

# **A New Direction in Child Welfare**

***Yukon Child and Family  
Services Act Annual Report  
2010 - 2013***

## **Time For a Change**

The *Child and Family Services Act* (CFSA) came into effect on April 30, 2010. It is the culmination of extensive consultation with First Nations and community partners, and replaces the 1986 *Children's Act*.

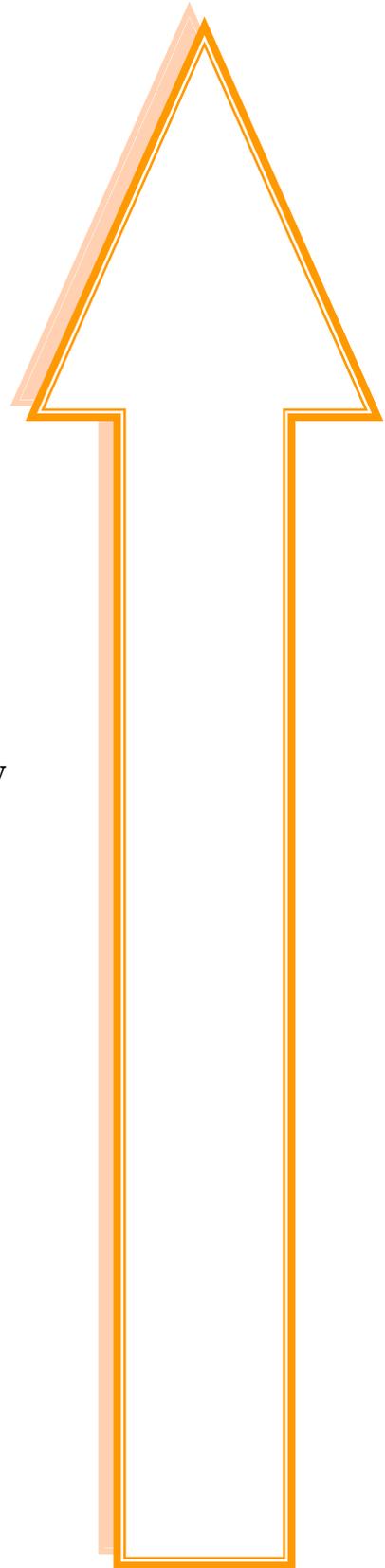
The CFSA represents significant change in the protection of children and support of families. The Act emphasizes collaboration with families and First Nations, and provision of supports to meet the needs of children and families.

Implementation of the CFSA has been ongoing through 2010 to 2013. This has involved developing cooperative planning processes; implementing quality assurance tools; training for staff; and community engagement on the new provisions of the Act, such as the mandatory reporting law and the family conferencing program.

I would like to convey my sincere thanks to staff, First Nations and community partners, whose dedication and professionalism have facilitated the implementation of the CFSA and who continue to protect, support and care for Yukon children and families.

*Elaine Schroeder*

Director, Family and Children's Services  
Department of Health and Social  
Services





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# What do we do?

The Yukon child welfare system ensures children are safe, promotes conditions enabling children to remain in their home, provides support and treatment services, and supports out-of-home care when needed.

Social workers collaborate with communities, Yukon Government and non-governmental programs, and other jurisdictions within and outside Canada.

## **Services for Children, Youth and Families**

Support and treatment services enable children to remain in or return to their home, assist families to care for children with specialized needs, assist youth to transition to independent living, and address the effects of abuse and neglect.

Services include counseling, family coaching and other parenting programs, respite care, independent living skills training, and coordination of other services such as educational assessments and addictions-related treatment.

## **Child Protection Services**

Any person who has reason to believe a child is being abused (physically, emotionally, or sexually) or neglected must report it.

Social workers investigate all reports of child abuse or neglect to determine the level of risk for the child. Through collaboration with families, First Nations (if applicable) and other concerned parties, they work to remove that risk. Child protection services are provided 24-hours a day throughout the territory.

## **Out-of-Home Care**

When a child cannot remain in their home, social workers find the most appropriate care option. This includes supporting caregivers, approving and monitoring care homes, and facilitating adoptions.

Placement with extended family is always the priority. If this is not possible, placement will be with a family, independent living or residential treatment that can best maintain the child's important relationships (familial, cultural, educational, community and spiritual). If the child is First Nation, the priority for placement, if family is not available, is with a member of the child's First Nation or other First Nation.

This is achieved through foster family care (including kinship care), residential care and treatment, independent living arrangements for some youth, and adoption.

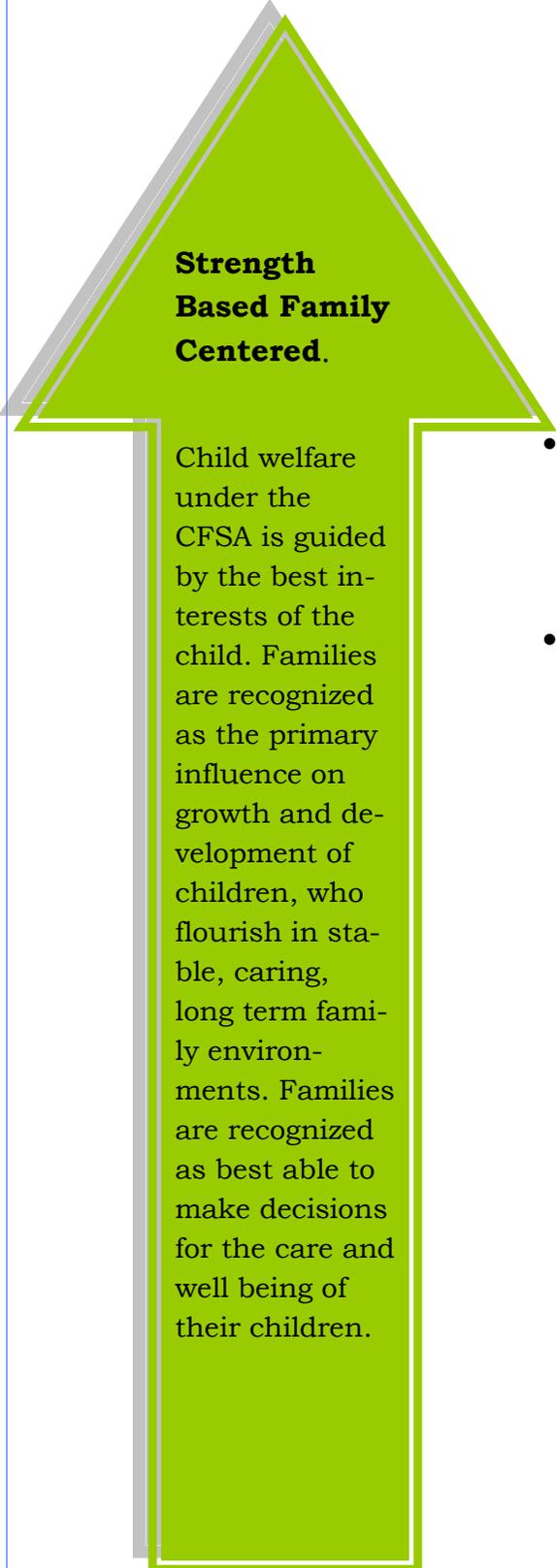
# How is the *Child and Family Services Act (CFSA)* different than the *Children’s Act*?

**The *Child and Family Services Act* represents a significant change in the approach to child welfare in Yukon, building on the previous *Children’s Act* in a number of important ways.**

New Child and Family Services Act	Previous Children’s Act
Mandatory reporting of child abuse and neglect	Mandatory reporting not required
Requirement to offer cooperative planning processes	No provision for cooperative planning
Courts required to determine if cooperative planning has taken place. Parents have the ability to present their own plan to the court if an agreement was not reached	No requirement for court to determine if cooperative planning has taken place or for parents to present a plan to the court
Requirement to involve First Nations in planning, service delivery court proceedings and adoption planning when the child is a member of a First Nation	No requirement to involve First Nations
Extended family as a priority placement when a child requires out of home care. Provides supports to extended family to care for the child.	No provision of support for extended family
Enables child with special needs to receive out of home care without parent relinquishing custody	Required parents to relinquish custody of a child with special needs in order to receive out of home care.
Expanded support services for youth aged 16-19 through voluntary youth agreements	Youth only eligible for support services to age 19
Support services for young adults (up to age 24)	Youth only eligible for support services to age 19
Legal recognition of adoption according to First Nation customs	No recognition of adoptions according to First Nation customs
Expanded adoption provisions, including open adoption and closure	Limited adoption provisions
Requires that cooperative planning be offered to review annual case plans for children in care	No cooperative planning or annual reviews
Required establishment of an Independent Child and Youth Advocate	No reference to an advocate for children and youth
Requires a public complaint procedure to address disputes over child welfare service delivery and planning	Did not require a public complaint procedure
Requirement to report on compliance with minimum service standards	No report on compliance with service standards

# What is the focus of the CFSA?

## Nurturing Relationships



### **Strength Based Family Centered.**

Child welfare under the CFSA is guided by the best interests of the child. Families are recognized as the primary influence on growth and development of children, who flourish in stable, caring, long term family environments. Families are recognized as best able to make decisions for the care and well being of their children.

### **Collaboration with Families**

When supported, families are best able to make decisions and plan for the care and well-being of their children. All families have strengths, and all families can provide for the safety and well-being of their children with the right services and supports. Collaborative decision making and planning with families is key for ensuring a child's healthy development.

- The CFSA requires that a cooperative planning process, such as family conferencing, be offered to ensure that families are fully involved in decision-making.
- Voluntary care agreements enable parents to temporarily place their child in out-of-home care in order to address identified child protection concerns, while retaining as much parental responsibility as possible.

### **Partnerships with First Nations**

A child's First Nation is a key partner in ensuring the safety of children, planning for a child's care, and supporting families.

- First Nations are invited to participate in all planning, delivery of services and court proceedings for a child who is a member of the First Nation
- Department representatives meet regularly with individual First Nations to plan for their members who are involved with the child welfare system.
- Department representatives meet regularly with the Council of Yukon First Nations Health Commission, which provides input and advice on policy and systemic matters.

## **Nurturing Relationships**

### **Working with Extended Families**

A child's family, culture, school, friends and language provide continuity and security; these relationships support children (and families) through difficult times.

- When out-of-home care is required, placement with extended family is the priority; if not possible, placement should maintain family, cultural and other important relationships.
- Extended family care agreements provide financial and other supports for extended family members who provide care for children who cannot remain in their home.

### **Community Involvement**

Protecting children is the responsibility of communities. Plans for a child's safety and well-being are most successful when children and families are supported within their community.

- Any person who believes a child is being abused or neglected is now required to report it through mandatory reporting.
- Anyone significant in a child's life must be invited to participate in cooperative planning processes.

The CFSA states that communities should be involved in the planning and delivery of programs and services to their residents.

## **Improved Outcomes for Children and Families**

Cooperative and inclusive approaches to working with families, empowering families to care for their children, partnerships with First Nations, working with extended families, and involvement of the wider community will result in:

### **Increased protection for children**

- Mandatory reporting means that all members of the community are looking out for children's safety.

### **More effective safety and care plans for children in need of protection**

- Working collaboratively with families, First Nations and other people significant in a child's life helps identify the family's strengths and needs, access supports within extended family and the community, and develop alternative care plans if needed.
- Safety and care plans are most successful when developed with families and others involved in a child's life.

### **When children come into care, they are able to return home quickly**

- Support services enable parents to address the difficulties they are facing and provide for the safety and healthy development of their children within the home.
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- When children cannot stay in their home, parents are encouraged and supported to keep as much parental responsibility as possible, which can help facilitate their return.



*There is undeniable strength in a plan created for a child through a collaborative process involving family, First Nation, and community supports. These plans recognize the importance of an entire community coming together to protect children; and they acknowledge both the right, and responsibility of family members to use their own collective wisdom and experience in creating safety for their children.*

Social Worker  
Department of Health and Social Services

## **Improved Outcomes for Children and Families**

### **More stability for children in care**

- Maintaining important relationships (family, culture, school, friends) gives children more stability during difficult times, such as when out-of-home care is required.
- Family, cultural and community connections can help increase a child's learning and developmental potential.

## **Enriched Processes to Support and Achieve Outcomes**

### **Community Engagement**

Implementation of the CFSA has included extensive engagement with First Nations and community partners including presentations and seminars on the provisions of the Act

Community engagement has also involved ongoing communication, consultation and creation of feedback loops designed to inform policy and practice. These include ongoing regular meetings with individual First Nations, the Yukon Foster Parent Association, and the Council of Yukon First Nations Health Commission.

### **Quality Assurance Development**

The *Child and Family Services Act* introduced new quality assurance mechanisms, including mandatory annual case reviews, reporting on compliance with service standards, annual service delivery reporting, and five-year reviews of the Act.

A program audit framework was developed to measure the extent to which the child welfare system is meeting established standards of service to children and families. Three annual audits have been completed. The trends from the 2010–2013 CFSA audit are included within pages 13-14.

### **Cooperative Planning Processes**

Families are best able to plan for the care and well-being of their children. First Nations and community members significant to a child's life are key to helping families make those plans a reality by providing valuable information and supports.

The CFSA requires that a cooperative planning process, such as family conferencing, be offered to families when developing a plan for a child who is in need of protection; at annual case plans and for a child who is leaving the custody of the Director of Family and Children's Services.

Cooperative planning may also be offered when developing any other plan for the safety or care of a child, or for the provision of support services.

Cooperative planning can take many forms, such as dispute resolution or mediation processes, and traditional First Nations decision-making processes.

# **Enriched Processes to Support and Achieve Outcomes**

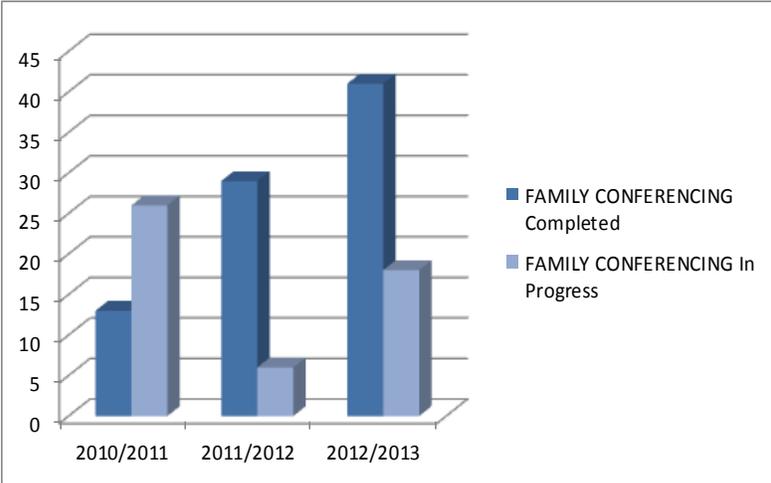
## **Family Conferencing**

Family conferencing encapsulates the new direction for child welfare in Yukon because it includes direct collaboration with families and First Nations (where applicable). It is used to identify the family’s strengths and needs. It may involve other community members significant to a child’s life, and can help identify out-of-home care options that will maintain the child’s family, cultural and other relationships.

A family conferencing specialist, who is independent from the child protection social worker, brings together all concerned parties with the goal of reaching consensus on a plan for the child.

During the conference, the family meets together separate from the professionals to develop a plan to address the protection concerns identified by the social worker. This plan is then presented to the rest of the conference participants.

Because the decision-making responsibility shifts from social workers to families, participants respond very positively to both the outcome and the process.



# How are we doing?

## Service Standards Compliance

The *CFSA* required the development of child welfare standards and the reporting of compliance to those standards to the Minister every three years.

A random selection of 118 active child welfare files were reviewed for activity between May 1, 2010 and April 30, 2011, May 1, 2011 and April 30, 2012 and again between May 1, 2012 and April 30, 2013. The files reviewed in this audit were identified by a randomizing software program. The program was applied to all active files according to the branch data base system, from which approximately 20% were randomly drawn. The sample was stratified by geographical location (Whitehorse and communities) and case types (child in care, child protection and family service). Seven standards of compliance were measured with one additional standard for child in care files as follows:

Standard 1: Emergency Response and Safety

Standard 2: Initial Contact with Child, Youth and Family

Standard 3: Contact with Yukon First Nations

Standard 4: Planning for Stability/Permanency

Standard 5: Caseworker Contact

Standard 6: Cultural Connectedness for Yukon First Nations/Aboriginal/Inuit/Métis Children

Standard 7: Out of Home Care

Standard 8: Other Review Items (Child in care files only)

The trends from the 2010—2013 CFSA audit are as follows:

## **IMPROVED OUTCOMES FOR CHILDREN**

### **Reinforce expectations of the CFSA**

*The CFSA was introduced April 30, 2010 and with it came new expectations. It takes time and repeated training to ensure that people working in Child Welfare know and understand the implications of the new legislation and attending policy; however, it is also imperative that that legislation and policy be followed.*

The vast majority of children coming to the attention of child welfare were helped without recourse to the court system which reflects well the spirit of the CFSA.

Compliance to emergency response and initial contact with child and family were high while initial contact with First Nations is steadily improving.

For standards that cover planning for stability, permanency and ongoing caseworker contact, compliance generally remained low.

### **Continue to ensure cultural connectedness**

*A first choice is that children remain in their own homes, with their own families and in their own communities. Extended family care should always be the alternative of choice if it is impossible to support the child at home. These early monitoring results indicate that Yukon is on the right path in this regard.*

Nearly all children involved with child welfare are living with family, ensuring cultural connectedness. For children in care, maintaining cultural connectedness is more difficult. There is evidence that cultural planning is improving.

### **Importance of Plans of Care and Cultural Plans**

*Plans of Care and Cultural plans need to be living documents that reflect a process, an unfolding, a journey. They chart a direction in which to head and things to aim for and to do and must be revisited regularly to re-assess and change direction as required.*

Existence of current Plans of Care for children in care rose over the three years. There is room for improvement.

## **NURTURING RELATIONSHIPS**

### **Ongoing contact to build relationships**

*The importance of ongoing contact with children and parents or caregivers needs to be reinforced, regardless of case type, as does the need to work with parents or caregivers to achieve case plan goals.*

Ongoing contact between the social worker and families has steadily improved. Engaging families in case planning and contact with children in care are areas for improvement.

### **Tracking continuity and stability for children in care**

*Research suggests stability and consistency of relationships are important in supporting healthy child development.*

Evidence shows there is significant fluctuation in relationships with social workers and caregivers for some children over the three year period.

## **ENRICHED PROCESSES TO SUPPORT AND ACHIEVE OUTCOMES**

### **Greater emphasis on cooperative planning and family conferencing**

*Social work is about relationships; connecting with people as well as promoting connections among people. This must include children and youth, their parents, extended family, First Nations, caregivers and collaterals. It includes facilitation and maintenance of cultural connections. The audit results suggest a need for greater emphasis on both co-operative planning and family conferencing as approaches of choice, allowing family to find solutions, with ongoing support.*

Despite an encouraging trend to offer cooperative planning to children in care, it is still not being extended to the majority of families. When family conferencing is offered, compliance results for families accessing the service are positive.



*I found the [conference] to be a very good first step to helping my daughter become a stronger person within herself. These [conferences] are a very good way to show family members who are hurt, there is a silver lining and there is hope.*



*Family Conferencing Participant*