

SUMMARY: COMPREHENSIVE REVIEW

Regarding Guardianship Services Provided to Children in the Care of the Ministry

A. INTRODUCTION

The Ministry of Children and Family Development (the Ministry) conducted a Comprehensive Review (CR) to examine case practice regarding the subject children (the children) of the CR. The purpose of the CR was to: examine and analyze the case practice in relation to legislation, policy, and standards; and identify barriers to providing adequate services for children placed in another jurisdiction.

For the purposes of the CR, Ministry records were reviewed and Ministry staff was interviewed. The CR focused on a lengthy period of Ministry involvement from the time the children came into the continuing care of the Ministry.

B. TERM OF REFERENCE

1. Did the Ministry uphold its guardianship responsibilities for the children with regard to child safety, caregiver expectations, and permanency planning for the children when they were transferred to another jurisdiction?

C. BACKGROUND SUMMARY

The Ministry became involved with the family at the request of another jurisdiction. The parents had high risk and criminal behaviours that impacted their ability to function in their parental roles. The children were placed in foster care while the parents attempted to address the child protection concerns. The parents were minimally engaged with services and the risk to the children could not be adequately resolved. The Ministry was granted the continuing custody of the children. The children were placed with extended family members in another jurisdiction as part of the permanency plan developed by the Ministry, parents and Aboriginal community. The children were Aboriginal and in care at the time of the reported incidents.

D. FINDINGS

The Ministry did not uphold its guardianship responsibilities for the children.

There were several factors that contributed to the Ministry overlooking its guardianship responsibilities. These included:

1. Approval of a restricted foster home without the completion of an appropriate home study;
2. A permanency plan which emphasized, at times, the children's placement with extended relatives over the best interests, safety and well-being of the children;
3. Lack of regular communication and planning (Comprehensive Plan of Care) with another jurisdiction;
4. Roles and responsibilities of each jurisdiction were not defined or agreed upon, in accordance with the particular protocol agreement;
5. Difficulty with following Ministry guidelines for file documentation and management; and
6. Lack of communication between the two jurisdictions regarding what would constitute a reportable circumstance and require a report as per the standards.

E. ACTIONS TAKEN TO DATE

1. The particular protocol agreement is under revision and expected to be released. Among other things, it clarifies the ongoing statutory responsibility for child welfare authorities to children in care who move between jurisdictions.
2. The Provincial Director of Child Welfare tracks and monitors all children in care placed in other jurisdictions to ensure statutory responsibilities are met and the protocol agreement is followed.
3. The Director of Practice also tracks and monitors all children in care placed in another jurisdiction to ensure statutory responsibilities are met and the protocol agreement is followed.
4. The Local Services Area has distributed a reference sheet to the involved offices which outlined the protocol agreement process and the Ministry's expectations for implementation.

F. ACTION PLAN

1. The Community Services Manager reviews the Practice Directive for the particular issue with the involved Ministry staff to discuss the importance of planning and written agreements.

2. The Community Services Manager ensures a local tracking system similar to the one developed for the Service Delivery Area, is in place to meet the guardianship responsibilities for local children who are placed in another jurisdiction.
3. The Community Services Manager reviews with involved Ministry staff the importance of documenting and reviewing child and family information in both the electronic and physical case files.