

# Options for parents and families: Collaborative Planning and Decision-Making in Child Welfare

MINISTRY OF CHILDREN AND FAMILY DEVELOPMENT

## INTRODUCTION

You and your family have a right to be involved in decisions about your children. This document will talk about different kinds of shared decision-making, and some of the ways that you can be involved in planning when a child welfare worker has concerns about your child's safety. Collaborative, or shared decision-making can:

- give you an opportunity to develop plans and agreements for your child
- ensure that your voice is heard
- help you involve other family and community members in your child's care
- make a plan that builds on your strengths and the strengths of your family and community, and
- help everyone agree on what's best for your child without having to go to court.

The goal is for everyone to agree on what's best for your children.

## SOLVING ISSUES

Collaborative planning and decision-making can help in any situation where you and a child welfare worker need to reach agreement about the types of services needed to ensure your child's safety and well-being. It can be used when you and the worker disagree about what is needed, and it is usually faster and less stressful than having to go to court. Some of the types of issues that can be solved using collaborative decision-making are:

- where your child will live
- how to keep your child safe
- what services your family needs
- plans for your children to return home and
- how your family and community will support you and your children.

Collaborative decision-making is voluntary, and there is no cost to you to participate. You don't need a lawyer, but you may choose to have one with you if you like. If your child has been removed from your home, talk to a lawyer as soon as possible. Call the Legal Services Society:

- In Greater Vancouver, call 604-408-2172.
- Outside Greater Vancouver, call toll-free 1 866-577-2525.

The Legal Services Society can give you information about how to find a lawyer, and can also give you advice and information about legal resources.

## HOW CAN I GET MORE INFORMATION?

For more information, talk to your child welfare worker or go to: <http://www2.gov.bc.ca/gov/content?id=B5E6C73FB5354520A20AE7816AA4B2E2>

## DECISION-MAKING PROCESSES

<p>Family Meeting</p>	<p>You and your family and the people who support you, meet with a child welfare worker to discuss and agree on things like goals and plans. Family meetings can help you work through:</p> <ul style="list-style-type: none"> <li>• child protection concerns</li> <li>• visiting schedules</li> <li>• voluntary care or special needs agreements, or</li> <li>• plans for your children to stay with friends or family.</li> </ul> <p>Family meetings can also help you learn more about child welfare services. Your child welfare worker leads the process, and there is no neutral person involved to conduct the meeting.</p>	
<p>Family Group Conference</p>	<p>A Family Group Conference (FGC) is a special meeting of parents, children, extended family and those who feel like family to you. A conference helps you and your family come together to solve problems and to make sure your children get the care and support they need.</p> <p>The process is led by a skilled, neutral coordinator, but you as a family make decisions on your own. At the conference you and your family have private time to make a plan that builds on your strengths, and a child welfare worker approves it if it will keep your child safe. You do not need a lawyer to participate in a family group conference, although you may want a lawyer to review the plan before you sign it – to help make sure you're clear about your rights and responsibilities.</p>	 <p>These processes (excluding the court process) are:</p> <ul style="list-style-type: none"> <li>• Private and confidential</li> <li>• Voluntary</li> <li>• Led by a neutral person</li> <li>• Designed so that you can share your story and participate in the decision-making</li> </ul> 
<p>Traditional Decision-Making</p>	<p>If you are from a culture that has a traditional way of solving family problems, this option might be for you. Using traditional decision-making, you work through any disagreements by following community or cultural traditions. For example, in some Aboriginal communities, elders may have a key role to play in guiding your family and your child welfare worker through a decision-making process. Talk to your child welfare worker and community elders about how these processes might work for you.</p>	
<p>Mediation</p>	<p>Mediation is a way of solving problems with the help of a neutral person (a mediator), who is not a child welfare worker. In mediation, you and your child welfare worker will meet with a mediator who will help you come to an agreement. Mediators are trained, skilled professionals. They are not on anyone's side and their job does not involve judging or making decisions.</p> <p>Mediation is an option that may be used at any time when there are concerns about a child's safety, even before a child is removed or after a court hearing. Anyone can request mediation. Although you do not need a lawyer for mediation, you may find it helpful to have a lawyer come with you and review the agreement that is developed.</p>	
<p>Court</p>	<p>When you go to court, a judge will make all the decisions about your case. This includes:</p> <ol style="list-style-type: none"> <li>1. where your child will live</li> <li>2. how much time you can spend with your child, and</li> <li>3. whether further hearings are needed to reach a final decision.</li> </ol> <p>You need a lawyer if you go to court. He or she will make sure that the judge hears what you have to say about your case. Another lawyer will be there to present what the child welfare worker has to say.</p> <p>The judge may order a case conference – where you and the lawyers and the child welfare worker meet with the judge to try to settle things without having to go to trial. The judge may also adjourn the case so that you can use one of the collaborative decision-making processes. If family group conferencing, mediation or traditional dispute resolution do not work for you, or you are not satisfied with the outcome, you always have the option of going to court.</p>	