



Ministry for Children and Families

What's New

MCF ABORIGINAL CHILD WELFARE STRATEGY

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Ministry for Children and Families **What's New**

MCF ABORIGINAL CHILD WELFARE STRATEGY

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MCF's Mission

The Ministry for Children and Families recognizes the inherent responsibility of aboriginal communities for the safety and well-being of children, and for the design and delivery of services to families and children. Through the process of delegation of authority from the Director of Child Protection under the Child, Family and Community Service Act, the Ministry has a legal responsibility for the protection of children. This legislative authority also acknowledges the mutual interests and accountability of aboriginal communities regarding the safety and protection of their children. The Ministry is committed to supporting a mutually agreed upon process for returning the responsibility of child and family services to aboriginal communities.

The MCF Child Welfare Strategy encourages the development of formal agreements with Aboriginal communities as they develop their capacity to become involved in child and family services. The Ministry is committed to supporting aboriginal communities to develop and deliver child welfare services to their members through Agencies generally referred to as First Nations Child and Family Services Agencies (FNCFSAs).

THE DEVELOPMENTAL PROCESS FOR FNCFSAs

120 of the 197 reserve-based First Nations in British Columbia have developed, or are in a formal planning process to develop, an infrastructure to deliver their own child and family services through federal funding and provincially delegated authority. This process is not progressing equally for off-reserve Aboriginal people. In more rural areas and smaller urban centres, the extension of reserve-based delivery to Aboriginal people will address this deficiency. In the larger urban and Metis communities, the infrastructure for Aboriginal community service delivery requires significant development, due to the absence of a provincially established funding formula.

Reserve based communities, urban based Aboriginal communities, and Metis communities who are seeking to develop a FNCFSAs must undertake three phases of program development in order to build capacity to develop and deliver services to their members: pre-planning, planning; and start-up.

a) Pre-planning: This activity is intended to support community consultation, data collection and information gathering sufficient for the preparation of an initial community proposal and preliminary discussions with the province and DIAND. This proposal should produce a detailed plan indicating the services required and how the community intends to establish these. It also must indicate community support for the development of a FNCFSAs (including band council resolutions for reserve based agencies).

b) **Planning:** This activity is intended to support all the work up to and including a formal agreement involving the province (represented by the Director of Child Protection), the aboriginal community, and DIAND. This stage of program development entails the completion of a needs assessment and elaboration of plans which address the following operational readiness criteria: respective roles and responsibilities, service delivery model, personnel policies, financial policy, organizational chart, job descriptions, accounting system, implementation plan, and funding arrangements.

c) **Start-up:** This phase begins to operationalize the readiness criteria established in the Planning stage. At this stage, the following activities are completed: staff are hired, oriented and trained; offices are established; furniture and equipment is purchased; information management systems are installed; training is established for local committees and boards of directors. The result is the establishment of a FNCFSA that is ready and qualified to deliver services.

This three phased program development process is consistent with the Department of Indian Affairs and Northern Development Canada (DIAND) child and family services program delivery model (Directive 20-1). It also accommodates for all aboriginal communities designated under the CFCSA, including urban based Aboriginal communities, Metis communities, and reserve based First Nations communities.

The delegation of authority to FNCFSAs is separate from the three phase program development process.

THE DELEGATION ENABLING AGREEMENT PROCESS

Prior to receiving delegation from the Director of Child Protection under the Child, Family and Community Service Act which will enable the FNCFSA to enter into the operational stages of service delivery, each new FNCFSA is required to have completed the following requirements:

- Signed a Delegation Enabling Agreement with the Director. Components of the Delegation Enabling Agreement between MCF and a FNCFSA pertain to the following areas of program delivery: delegation of the Director's authority under the CFCSA; contracting of legal counsel; provision of service; emergency/after hours service; policy development; standards, monitoring and reporting; reviews, audits and evaluations; the role of Child Advocate; the role of Children's Commission; information management (file transfer; confidentiality, electronic systems, etc.); conflict/dispute resolution; financial arrangements; liability issues; and terms of agreement.
- Obtained start-up funding. Funding is provided by DIAND for reserve based FNCFSAs, and by MCF for urban based Aboriginal communities and Metis communities.

- Passed a program review by the Deputy Director, Aboriginal Services Branch. The program review which occurs before a FNCFSA can begin delivery of delegated services is based upon the operational readiness criteria which have been established. The operational readiness criteria address key areas of organizational development and services planning including:
 - Governance.
 - Service delivery model design.
 - General Administration (including information sharing, management information systems, caseload standards).
 - Financial administration policy.
 - Human resources policy (including staff recruitment, training, and supervision)
 - Communications policy.

Upon passing the program review by the Deputy Director, a FNCFSA will be eligible to enter operational level 12 of program delivery.

OPERATIONAL STAGES

After the negotiation of a Delegation Enabling Agreement, each new FNCFSA enters into a three tiered operational process as defined in the MCF "Delegation of Authority to Aboriginal Agencies" matrix. The levels of operational readiness are as follows:

- Level 12 - Resource development and voluntary service delivery.
- Level 13 - Guardianship services for continuing custody wards.
- Level 15 - Full child protection services.

Each operational level has specific operational standards and practice standards associated with it. FNCFSAs may progress sequentially through operational levels 12 - 15, however, prior to progressing through the levels of delegation, each FNCFSA must meet specific operational standards pertaining to the authorities associated with the level of delegation.

A detailed listing of the operational FNCFSAs in British Columbia, including a listing of the Aboriginal communities to which they are authorized to provide services is available by contacting the Deputy Director, Aboriginal Services.

(Level 12 - Aboriginal Delegation Matrix)

The areas of service covered under this level include:

- support services for families
- voluntary care agreements for children, including temporary in-home care
- special needs agreements, including those for children in care on no fixed term. Operational and Practice standards address:
- case management

- family assessment
- service planning and agreements
- children in voluntary care
- standards for care in regular, restricted, and specialized family care homes
- monitoring and evaluation
- closure and transfer of cases

Level 13 (Aboriginal Delegation Matrix)

The areas of service covered under this level include those found in Level 12, as well as guardianship of children in care. Practice standards for guardianship are similar to those for voluntary care in Level 12, but also include:

- development of comprehensive plans of care for children in care
- legal documentation
- permanency planning for children in care
- preparation of older children for independence

Level 15 (Aboriginal Delegation Matrix)

The areas of service covered under this level include those found in Levels 12 and 13, as well as child protection, which includes:

- receiving, assessing and, as required, investigating reports of child abuse and neglect
- deciding the most appropriate course of action if a child is deemed in need of protection
- where necessary, removing the child and placing the child in care
- obtaining court orders or taking other measures to ensure the ongoing safety and well-being of the child

Practice standards address:

- intake
- investigation
- taking charge of children
- risk assessment
- risk reduction
- ongoing protective family service.

The Ministry for Children and Families has participated in a number of initiatives which are designed to address the issues of case management and quality control associated with the delegation of authority to FNCFSAs. These initiatives are listed below.

ABORIGINAL AUDIT & REVIEW PROCESSES

A reference group made up of representatives from FNCFSAs, DIAND, and

MCF is responsible for establishing an Aboriginal Audit and Review Process. This process must be sensitive to the need for culturally appropriate services, issues relevant to Aboriginal communities and the different administrative structures of FNCFSAs. Until the Aboriginal Audit and Review process is established, the Director can conduct service delivery audits to ensure compliance with the CFCSA and established MCF standards. The Director also has the responsibility to conduct case reviews that include, but are not limited to, any reportable circumstance and specific cases where the Director requires the facts and circumstances respecting the practice of any person with delegated authority.

RISK ASSESSMENT

MCF has implemented a Risk Assessment Tool as a framework for child protection decision making. Some FNCFSAs have expressed their concerns that the tool does not address issues associated with Aboriginal cultural practices, social organization, or community issues such as poverty, residential school trauma as well as the loss of specialized cultural knowledge.

In response to these concerns, MCF has contracted with the Xoyhlmeylh Child and Family Service Agency to review existing Aboriginal risk assessment models, develop cultural and practice advisory committees, and establish an inventory of risk assessment tools planned for Aboriginal communities. The review was conducted in anticipation of the development of a comprehensive Risk Assessment Model proposal and workplan. The goal of this initiative is to either adapt the current MCF Risk Assessment Tool, or to develop a separate tool which will ensure that it can effectively address specific concerns of Aboriginal communities at varying stages of social and cultural renewal.

ELECTRONIC SYSTEMS

As negotiated in Delegation Enabling Agreements, most FNCFSAs have access to the electronic databases and information systems of the Ministry for Children and Families. These Information Systems include: OV, SWS MIS, CIS, and MIS CR. An up to date listing of FNCFSAs which have access to the MCF electronic systems is available by contacting the Deputy Director, Aboriginal Services Branch.

FEDERATION OF ABORIGINAL FOSTER PARENTS

As part of its Aboriginal Child Welfare Strategy, MCF has recently developed a Federation of Aboriginal Foster Parents Association. It is the goal of MCF to work with this group as it develops and expands its relationships within Aboriginal communities. The first year plan includes:

- recruiting Aboriginal foster homes throughout B.C.,
- increasing community awareness and education regarding Aboriginal foster care,

- promoting the development of culturally sensitive training for registered Aboriginal foster parents,
- providing provincial collaboration and consultation to the BC Federation of Foster Parent Associations to assist in developing culturally sensitive training for non-Aboriginal foster parents caring for Aboriginal children.

ABORIGINAL SOCIAL WORKER TRAINING PROGRAM

Prior to the delegation of authority to a FNCFSA employee, the Director of Child Protection requires that the worker complete a specialized training program for staff in delegated FNCFSAs. This training focuses on developing competencies and it supports workers to improve their capacity to deliver quality services to Aboriginal children, families and communities.

The MCF strives to ensure that the Aboriginal Social Worker Training Program is accessible, affordable, and available to employees of Aboriginal agencies. In partnership with the Caring for First Nations Children Society, MCF has developed a plan to deliver a phased-in training model. This model ensures that training will be available to FNCFSAs as they work through the three tiered levels of operational service delivery. For instance, Resource Development (aka Level 12) training would be made available to those FNCFSAs who are at Level 12 within the Delegation Matrix.

FIRST NATIONS AGENCY EXECUTIVE DIRECTORS MEETINGS

The Executive Directors of the FNCFSAs meet on a quarterly basis with the Deputy Director of Aboriginal Services to discuss issues of mutual concern. These meetings help to ensure ongoing communication between the MCF and FNCFSAs who are providing services to Aboriginal people.

PROTOCOL DEVELOPMENT

These are agreements explaining how various parties will work together to provide services to, and consult each other about services to, Aboriginal children and families. Protocols explain the roles and responsibilities of both the MCF and the aboriginal community. Protocols reflect the proper level of authority for the services provided by the FNCFSA, as well as stating the services which MCF is providing.

Protocols must be in place prior to a FNCFSA becoming operational and beginning delegated service delivery. Additionally, each FNCFSA must also develop protocols between the agency and other public bodies, including the RCMP, local School Districts, Health Services providers, and other Federal and Provincial social service programs.

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[\[Home\]](#) [\[Web Site Plan\]](#) [\[BC Government\]](#)



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