint** is the use of physical force upon a child necessary to ensure the immediate safety of the child or others, appropriate to the child's level of development and condition.

**Chemical restraint** means the use of medication to control a child's violent or out of control behaviour to de-escalate crisis situations. (Chemical restraint differs from the use of on-going medication which is prescribed based upon a professional diagnosis to address/treat a child's existing medical condition or behaviour and is included in the child's care plan.)

**Mechanical restraint** is use of mechanical devices to control a child's violent or out of control behaviour to de-escalate crisis situations rather than developing a planned strategy to address the behaviour.

**Seclusion** is defined as containment of a child/youth within any space from which they are not able to exit without the permission of another or within which their movements may be restricted. This includes safe rooms or confinement.

**Safe rooms** involve the use of a locked door or attendants confining the child/youth for periods of time.

### **Links**

Use of prohibited practices: section D.1.11 of the [Standards for Foster Homes](#).

Use of physical restraint: section C.3 of the [Standards for Staffed Children's Residential Services](#).