



**Ministry of Human Services' Response to the
Office of the Child and Youth Advocate
*"7-Year-Old Jack: Investigative Review"***

March 2014

Table of Contents

Background	3
Ministry Response.....	4
Recommendation 1:	4
Recommendation 2:	5
Recommendation 3:	5
Recommendation 4:	6
Recommendation 5:	7
Conclusion.....	8

Background

In the summer of 2012, the unexpected drowning of a young boy while at a public pool impacted many people, including staff in our ministry. Our thoughts are with this young person's family, caregivers and friends, who we know continue to feel his loss.

We take our responsibility for the safety of children receiving services from the ministry very seriously. Whenever there is a serious incident involving a child in care, we examine the circumstances, reflect on our practice, identify where we did well and where improvements could be made by our ministry, as well as our cross-ministry and community service delivery partners. The Office of the Child and Youth Advocate (OCYA) plays a key role in identifying systemic issues in Alberta pertaining to vulnerable children and youth, whether they arise in the course of the OCYA's day-to-day service provision or emerge as part of an investigation into a single case. As such, we welcome the perspective and insight provided by the OCYA.

The *Child and Youth Advocate Act* provides the Advocate with the authority to investigate systemic issues arising from a serious injury or death of a child who was receiving child intervention services at the time of the injury or death. Under this mandate, the Advocate released the Investigative Review entitled "*7-Year-Old Jack: Investigative Review*" on January 21, 2014. The report makes five recommendations about five key areas related to practice and processes within Alberta's child intervention system.

The ministry's response includes information gathered from:

- Engagement with partnering ministries within the Government of Alberta;
- Engagement with internal ministry partners, including other divisions and our regional service delivery partners;
- Review of existing policies in comparison to issues identified in the report; and
- Review of ministry initiatives, current and past, in comparison to issues identified in the report

Based on this information gathering, we are confident that, while work is still needed to address some of the issues raised, both recent initiatives and ongoing work are moving the ministry in the right direction.

Child intervention practice in Alberta continues to evolve and incorporate new learnings, based on ongoing input from a variety of sources including: external reviews; research into promising practices; lived experiences of the Albertans that we serve; experiences of delivery staff; and, analysis of outcomes for children, youth and families receiving services. Sharing any recommendations and lessons learned from reviews and investigations with service delivery staff who support children, youth and families directly is a critical step in ensuring continuous improvement.

Ministry Response

Recommendation 1: The Ministry of Human Services should ensure the preservation or resolution of relationships are at the foundation of permanency planning for children.

- Children need to be involved - at a level appropriate to their understanding - in envisioning how their significant relationships will look in their future. Attention should be given to grief and loss interventions where relationships are lost or ambiguous.
- Transitions between parental care and placements within the system need to be deliberate and focused on a child's need for consistent relationships.

Ministry Response: The ministry agrees that preserving positive relationships is critical for children. Permanency is a legislated and key foundation of child intervention casework practice, woven throughout policy, embedded in training for staff and for placement providers, and reflected in the Child Intervention Practice Framework that is in development.

Current policy reflects the fundamental principles of supporting children and youth to maintain and nurture positive relationships with family and significant persons in their lives; fostering cultural and community connections; planning purposeful transitions; and engaging the child at a level that is age and developmentally appropriate.

Foster care and kinship care providers receive significant mandatory training¹ on working positively with children's families; supporting and encouraging positive relationships; collaborative transition planning; grief and loss; and attachment.

The Child Intervention Practice Framework² aims to connect philosophy, legislation and policy with day-to-day practice. The Framework's six principles speak to the importance of

- Aboriginal experience;
- Preserving family;
- Recognizing the strengths of children and families;
- Supporting children to remain connected to their family and culture;
- Collaboration with all partners; and
- Continuous improvement.

The five desired outcomes are related to supporting vulnerable children in their communities; reunifying children in temporary care with their families quickly; locating permanency placements quickly for children in temporary care; successful transitions to adulthood for youth; and supporting Aboriginal children to live in culturally appropriate homes. These principles and outcomes build on existing policy and will enrich child intervention practice across the Alberta, leading to better results for children, youth and families.

¹ Foster & Kinship Care Training and Support, Alberta Human Services website
<http://humanservices.alberta.ca/foster-kinship-care/15438.html>

² Child Intervention Case Practice improvements, Alberta Human Services website at
<http://humanservices.alberta.ca/abuse-bullying/17242.html>

Recommendation 2: The Ministry of Human Services in collaboration with the Ministry of Justice and Solicitor General should undertake a review of court delays for children in temporary care:

- identify the number of children for whom court delays have impacted permanency;
- identify the barriers that are causing court delays;
- establish a plan to resolve this issue; and,
- report on progress.

Ministry Response: We recognize that for a number of children, court delays have impacted permanency. Child intervention is a very complex area of the legal system. Multiple factors, many of which are beyond the control of either the courts or the child intervention system, may contribute to perceived delays. Court scheduling is a collaborative exercise which involves the coordination of dates based on the availability of the judiciary, lawyers, involved parties (e.g. caseworkers, guardians), experts and court rooms.

Human Services and the Ministry of Justice and Solicitor General have been, and will continue to work collaboratively to proactively identify concerns and develop strategies to mitigate some of these circumstances.

Recommendation 3: The Ministry of Human Services needs to reinforce compliance to existing policy regarding regular case-conferencing with all stakeholders and service providers, ensuring that children are involved whenever possible.

Ministry Response: The ministry agrees that the involvement of children in decision-making and case planning, where age and developmentally appropriate, is critical in providing effective services for children and families. The need to do so is reinforced in several different aspects of legislation, policy and practice.

- Children have numerous procedural rights identified in the *Child, Youth and Family Enhancement Act*. One of these is the right to know about, and be involved in, any decisions made about them.³
- A case conference is described in policy⁴ as a joint meeting between the child and/or family, service providers and the caseworker for the purposes of addressing the child's needs, enhancing the family's capacity to care for their child, ensuring appropriate services are delivered and achieving the best outcomes for the child.
- The Casework Practice Model (CWPM), which was implemented across the province in 2008, is based on the philosophy that children, youth and families should have direct input into the decisions that impact their lives. Under the CWPM, milestones are set for mandatory case conferences throughout the course of child intervention involvement for the child and family.
- The Outcome Based Service Delivery Model⁵ was developed to facilitate collaborative working relationships between families and service providers through joint planning. Caseworkers are encouraged to explore a range of case conferencing processes that may

³ Policy 1.8 Children's Procedural Rights, Enhancement Policy Manual – Intervention
<http://humanservices.alberta.ca/documents/Enhancement-Act-Policy-Manual.pdf>

⁴ Policy 7.1.1 Case Conference, Enhancement Policy Manual - Intervention
<http://humanservices.alberta.ca/documents/Enhancement-Act-Policy-Manual.pdf>

⁵ Child Intervention Case Practice improvements, Alberta Human Services website at
<http://humanservices.alberta.ca/abuse-bullying/17242.html>

meet the specific needs of a family, such as family group conferencing, family circles or other approaches that will facilitate planning and encourage the child's involvement when appropriate.

- The collaboration principle of the Child Intervention Practice Framework⁶ identifies that we work collaboratively with families, community agencies and other stakeholders in a child-focused and family-centred approach to providing respectful, individualized and timely services.

Recommendation 4: The results of service delivery placement investigations should be better coordinated to ensure that:

- Recommendations resulting from these investigations are documented and accounted for in the Human Services' electronic database to ensure their resolution;
- Results of placement investigations are centrally analyzed in order to identify key learnings that could enhance the strength of the overall system; and
- The learnings identified from service delivery investigations are actively disseminated province-wide, with the goal of enhancing the safety and wellbeing of children in care.

Ministry Response: Current policy⁷ speaks to post-assessment activities when an assessment of a placement provider has been completed, which include clear documentation in both the paper files and the electronic information system.

The ministry commits to:

- convening a provincial meeting, with service delivery partners and ministry program staff, to discuss the recommended options of centralized analysis and dissemination. The discussion will include evaluation of potential methodology, resourcing and deliverables at both the regional and provincial levels, and
- examining how the Placement Resources Table, which had its initial meeting in January 2014, could contribute to knowledge mobilization, policy review, trending and practice review of implementation in different service delivery areas.

The ministry agrees that a general need to improve knowledge mobilization exists within the child intervention program. Accordingly, we have been proactively working to make improvements.

In the fall of 2013, the Child and Family Services Division developed a knowledge management and mobilization strategy which focuses on the knowledge, continuous improvement and learning needs that exist in the division and across the child intervention system in Alberta. Implementation is anticipated to occur in early 2014/2015.

⁶ Child Intervention Case Practice improvements, Alberta Human Services website at <http://humanservices.alberta.ca/abuse-bullying/17242.html>

⁷ Chapter 6: Assessment of Care Concerns Involving a Placement, Enhancement Policy Manual – Placement Resources <http://humanservices.alberta.ca/documents/Enhancement-Act-Policy-Manual.pdf>

Under the strategy, knowledge management and mobilization practices are supported through:

- Staff and stakeholder understanding of how evidence contributes to the development of effective policies and the delivery of quality services,
- Timely and effective engagement to connect people to information, people to people and people to practice, and
- Effective use of evidence, which consistently integrated into policy and program development and service delivery processes.

The strategy will work across service delivery and in collaboration with the service delivery partners to enable the use of diverse forms of evidence (e.g. experience, evaluation, research and context) for informed decision-making and action.

The strategy will use a variety of knowledge mobilization tools, including an upgraded Divisional intranet portal, learning sessions and social media to share learnings and recommendations which impact policy and practice.

Recommendation 5: The Ministry of Human Services should:

- Review, clarify and communicate policy regarding the decision-making authority of the Director when a child in temporary care passes away. Including clear policy direction for decisions related to tissue donation;
- The Ministry of Human Services should review case practice in relation to what parents are told when their child is in temporary care; specifically, the decision-making that might occur in the parents' absence. Policy should be implemented to ensure consistent application across the province.

Ministry Response: The ministry agrees that the policy and practice in this very sensitive and emotional area of practice can be enhanced.

The *Child, Youth and Family Enhancement Act* provides specific authority to the director to act in the event that a child in either temporary or permanent care passes away. The *Human Tissue and Organ Donation Act* further provides specific authority to the director when a child in permanent care passes away. While policy identifies who has the delegated authority in service delivery areas, we acknowledge that there is a need for increased clarity and direction for staff.

The ministry commits to the following actions:

- holding a provincial meeting, with service delivery partners and ministry staff, to discuss other potential tools to support practice in this area (e.g. a policy to practice videoconferencing session or a casework checklist specific to determining cultural or spiritual protocols regarding the issue),
- meeting with specialists and/or experts in the area related to health and cultural protocols to develop best practices,
- timely review and potential revision of the policy pertaining to tissue and organ donation within the established policy review and implementation cycle, and
- timely implementation of a casework support guideline document (which is a part of a larger casework support manual) that is currently under development, specifically designed for caseworkers to use in supporting families to make informed decisions and having difficult conversations about complex and uncomfortable subjects.

In addition, the ministry is in the preliminary stages of developing of a set of guidelines to assist guardians in understanding what they can expect at all stages of involvement with the child intervention system. This will include information about the types of decisions that they may be asked to make and the types of decisions that may need to be made if they cannot be immediately located.

Conclusion

This child's death was a tragedy. The incident has been closely scrutinized by the service delivery region, the agency responsible for the group facility where the child was placed, the municipality responsible for the aquatic facility where the incident occurred, and by the municipal police force. Each of the key stakeholders have taken the opportunity to share their learnings internally and with each other.

The ministry acknowledges there is always room for strengthening our practice. We are working toward implementing the five-point plan publicly announced⁸ on January 8, 2014. The first two points have been achieved: the Child Intervention Roundtable was held January 28-29, 2014 and the Implementation Oversight Committee was appointed and has embarked on their task.

Moving forward, we will continue to support staff in making purposeful practice changes, continue to improve our knowledge mobilization strategies, and make investments in evidence-based programs in an effort to reduce the number of children who come into care. This work supports the Ministry's commitment to continuous improvement in delivering services to better meet the needs of all Albertans.

⁸ News Release, Government of Alberta website at <http://alberta.ca/release.cfm?xID=356508278A59E-EEE1-519A-9BC2DF933CADF1B6>