

**MINISTER'S ADVISORY COMMITTEE**  
for the  
***CHILD, YOUTH and FAMILY SERVICES ACT***

**ANNUAL PERFORMANCE REPORT**  
**2008-2009**

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## MESSAGE FROM THE CHAIRPERSON

Pursuant to the *Transparency and Accountability Act*, the Minister's Advisory Committee (MAC) will report as a Category Three government entity. I am pleased to provide the Annual Performance Report for the Minister's Advisory Committee (MAC) for the fiscal year, April 2008 – March 2009. The Minister's Advisory Committee is a legislated committee under Section 75 of the *Child, Youth and Family Services Act*. This committee is appointed by the Minister and is responsible to review the operations of the *Act* and report to the Minister on whether, in its opinion, the principles and purpose are being achieved.

This Annual Performance Report builds on the work outlined in the 2007-2008 Activity Report, and reports on first year of the 2008-2011 Activity Plan. The report also provides an overview of the MAC during the past fiscal year and identifies accomplishments for this reporting period. In the development of this report, careful consideration was given to the strategic directions of government, as communicated by the responsible minister. My signature below is indicative of the committee's accountability for the preparation of this report and the achievement of results and any variances.

Sincerely,



Des Dillon  
Chairperson  
Minister's Advisory Committee

## 1.0 Government Entity Overview

On January 5, 2000, the *Child, Youth and Family Services Act (CYFS Act)* was proclaimed. Accountability for interventions under the new Act is provided through a number of statutory provisions. One of these accountability statutes is Section 75 of the *Child, Youth and Family Services Act* which provides for the establishment of a Minister's Advisory Committee (MAC).

Pursuant to the *Transparency and Accountability Act*, MAC reports as a Category Three government entity. This is the second committee appointed under the legislation to conduct the review of the operations of the *CYFS Act*. The work of the first committee concluded on December 5, 2005 with the tabling of the final report into the House of Assembly by the Minister.

The committee meets as required and can range from monthly to every other month depending on the work plan. The committee is not required to have an audited financial statement. The Department of Health and Community Services (Department) covered travel and other associated costs for the work of this committee. A program consultant at the Department provides support to the committee.

### A) Expenditures

The following outlines the expenditures for activities in 2008-09:

|                       |                 |
|-----------------------|-----------------|
| <b>Travel</b>         | <b>\$8253</b>   |
| Supplies              | \$579           |
| Professional Services | \$4387          |
| Purchased Services    | \$450           |
| <b>Total:</b>         | <b>\$13,669</b> |

In addition to these expenditures, the work of MAC is supported by a program consultant at the Department of Health and Community Services. This consultant has other program responsibilities, and is available to MAC as required to organize and support their activities and reporting requirements. Support to MAC is ongoing and the requirement of the consultant's time varies depending on the demands of the committee and the point in their reporting cycle.

## B) Committee Membership



In photo from left to right, front row: Karen Mitchell, Michelle Sullivan  
 Back row: Des Dillon, Brian Lyall, Ivy Burt  
 Missing from photo: Mary Gaultois-Bungay

Representation on this advisory committee is appointed in accordance with Section 75 (2) of the Act. The MAC has representation from across the province and is comprised of a maximum of 10 individuals, who have a particular interest and expertise in children's issues. Membership for this reporting period is as follows:

|                   |  |
|-------------------|--|
| Des Dillon        | Chair; appointed under Section 75 (2) (f) as a community representative                                |
| Vacant            | appointed under Section 75 (2) (d) as the legal aid lawyer representative                              |
| Michelle Sullivan | appointed under Section 75(2) (f) as a representative from Memorial University's School of Social Work |
| Karen Mitchell    | appointed under Section 75(2) (a) as a consumer representative   |
| Brian Lyall       | appointed under Section 75(2) (e) as a representative from a cultural minority                         |
| Vacant            | appointed under Section 75(2) (b) as the representative from a health board                            |
| Ivy Burt          | appointed under Section 75(2) (c) as a representative of the Minister                                  |

Mary Bungay-Gaultois\* appointed under Section 75(2) (f) as a community representative

Ms. Bungay-Gaultois resigned from the position in December 2008

Vacant There is currently one (1) vacancy under Section 75(2) (a) for a consumer representative.

Vacant There is currently one (1) vacancy under Section 75(2) (e) for a person representing a cultural, linguistic or racial minority group.

New members will not be recruited as this committee will end with a tabling of the final report in December 2009. This will be the second report submitted to government by a Minister's Advisory Committee.

### **C) Mandate**

In accordance with Section 75 (1) of the *Child Youth and Family Services Act*, the following mandate has been set out for the Minister's Advisory Committee.

"The Minister shall establish an advisory committee whose function is to review every two years, the operations of this Act and to report to the Minister concerning its operation and stating whether, in its opinion, the principles and purpose of the Act are being achieved."

### **D) Primary Clients**

The primary client of the Minister's Advisory Committee is the Minister of Health and Community Services in accordance with Section 75 of the *CYFS Act*.

### **E) Vision**

The vision of the Minister's Advisory Committee is:

All children are healthy, valued and respected and families and communities are supported to create safe, nurturing environments.

The MAC also supported the vision of the Department of Health and Community Services.

## F) Values

Our central philosophy is to promote the safety, health and well-being of children, youth & families with the best interest of the child being paramount. The core values of the MAC are founded in the general principles defined in Section 7 of *The Child Youth and Family Services Act*. These principles are as follows:

- the overriding and paramount consideration in any decision made under this Act shall be the best interests of the child
- every child is entitled to be assured of personal safety, health and well-being
- the family is the basic unit of society responsible for the safety, health and well-being of the child
- the community has a responsibility to support the safety, health and well-being of a child and may require assistance in fulfilling this responsibility
- prevention activities are integral to the promotion of the safety, health and well-being of a child
- kinship ties are integral to a child's self-development and growth and if a child's safety, health and well-being cannot be assured in the context of the family, the extended family shall be encouraged to care for the child provided that a director can be assured that the child's safety, health and well-being will not be at risk
- the cultural heritage of a child shall be respected and connections with a child's cultural heritage shall be preserved
- in the absence of evidence to the contrary, there shall be a presumption that a child 12 years of age or over is capable of forming and expressing an opinion regarding his or her care and custody

The MAC will demonstrate these guiding principles through the following core values:

|               |   |
|---------------|---|
| Integrity     | We are committed to ensuring recommendations that are based on review processes, findings and evidence.   |
| Collaboration | We are committed to making every effort to create opportunities for input and participation of individuals, groups, organizations and communities in the review process.  |
| Privacy       | We are committed to ensuring that sensitive information is held in confidence and is shared only with those who need to know and is treated with care and responsibility. |

## **G) Mission**

As a Category Three government entity, the MAC has the option of adopting the mission of the Department of Health and Community Services or developing its own. The committee has determined that neither of those options are appropriate at this time because the legislated mandate is specific to the mission of the committee. The mission statement in the 2007-2008 transitional activity plan was reviewed and deemed redundant with the mandate. For that reason, the MAC has decided not to adopt the mission of that activity plan.

## **2.0 Shared Commitments**

The Minister's Advisory Committee valued the support of the Department of Health and Community Services (Department) in fulfilling its legislative mandate.

The operational review process and the achievement of the committee's vision would not be possible without the valuable input of many key stakeholders including but not limited to: Children and Youth Services (CYFS) divisional staff, the Regional Health Authorities, consumers of CYFS services and many other community based organizations who deliver services to children, youth and their families.

## **3.0 Highlights and Accomplishments**

In addition to progress made on 2008 planned indicators, the committee engaged in other important activities, highlighted below, which are integral to the functioning of the committee.

Over the course of two meetings in the spring of 2008 MAC members developed and finalized a member role description. During a May 2008 meeting representatives from the Transparency and Accountability Office presented to MAC members on the role of the office and assisted in the development of the 2008-2011 Activity Plan. The activity plan comprised a significant amount of work for the committee and several meetings were required to develop a final document.

## **4.0 Report on Performance**

### **Issue**

The initial Minister's Advisory Committee was established in September 2002 and completed a review of the operations of *The Child Youth and Family Services Act* within a two year legislated time frame. The second Minister's



Advisory Committee was appointed in April 2006 and has responsibility for preparing a final report, which was originally due March 31, 2009. Due to other Divisional priorities and initiatives in 2008-2009, the report due date changed to December 2009. Committee activities are now directed toward meeting this new time frame.

The objective outlined in the MAC 2008-2009 Activity Report supports the strategic direction of improved outcomes and accountability as the MAC is an accountability provision under the CYFS Act. The committee reports on the operations of the legislation and reports to the Minister on whether, in its opinion, the principles and purpose of the Act are being achieved. This is a review process which reports on whether the legislation is working in operations.

A review of the *Child, Youth and Family Services Act* is also underway and the legislative requirements for this committee may be subject to change.

### A) Objective

**Objective 1:** By 2009 the MAC will have advised the Minister on the progress achieved on the recommendations of the MAC 2005 report.

**Measure:** Report submitted to the Minister

| Planned Indicators 2008-09  | Actual Accomplishments 2008-09   |
|---|--|
| Recommendations of the MAC 2005 report are reviewed to determine the extent to which they have been implemented | MAC 2005 report was reviewed by committee members. Further information is needed from key stakeholders to determine the extent to which the MAC 2005 recommendations have been implemented. The committee will have completed this review/or arrived at this determination by December 2009.   |
| Current initiatives aimed to strengthen the CYFS System are reviewed to assess Government's progress            | <p>The committee received a presentation from the CYFS Division on current initiatives, including the Strategy for Children and Youth, aimed at strengthening the CYFS system, to inform the committee's assessment of Government's progress.</p> <p>Further information, as identified in the above indicator, is required to complete the assessment of government's progress.</p> |

|   |  |
|---|--|
| <p>Documents detailing how Government could improve the CYFS system are reviewed (e.g. Turner review and Investigation, Deloitte Report)</p> <p>Other reports/reviews are considered as part of the review process (i.e. In Care Review, Clinical Review of CYFS)</p> <p>Gaps are identified to highlight areas not currently being addressed</p> | <p>A written summary of government reports has been developed by the Department but has not been provided to the committee for review. The summary report will be made available to committee members by the end of 2009.</p> <p>The summary includes the Turner Review and Investigation, Deloitte Organizational and Operational Review, Children in Care Report, Clinical Review and the Strategy for Children, Youth and Families.</p> <p>Reviewing and analyzing the summary report will allow the committee to identify gaps that are not currently being addressed.</p>   |
| <p>Information is obtained from departmental officials, regional health boards and other key stakeholders to determine the status of current strategies aimed at strengthening the CYFS system</p>  | <p>The required information was not available to determine the status of the current strategies aimed at strengthening the CYFS system.</p> <p>MAC was provided assistance in the development of a work plan which outlined the approaches to be taken for the collecting and reporting on stakeholder input and current initiatives. Committee meetings were held in August and September 2008 to review and finalize the work plan.</p> <p>The process used for the collection of information will be reviewed for approval by the new Department of Child, Youth and Family Services.</p> <p>Information is expected to be gathered between April and August 2009 and will inform the final report.</p> |

|  |  |
|--|--|
| Priority areas for further action are recommended. | Priority areas for action could not be recommended as the committee did not have sufficient information.<br><br>Recommendations for further action will be included in the final report due December 2009. |
|--|--|

## **B) Discussion of Results:**

During the 2008-2009 activity year the committee met for regular meetings, worked with available information and prepared to complete the reporting process as outlined in Section 4: Report on Performance. While this work was relevant, there was insufficient information to enable the committee to achieve most of the indicators for the 2008-2009 year. It is hoped this work will be achieved in the 2009-2010 year with the significant change in the reporting date and the establishment of a new Department of Child, Youth and Family Services. MAC looks forward to achieving the 2008-2009 indicators in the newly established time frame.

The completion of the activities on planned indicators will position the committee to successfully complete the 2009 objective and advise the Minister on the progress achieved on the recommendations in the MAC 2005 report. The end result will be a final report (the second of its nature) by December 2009. Looking forward, if the legislative mandate for MAC remains the same, the completion of aforementioned objectives will allow the new committee to progress with achieving the overall mission by 2011 which is the completion of a third report within 2 years.

## **C) Indicator Development for the 2009-2010**

Objective 2: By March 31, 2010 the MAC will have put processes in place to prepare itself to advise the Minister concerning the operations of the act and whether its principles and purpose are being achieved.

Measure: Outline for process submitted to the Minister.

| <b>Planned Indicator</b>                                   | <b>Actual Accomplishment</b> |
|--|------------------------------|
| Processes implemented to further the work of the committee |                              |
| Submission of final 2009 report to the Minister            |                              |