

Office of the Child and Youth Advocate Quarterly Report: July 1 to September 30, 2009

Alberta Children and Youth Services Response

Report on Child and Family Services Authorities (CFSAs) and Delegated First Nation Agencies (DFNAs)

The tables below include information about how cases where mandatory notifications were made to the Advocate were addressed by CFSAs and DFNAs. CFSAs and DFNAs are required by Ministry policy to inform the Advocate whenever:

- A child or youth is alleged to have suffered physical, emotional, or sexual abuse while in provincial government care.
- A child or youth receiving services, or a significant person in their life, disagrees with the services planned for a child or youth in care.
- It is felt that the viewpoint or interests of a child or youth in care are not being considered or the rights of a child or youth in care are not being respected.

The Ministry response section of the table shows the number of such incidents reported to the Advocate and whether they were founded or unfounded, based on the facts discovered when the incident was investigated.

When an allegation is verified, the first priority of the Ministry is to take immediate steps to ensure the safety and well-being of the child or youth in care. The nature of these steps varies, depending on the unique circumstances of each case and can include:

- The permanent closure of a foster home or kinship care home, or the discipline of group home staff, up to and including dismissal. Incidents that are criminal in nature are referred to the appropriate police authorities.
- A requirement that foster parents or kinship caregivers receive additional training before being able to care for children or youth in their home again. In some cases, a child or youth in care may remain with the foster parent or kinship caregiver, provided their safety and well-being can be assured.
- The need for foster parents or kinship caregivers to take additional steps to ensure the continued safety and well-being of children and youth in their care, such as making sure third parties who have placed the safety and well-being of the young person at risk, are barred access to the child or youth.
- The Ministry providing additional supports and services to the foster parent or kinship caregiver and increasing its monitoring activities.
- Forwarding verified cases of abuse to the Ministry's Legal Services Branch for referral to the Office of the Public Trustee.

Child and Family Services Authorities

CFSA	Concern Reported	Ministry Response
Southwest Alberta CFSA	<ul style="list-style-type: none"> • Mandatory notifications (MNs) involving 11 children or youth. • Placements for high-risk youth. 	<ul style="list-style-type: none"> • A review of the information regarding the MNs determined that only one of the 11 MNs was related to an allegation of abuse in care. In this case, the report of abuse was not verified by the facts discovered during the investigation into the incident. • The region is currently working with community agencies to address challenges finding ideal placements for higher-risk youth. In this case, the child had complex medical needs and required a placement that could provide full-time specialized medical care. An adult facility was chosen because it was able to provide this intense medical care.

CFSA	Concern Reported	Ministry Response
Southeast Alberta CFSA	<ul style="list-style-type: none"> Mandatory notifications (MNs) involving six children or youth. 	<ul style="list-style-type: none"> A review of the information regarding the MNs determined that five of the six MNs were not related to an allegation of abuse in care. In the one remaining case, the report of abuse was not verified by the facts discovered during the investigation into the allegation.
Calgary and Area CFSA	<ul style="list-style-type: none"> MNs involving 83 children or youth. 	<ul style="list-style-type: none"> 12 allegations of abuse involving 27 children or youth were substantiated and addressed to the satisfaction of the Advocate. <ul style="list-style-type: none"> Group home worker made an inappropriate comment to three youth living at a group home. <ul style="list-style-type: none"> One youth was moved from the group home. Two youth were assigned a new group home worker. The group home worker who made the comment resigned. Inappropriate care and supervision of children or youth by their foster parents. <ul style="list-style-type: none"> Youth moved from the foster homes and the foster homes were put on hold. Foster parents are required to undergo an assessment and additional training. In one case, the ongoing safety and well-being of the child is not at risk, and the caregiver is accessing numerous community supports. Children in a kinship placement subjected to abuse and domestic violence. <ul style="list-style-type: none"> Children removed from kinship home and the home was closed. Caregivers provided with information about resources that will help them address their outstanding issues. Child in a kinship placement being inappropriately disciplined by the kinship caregiver. <ul style="list-style-type: none"> Child removed from the home. Additional supports in place to ensure the continued safety and well-being of two younger siblings still living in the kinship home. Foster parent threatened to use corporal punishment on a foster child. <ul style="list-style-type: none"> Child was moved from the foster home. Foster parent provided with in-home support and therapy. Foster parent used inappropriate discipline technique on a foster child. The foster mother agreed not to use this type of discipline again. <ul style="list-style-type: none"> Follow-up monitoring will be done. Foster child sexually abused by the adult son of the foster parents. <ul style="list-style-type: none"> Adult abuser no longer lives at the foster home and is barred from contact with foster children living at the foster home. Matter referred to police. Foster child physically assaulted by a family member of the foster mother. <ul style="list-style-type: none"> Foster child removed from foster home and matter referred to the police. The family member is no longer allowed to be in the foster home or have access to any of the children living in the home. Foster children verbally abused and exposed to inappropriate content that the children found on the Internet. <ul style="list-style-type: none"> Foster children removed from the home. Appropriate net nanny software will be installed on all computers in the home.

CFSA	Concern Reported	Ministry Response
	<ul style="list-style-type: none"> • Transitional planning and services for youth over 18. • Concerns with placement changes taking youth away from their social and familial networks and lack of placements. • Dissatisfaction with the services provided by a caseworker. • Frustration with lack of ability to express their thoughts and views. 	<ul style="list-style-type: none"> ▪ Foster care support workers will increase monitoring activities. • Every effort is made to involve youth in their transition planning when appropriate. In some cases a child or youth may not be pleased with the transition plan that his or her worker feels is in the best interest of the child or youth. When a youth is not pleased with the transition plan the worker has arranged, he or she is encouraged to speak to the worker and try to arrive at a resolution. Youth are informed of their right to bring their concerns to a dispute resolution process. The region has developed a process to track and plan for youth who may be eligible to receive Persons with Developmental Disabilities (PDD) funding upon turning 18. This process has been developed in partnership with PDD and Mental Health Services. Transition planning typically begins when a youth turns 16. A number of factors may contribute to delays in transitioning a youth to adult services such as: <ul style="list-style-type: none"> ○ Delays in the public guardianship and income support processes of another Ministry ○ The youth's refusal to complete required testing and medical exams ○ The need for a specialized placement. • The region strives to place children and youth as close as possible to their home community. In the coming months, the region will be focusing on an initiative to enhance its knowledge of the continuum of placement options that exist and what kinds of placements may be needed, so future efforts to expand placement options can better meet identified needs. • The region encourages caseworkers to address youth concerns before the youth feels they must lodge a formal complaint. Youth having difficulties reaching their caseworker are encouraged to contact the supervisor. Ministry staff are continually reminded of the importance of responding to youth concerns in a timely manner. The region follows up on specific cases when the Advocate provides information identifying the child or youth who is voicing a concern. • The region has established a Youth Advisory Council made up of region staff and eight youth in care. The council meets monthly and it provides youth with the opportunity to voice their views on regional and Ministry policies and how they and their peers are being served.

CFSA	Concern Reported	Ministry Response
Central Alberta CFSA	<ul style="list-style-type: none"> • Mandatory notifications (MNs) involving 11 children or youth. • Concerns with youth involvement in case planning. 	<ul style="list-style-type: none"> • Two allegations of abuse involving three children or youth were substantiated and addressed to the satisfaction of the Advocate. <ul style="list-style-type: none"> ○ Two cases of sexual abuse by one youth on another youth in a foster home, while the alleged perpetrating youth was at the foster home for respite. <ul style="list-style-type: none"> ▪ One case found no concerns with the level of supervision by the foster parents. The other case found lack of proper reporting by the foster parents and the foster home was placed on hold until a plan to remedy the situation is developed and implemented. ▪ The youth involved in these incidents were offered counselling supports. ▪ The matter was referred to police for criminal investigation and in one case, the alleged perpetrating youth was charged. • The region is making every effort to involve children and youth in case planning, per provincial policy. When disagreements occur or it is reported that a case plan is not in place, the region re-examines the matter and tries to provide options to the youth. If this does not lead to a resolution, the youth are informed of their right to pursue the established dispute resolution process.
East Central Alberta CFSA	<ul style="list-style-type: none"> • MNs involving nine children or youth. 	<ul style="list-style-type: none"> • Two allegations of abuse involving two children or youth were substantiated and addressed to the satisfaction of the Advocate. <ul style="list-style-type: none"> ○ Youth physically abused by their caseworker. <ul style="list-style-type: none"> ▪ Disciplinary action was taken against the staff member. ▪ Youth's file immediately transferred to another worker. ▪ Matter was referred to police for investigation. ○ Youth pushed and kicked by the kinship caregiver. <ul style="list-style-type: none"> ▪ Youth moved from the kinship home to another placement. ▪ Kinship caregivers involved in training and receiving additional support. ▪ Youth and kinship caregivers offered counselling to maintain family relationship with the youth.
Edmonton and Area CFSA	<ul style="list-style-type: none"> • MNs involving 95 children or youth. 	<ul style="list-style-type: none"> • 10 allegations of abuse involving 30 children or youth were substantiated and addressed to the satisfaction of the Advocate. <ul style="list-style-type: none"> ○ Alleged sexual abuse by a foster parent of foster children previously in the home. <ul style="list-style-type: none"> ▪ Lone foster child living at the foster home was moved and the home was closed. ▪ Children who have alleged abuse are receiving counselling. ▪ Matter was referred to police and charges are pending. ○ One case of physical abuse by a foster parent. <ul style="list-style-type: none"> ▪ Foster parent slapped a foster child living in the foster home. ▪ Child who was slapped was moved to another foster home. ▪ Foster parents are receiving additional training in behaviour management and the number of placements allowed for the home has been reduced. ▪ Foster home is being closely monitored.

CFSA	Concern Reported	Ministry Response
		<ul style="list-style-type: none"> ○ Two cases of emotional harm of a foster child by a foster parent. <ul style="list-style-type: none"> <u>Case A</u> <ul style="list-style-type: none"> ▪ The foster children were removed from the foster home and the home was closed. <u>Case B</u> <ul style="list-style-type: none"> ▪ The number of placements allowed for the foster home was reduced. ▪ Policies and expectations were reviewed with the foster parents. ○ Alleged sexual abuse by a foster mother on a foster child no longer living in the foster home. <ul style="list-style-type: none"> ▪ Foster home was closed. ▪ Child has been provided with counselling. ▪ Matter referred to police and charges have been laid. ○ Foster children physically and emotionally harmed by the foster parent's adult biological child. <ul style="list-style-type: none"> ▪ Foster children removed from the foster home, returned to Alberta and the BC foster home was closed. ▪ The matter was not referred to police by the investigating authorities in BC. ○ Two cases of an inappropriate discipline technique used by a foster parent. <ul style="list-style-type: none"> <u>Case A</u> <ul style="list-style-type: none"> ▪ A foster parent applied a face-down restraint to a foster child and further investigation identified potential emotional abuse. ▪ The children in the home at the time of the incident were temporarily moved. Placement of children in the home was suspended pending the results of an assessment. <u>Case B</u> <ul style="list-style-type: none"> ▪ A foster parent slapped a youth in her care during a conflict over a cell phone, after the foster child shook his fist at the foster parent. ▪ The youth was not harmed and the foster parent expressed deep remorse. The foster parent is receiving additional support and training. ○ Foster mother was not at the bus stop to greet the foster children in her care when a school bus driver dropped the children off after school. <ul style="list-style-type: none"> ▪ Bus driver went to the door to verify the caregiver was home and ensure that the children were not dropped off without appropriate supervision. ▪ A follow up plan regarding greeting the children when they return from school was developed with the foster mother. ○ A home study into a kinship care home found that the kinship caregivers have used physical discipline, have unstable finances, and have marital challenges. <ul style="list-style-type: none"> ▪ Further investigation found a close bonding between the caregivers and children, where removing the children from the home would negatively affect their well-being. ▪ A plan has been developed to ensure the safety of the children in the home, and the home will be closely monitored.

CFSA	Concern Reported	Ministry Response
	<ul style="list-style-type: none"> • Concerns from youth that they are not involved in the decisions affecting them, that caseworkers are unresponsive, that some youth want a new caseworker, and the length of time to receive specialized services, particularly for First Nations children and youth. • Concerns about the timeframe for workers to complete investigations or assessments. • Transitional planning and services for youth over 18. • Concerns about permanency planning because of competing applications under provincial legislation. 	<ul style="list-style-type: none"> • Caseworkers strive to involve youth in care in their case planning as much as possible. Sometimes youth do not agree with a plan developed in their best interests, just as there are times when youth do not agree with the plans of their parents. • The region acknowledges that concerns about caseworker responsiveness continue. Upon investigation, it was found that cases where a caseworker has not been as responsive as the youth would like is the exception rather than the rule, and very rarely are staff not meeting policy expectations around client contact. Youth are advised that if they feel their caseworker is not being responsive, they should contact the caseworker's supervisor or manager. • The region has increased its focus on timely transitioning to adult supports and services including creating plans regarding transitions to independence. • Children and Youth Services and Health and Wellness are co-leads of a cross-ministry committee tasked with developing policy and procedures in recognition of Jordan's Principle. The Government of Alberta continues to consult with Indian and Northern Affairs and Health Canada on issues regarding providing services to aboriginal people in the province living on First Nations (including Jordan's Principle). The provincial government is continuing to work with the federal government, to ensure timely services and supports for children and youth living on-reserves (the federal government funds services to families on-reserve). • This issue is currently being addressed by officials from the CFSA and Advocate's Office. • Placement resource investigations are rigorous and take some time to complete. The region will clarify policy with its staff to ensure that all allegations of abuse are thoroughly assessed and investigated in a timely manner, with the outcome clearly documented on the case file. • The criteria for entering into a support and financial assistance agreement with a youth and the supports that may be provided under such an agreement are identified in the Child, Youth and Family Enhancement Regulation. The Ministry is responsible for ensuring a young person transitioning to adulthood receives the best possible supports to achieve independence. • At times, there are disagreements about the appropriate level and nature of supports. Youth who disagree with decisions about the services they will be receiving are encouraged to speak with their worker, the worker's manager, or the Advocate. • A <i>Family Law Act</i> amendment is currently being considered by Justice and Attorney General. Until an amendment can be enacted, workers have received instruction on how to best handle situations when there are competing applications. • Regional staff recognize the importance of and remain committed to permanency plans for children and youth in care.

CFSA	Concern Reported	Ministry Response
North Central Alberta CFSA	<ul style="list-style-type: none"> Mandatory notifications (MNs) involving four children or youth. 	<ul style="list-style-type: none"> A review of the information regarding the MNs determined that none of the MNs were related to abuse in care.
Northwest Alberta CFSA	<ul style="list-style-type: none"> Mandatory notifications (MNs) involving two children or youth. 	<ul style="list-style-type: none"> One allegation of abuse involving one child was substantiated and addressed to the satisfaction of the Advocate. <ul style="list-style-type: none"> Inappropriate use of discipline techniques (corporal punishment). <ul style="list-style-type: none"> Four foster children were living in this foster home when the report was made. Three of the children were moved from the home and one remains in the home. The home was given a conditional licence with several conditions including counselling and additional training required for the foster parents, limiting the number of children placed in the home, and increased monitoring.
Northeast Alberta CFSA	<ul style="list-style-type: none"> MN involving one child or youth. 	<ul style="list-style-type: none"> The report of abuse was not verified by the facts discovered during the investigation into the allegation.
Métis Settlements CFSA	<ul style="list-style-type: none"> MN involving one child or youth. 	<ul style="list-style-type: none"> The report of abuse was not verified by the facts discovered during the investigation into the allegation.

Report on Delegated First Nation Agencies

Delegated First Nation Agency (DFNA)	Concern Reported	Response
Saddle Lake Wah-Koh-To-Win Child Care Society	<ul style="list-style-type: none"> Mandatory notifications (MNs) involving three children or youth. 	<ul style="list-style-type: none"> Three allegations of abuse involving three children were substantiated and addressed to the satisfaction of the Advocate. <ul style="list-style-type: none"> Two cases of a foster child being sexually abused. <ul style="list-style-type: none"> <u>Case A</u> <ul style="list-style-type: none"> The abuse occurred outside of the foster home and did not involve the caregivers. The child was provided with counselling and a No-Contact Order was put in place. Matter was referred to the police. <u>Case B</u> <ul style="list-style-type: none"> The child was removed from the kinship home and is in counselling. The child's sibling remained in the kinship home because an investigation found there were no concerns for the sibling's safety or well-being. A No-Contact Order was put in place to ensure the safety of the child. Matter was referred to the police and charges were laid. A youth in an independent living arrangement was physically abused. <ul style="list-style-type: none"> Incident occurred when the youth attended a party and was physically assaulted by an acquaintance of an adult family member. The youth chose not to involve police in the matter. The youth has since reached adulthood and is living independently with supports from community agencies and financial support from the DFNA.
Siksika Family Services Corporation (Off-Reserve)	<ul style="list-style-type: none"> MNs involving two children or youth. 	<ul style="list-style-type: none"> One of the allegations reported was found to be incorrectly coded as abuse in care. In the other case, the report of abuse was not verified by the facts discovered during the investigation into the allegation.
Stoney Child and Family Services	<ul style="list-style-type: none"> One MN involving one child or youth. Placement breakdown. Concerns with DFNA staff not always returning phone calls in a timely manner. Concerns about the perceived low number of MNs. 	<ul style="list-style-type: none"> Follow-up determined that the allegation of abuse was not verified by the facts discovered during the investigation into the allegation. The placement breakdown identified was successfully addressed as a result of a meeting between parties, including the DFNA and Advocate. The DNFA Director is committed to addressing this, which is acknowledged by the Advocate. The Director has spoken with staff and impressed upon them the importance of responding to phone calls and e-mails in a timely fashion. The Advocate has been invited to make a presentation to staff at the DFNA, to ensure they understand his role and how to report MNs.
Yellowhead Tribal Services	<ul style="list-style-type: none"> One mandatory notification involving one child or youth. 	<ul style="list-style-type: none"> One allegation of abuse involving one child was substantiated and addressed to the satisfaction of the Advocate. <ul style="list-style-type: none"> The foster parents used inappropriate discipline techniques (spanking), did not meet the emotional needs of the child, and provided inadequate supervision. <ul style="list-style-type: none"> Foster child was moved and no further children have been placed in the foster home.

	<ul style="list-style-type: none"> • Advocate commended the DFNA for quickly resolving an issue brought forward by a youth, much to the youth's satisfaction. 	<ul style="list-style-type: none"> • DFNA staff are committed to addressing issues or concerns identified by the Advocate in a timely manner.
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* The Child and Youth Advocate did not receive any mandatory notifications or have additional observations regarding the Delegated First Nation Agencies not listed in the table above.