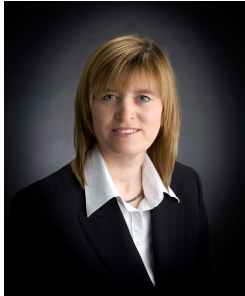


MOVING FORWARD



THE REPORT OF THE
MINISTER'S ADVISORY COMMITTEE
2010

MESSAGE FROM THE MINISTER



It is my pleasure to accept the report of the second Minister's Advisory Committee appointed under the *Child, Youth and Family Services Act* to conduct the review of the operations of the *Act*. The work of the first Committee concluded on December 5, 2005 with the tabling of its report entitled, "*How Are We Doing: A Report of the Minister's Advisory Committee on the Operations of the Child, Youth and Family Services Act*."

This report builds on the work of the first Committee. It outlines Government's progress on the implementation of the recommendations contained in the first report and offers further recommendations on how to continue to improve and revitalize the child protection system in Newfoundland and Labrador. This is a key priority of the new Department of Child, Youth and Family Services.

The findings and recommendations in the report are consistent with other reports commissioned by the Provincial Government, in particular the recommendations put forward by the Clinical Services Review, which we have committed to implement in full.

I would like to offer my personal thanks to the Chair of the Committee, Desmond Dillon, and the Committee members for this report.

A handwritten signature in black ink, appearing to read 'Joan', written in a cursive style.

The Honourable Joan Burke
Minister of Child, Youth and Family Services



MINISTER'S ADVISORY COMMITTEE 2010 REPORT

LETTER TO THE MINISTER FROM THE MINISTER'S ADVISORY COMMITTEE

In May 2006, the second Minister's Advisory Committee (MAC) was established in accordance with the responsibilities of the Minister outlined in Section 75 of the *Child, Youth and Family Services (CYFS) Act*. The Committee was given a mandate to "review the operations of the *Act* and to report to the Minister on whether its principles and purpose were being achieved."

The report of the first Committee entitled, "How Are We Doing: A Report of the Minister's Advisory Committee on the Operations of the Child, Youth and Family Services Act", was released in December 2005. The report outlined ten key and seven program specific recommendations to improve the operations of the *Act*. As a Committee, we have elected to build on the findings of the first Committee and report on the progress made with respect to the recommendations of the MAC 2005 report.

This final report represents the work of the Committee and reflects planning and processes that the Committee engaged in to meet its mandate. It also contains key findings and recommendations that the Committee is providing to you and the new Department as you introduce new legislation and enhance services to children, youth and their families.

The report provides a snapshot of the efforts of Government, Child, Youth and Family Services (CYFS) staff and other service providers in their quest to provide quality service to children, youth and families. While the report outlines that progress has been made with respect to many of the MAC 2005 recommendations, it also outlines that improvements are needed in many areas to achieve the principles and purposes of the *Act*.

The Committee acknowledges that the creation of a new Department responsible for provincial child protection services has the potential to improve the quality of services mandated under the *CYFS Act*. We recognize that there is significant work ahead to build a responsive and effective system of services for children, youth and their families across the province.

We thank you for the opportunity to be involved in this review process and we wish you and your staff every success as you work to improve services and transform the child protection system.

Sincerely,



Desmond Dillon (Chair)
Community Representative

Ivy Burt
Provincial Director, Child, Youth & Family Services
Department of Health and Community Services

Karen Mitchell
Consumer Representative

Michelle Sullivan
Assistant Professor, School of Social Work
Memorial University of Newfoundland

Brian Lyall
Aboriginal Representative
Nunatsiavut Government

MINISTER'S ADVISORY COMMITTEE 2010 REPORT

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ACKNOWLEDGEMENTS

This review process could not have been possible without the assistance of numerous individuals and groups. It was through their commitment and involvement that this process was successful. The Committee acknowledges:

- The work of the first Minister's Advisory Committee whose final recommendations were used as a guide for this report;
- Dr. Peter Markesteyn, author of the *Turner Review and Investigation* (2006) whose report provided invaluable input to the Committee;
- Deloitte and Touche LLP, authors of the *Organizational and Operational Review of Child, Youth and Family Services* (2007) whose report provided invaluable input to the Committee;
- Dr. Ken Fowler, author of the *Children in Care in Newfoundland and Labrador Report* (2008) whose report provided invaluable input to the Committee;
- Ms. Susan Abell, author of the *Child, Youth and Family Services Clinical Services Review* (2008), whose report provided invaluable input to the Committee;
- The Directors of Child, Youth and Family Services for sharing their experiences about the daily operations of *Child, Youth and Family Services Act*;
- Staff of the Department of Health and Community Services, Child, Youth and Family Services Division, including Michelle Shallow, Manager, CYFS and Joanne Cotter, Program Consultant, for their support to this process;
- The provinces of Nova Scotia and Prince Edward Island for sharing their experiences and written material regarding their respective Minister's Advisory Committees; and
- All those individuals and groups who provided input to the Committee as part of this review process.

ACRONYMS

There are numerous groups and organizations referred to in this report. They are named in full when they are initially presented in this report with the acronym in brackets. For ease of presentation, further mention of these individuals, groups or organizations is referred to with the acronym. The following is an alphabetical list of the acronyms for groups, organizations, associations and programs:

- Alternate Dispute Resolution (ADR)
- Canadian Association of Social Workers (CASW)
- Child, Youth and Family Services (CYFS)
- Child Welfare Allowance (CWA)
- Client Referral Management System (CRMS)
- Community Youth Network (CYN)
- Custody Review Committee (CRC)
- Department of Child, Youth and Family Services (DCYFS)
- Department of Health and Community Services (DHCS)
- Department of Human Resources, Labor and Employment (HRLE)
- Family Service Program (FSP)
- Fetal Alcohol Spectrum Disorder (FASD)
- Individual Support Services Plan (ISSP)
- Looking After Children (LAC)
- Labrador-Grenfell Regional Health Authority (L-GRHA)
- Minister's Advisory Committee (MAC)
- Newfoundland and Labrador Association of Social Workers (NLASW)
- Newfoundland and Labrador Foster Families Association (NLFFA)
- Regional Health Authority (RHA)
- Risk Management System (RMS)
- Unified Family Court (UFC)
- Voluntary Care Agreement (VCA)
- Youth Care Agreement (YCA)
- Youth Services Program (YSP)

EXECUTIVE SUMMARY



“The committee decided to meet its mandate by reporting on the progress made with respect to the recommendations of the MAC 2005 report.”

The *Child, Youth and Family Services (CYFS) Act* was proclaimed on January 5, 2000. It replaced the *Child Welfare Act* that had existed for over 50 years and was no longer reflective of best practice in the field of child welfare. Accountability for interventions under the new *Act* was provided through a number of statutory provisions, including Section 75 (1) which states:

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

This is the second Minister's Advisory Committee appointed to conduct the review of the operations of the *Act*. Appendix A outlines the statutory provisions that guide the work of the committee. The work of the first Committee concluded on December 5, 2005 with the tabling of its report entitled, *“How Are We Doing: A Report of the Minister's Advisory Committee on the Operations of the Child, Youth and Family Services Act*. The current Committee was established in May 2006 and is comprised of individuals who have a particular interest and expertise in children's issues (Appendix B). A Terms of Reference was developed (Appendix C) to guide the Committee in fulfilling its mandate.

While the *Act* mandates that a report be submitted within two years of appointment, the current MAC encountered challenges and delays which resulted in the need to extend the Committee's time frame. It should also be noted that three of the original members were unable to continue with the work of the Committee when the time frame was extended.

EXECUTIVE SUMMARY

The Committee decided to meet its mandate by reporting on the progress made with respect to the recommendations of the MAC 2005 report. The Committee engaged in a number of information gathering processes to achieve this objective, including inviting presentations from provincial and regional CYFS staff and other government departments, and completing a cross referenced comparison of reports relating to CYFS programs and services that have been completed since 2005.

Recommendations of this Committee are presented within 16 key themes. The Committee views the implementation of the recommendations as critical to ensuring that the principles and purposes of the *Act* are being achieved. In particular we focused on:

- the recommendations from the MAC 2005 report that have not yet been fully implemented and continue to be relevant;
- the need for continued investment in human and fiscal resources;
- the specific actions required to improve service delivery and the importance of communication, collaboration, and integration of services; and
- strengthening community partnerships to help the Department of Child, Youth and Family Services (DCYFS) meet its mandate.

The Committee is aware that a review of the *CYFS Act* is underway which will likely result in changes to the principles and purpose of the *Act*. With this in mind, the Committee focused its efforts on developing recommendations that could be implemented to improve outcomes for children and youth, notwithstanding changes to the *Act* or the Department's mandate.

A summary of the current Committee's recommendations to the Department of Child Youth and Family Services include:

- Continued emphasis on the investment of adequate human and fiscal resources to achieve the principles and purposes of the *Act*;
- Continued development and implementation of a plan for continuous quality improvement within the Department of Child, Youth and Family Services;
- Regular, planned, targeted and funded external evaluation of programs and policies implemented within the new Department;
- Continued review of the Family Services Program, the Youth Services Program and the Risk Management System for child protection in accordance with the internal continuous quality improvement plan;
- Continued development of the continuum of residential services available to children and youth in care;
- Examination of the issues related to judicial delays and implementation of strategies that will improve the disposition of child protection matters before the courts. This should be undertaken in partnership with the Department of Justice;
- Engagement of community partners in identifying, developing, implementing and evaluating early intervention and primary prevention activities; and
- Undertake a public awareness campaign to educate the public, Child, Youth and Family Services staff, community partners and key stakeholders about programs and services offered by the Department and about the legislation that guides its work.

MAC 2010 RECOMMENDATIONS



“The Committee is aware that a review of the CYFS Act is underway... the Committee focused its efforts on developing recommendations that could be implemented to improve outcomes for children and youth, notwithstanding changes to the Act or the Department’s mandate.”

1. The Committee recommends that when services transfer out of the RHAs to the new Department of Child, Youth and Family Services that continued emphasis is placed on investing adequate human and fiscal resources to achieve the principles and purposes of the *Act*.
2. The Committee recommends that the Department of Child, Youth and Family Services develop strategies for engaging community partners in identifying, developing, funding, implementing and externally evaluating early intervention and primary prevention projects and community based demonstration projects.
3. Assuming that the focus of new Department will include preventing future child maltreatment, the Committee recommends that the Department of Child, Youth and Family Services take a leadership role in facilitating primary prevention and early intervention initiatives across government departments. This will help ensure effective coordination of services which will subsequently assist in achieving the principles and purpose of the *Act* and prevent risk of maltreatment to children.
4. The Committee recommends that the Department of Child, Youth and Family Services continue to develop and implement a plan for continuous quality improvement on an internal basis and commit the human and fiscal resources to support the plan.
5. The Committee recommends that the Department of Child, Youth and Family

MAC 2010 RECOMMENDATIONS

- Services fund and facilitate planned, targeted, external evaluation of programs and policies. Targeting a specific program area each year is an example of how an external program evaluation model might be designed and implemented.
6. The Committee recommends that the Department of Child, Youth and Family Services form a Minister's Advisory Committee on a 4 year rotation schedule to execute a meta analysis of all internal and external evaluations and to identify and commission further evaluation as deemed necessary to assure that the purposes of the Act are met.
 7. The Committee recommends that Department of Child, Youth and Family Services work in partnership with the Department of Justice to examine the issue of judicial delays and implement strategies that improve the disposition of child protection matters before the courts.
 8. The Committee recommends that the Department of Child, Youth and Family Services continue to support capacity at the provincial office to focus on research and best known practices that inform policy and program development.
 9. The Committee recommends that the Department of Child, Youth and Family Services further develop monitoring and evaluation strategies that promote the internal continuous quality improvement plan.
 10. The Committee recommends that the Department of Child, Youth and Family Services fully implement and evaluate the provincial training plan including curriculum and delivery mechanisms.
 11. The Committee recommends that the Department of Child, Youth and Family Services evaluate the impact of new post-secondary education initiatives upon the status of the Departmental work force.
 12. The Committee recommends that the Department of Child, Youth and Family Services determine the status of the review as recommended in the *ISSP and Pathways Commission Report*.
 13. The Committee recommends that the Department of Child, Youth and Family Services engage in dialogue with the partnering Departments to clarify how current practices impact the programs and policies relevant to children, youth and their families and how these policies and programs overlap and complement or conflict with the programs and policies of DCYFS.
 14. The Committee recommends that the Department of Child, Youth and Family Services undertake a public awareness campaign to educate the public about the programs and services available to support children, youth and their families. A campaign would be beneficial for the public and timely given the creation of the new Department and the review of the CYFS Act that is currently underway.
 15. The Committee recommends that the Department of Child, Youth and Family Services consider partnering with Memorial University's School of Social Work and the Newfoundland and Labrador Association of Social Workers to discuss strategies to promote child welfare practice in social work and to define this practice as a career path rather than an entry level pathway.
 16. The Committee recommends that the Department of Child, Youth and Family Services provide training for all CYFS staff regarding the new legislation and opportunities for discussion regarding the impact of legislative changes. Consideration should also be given to how the Department of Child, Youth and Family Services can engage key stakeholders within Government and the community to provide them with updated and timely information regarding the structure of the new Department and the proclamation of new legislation.

MAC 2010 RECOMMENDATIONS

17. The Committee recommends that the Department of Child, Youth and Family Services explore opportunities to partner with other government departments to develop and implement interdisciplinary training for CYFS staff, social workers and other professionals who are required to have a thorough understanding of the *Child, Youth and Family Services Act* and how it may inform and impact their professional practice.
18. Concerns have been raised with respect to the fragmented implementation of Section 10 of the *Act*, largely due to a lack of resources. The Committee recommends that services to families referenced in the *Act* be provided given their importance in achieving the principles and purpose of the *Act*.
19. The Committee also recommends that the Department of Child, Youth and Family Services complete the review of the Family Services Program. The review should focus on assessing current regional practice to determine the scope of the program and enhance existing policy and standards with a view to promoting comparable service provision across the province.
20. The Committee recommends that the Department of Child, Youth and Family Services engage in activities to inform youth about the Youth Service Program. These activities can be part of a larger public awareness campaign undertaken to educate the public about the programs and services offered under the mandate of the Department.
21. The Committee recommends that the Department of Child, Youth and Family Services continue its review and undertake a formal evaluation of the Youth Services Program with a view to identifying areas for targeted program strengthening.
22. The Committee recommends that the Department of Child, Youth and Family Services establish a Youth Advisory Committee to inform the Department's review process.
23. The Committee recommends that the Department of Child, Youth and Family Services develop a strategy in partnership with other government departments to transition youth with complex multiple needs to the adult service system. The strategy would include partnerships with community services that have developed programs to assist this population of youth.
24. The Committee recommends that the Department of Child, Youth and Family Services move purposefully towards the completion of the review of the applicability of ADR in the Newfoundland and Labrador. Following the analysis of this report appropriate action towards implementation should be taken, if warranted. In this scenario the implementation of ADR should include an evaluation component and specific time line.
25. The Committee recommends that the Department of Child, Youth and Family Services engage in dialogue with the Provincial and Unified Family Courts to develop a common understanding of best interests of children and to determine the training needs for court personnel with respect to the *Act*.
26. The Committee recommends that the Department of Child, Youth and Family Services further develop the continuum of out of home placements available to children and youth in the care of the director.
27. The Committee recommends that the Department of Child, Youth and Family Services undertake a purposeful timed review to determine the most appropriate approach to documenting the developmental needs of children in care. This documentation plan should place primary

MAC 2010 RECOMMENDATIONS

- emphasis on service needs and implementation and also have a reliable functionality for accountability and planning.
28. The Committee recommends that the Department of Child, Youth and Family Services implement the remainder of the strategic directions recommended in the *Children in Care in Newfoundland and Labrador* report.
29. The Committee recommends that the Department of Child, Youth and Family Services continue to evaluate the Risk Management System in accordance with the internal continuous quality improvement plan and to make appropriate changes to the RMS in accordance with forthcoming evidence.
30. The Committee recommends that the Department of Child, Youth and Family Services complete a due diligence review of the recommendations included in the various reports referenced on page 18 of this document with a view to assuring that outstanding recommendations are acted on.

INTRODUCTION



“The current Committee elected to obtain summary data from a variety of sources to inform this progress report.”

The recommendations of the first MAC report (Appendix D) form the foundation for this report. Those recommendations were developed following a comprehensive primary data collection process involving stakeholder letters to individuals, groups and organizations requesting their feedback; establishment of a website and a toll free number; distribution of brochures to consumers of CYFS services and the facilitation of province wide consultations for stakeholders, client groups and the public.

The current Committee elected to obtain summary data from a variety of sources to inform this progress report. This decision was based on the experience of the first Committee regarding their data collection methodology (limited input was received from the toll free number, the website, brochure distribution or from the general public and client consultation sessions). The Committee concluded that because of the availability of a wealth of secondary data, primary data gathering was not warranted for the purposes of the present review. The Committee has relied on information from various externally contracted reports, government documents, new releases and presentations from departmental and regional staff regarding activities that are ongoing within Government. In completing this report, the Committee has made every effort to accurately present the information it has reviewed and the responses it has heard.

At the outset of this Committee's work, programs and services were delivered under the authority of the four Regional Health Authorities (RHAs). Under the *CYFS Act* and the *Health Authorities Act*, Government assumed

INTRODUCTION

responsibility for establishing provincial policy, programs and standards as well as funding and monitoring those programs and policies. The RHAs were responsible for operationalizing the programs mandated under the *Act*. With the creation of the DCYFS announced on March 25,

2009, a transition process is underway to transfer programs and services to the new Department. The RHAs will continue to deliver services until the transition process is completed for each region.

COMMITTEE PROCESSES



“Building on the momentum for change, the Committee decided to use available information to evaluate the progress on the MAC 2005 recommendations and to highlight critical areas of ongoing focus for the new Department.”

The Committee engaged in a number of information gathering processes to achieve its mandate. These included invited presentations from provincial and regional CYFS staff and other government departments, and completion of a cross referenced comparison of reports relating to CYFS programs in the province completed since the tabling of the MAC report in 2005. Information was obtained relating to:

- CYFS Act;
- Organizational structure and service delivery models across RHAs;
- CYFS regional and provincial initiatives;
- Minister’s roundtable discussion with key stakeholders following the release of the *Turner Review and Investigation Report* (October 2006);
- A summary of the DCYFS’s provincial consultation sessions with front line child protection staff (June to September 2009); and,
- Qualitative and quantitative data from the RHAs and the Department of Health and Community Services (DHCS).

The Committee also reviewed the MAC 2005 report. It was the first review of the operations of the CYFS Act, proclaimed in 2000, in which serious deficits were identified in all program areas. This report concluded that the principles and purposes of the Act were not being achieved.

In many respects, the MAC 2005 report was the forerunner of both internal and external critical thinking and contributed significantly to a variety of later analyses and reports, including the:

COMMITTEE PROCESSES

- *Turner Review and Investigation Report* (October 2006);
- *Organizational and Operational Review of Child, Youth and Family Services* (March 2007);
- *Children in Care in Newfoundland and Labrador Report*; (September 2008);
- *Child, Youth & Family Services Clinical Services Review* (December 2008); and
- Current legislative review of the *CYFS Act*.

A cross referenced comparison of these reports revealed substantial consistency in the recommendations, the complexity of work mandated under the *CYFS Act* and the need for development in the many areas, including but not limited to the following: organizational structure and culture; staff recruitment and retention; training and development; policy and programming; the need for enhanced clinical practice in all program areas and community collaboration and integration of services. In terms of the data collection and methodology, these reports relied on a variety of primary data gathering sources and methods. These sources included but were not limited to:

- Feedback via surveys, interviews and/or focus groups with consumers of CYFS services, RHA staff, (executive, directors, managers and front line CYFS staff), Foster Families Association; representatives of Provincial and Unified

Family Courts, CYFS divisional staff and other key stakeholder groups;

- A review of CYFS files (Clinical Services Review) from seven clinical areas; Intake, Family Services, Protective Intervention, Child Welfare Allowance, Children in Care, Caregiver Services and Youth Services.

These reports were completed by consultants external to Government and released to the public. The Committee viewed these factors as lending further objectivity to the information available for review. The reports are also reflective of a four year period of internal critical thinking and analysis. The Committee views the depth and breath of such analysis as a critical step in strengthening the provincial child welfare system. The findings of the reviews and analysis influenced Government's decision to create a platform (the new Department) to address systemic child welfare issues already identified.

The public release of these reports coupled with the consistency of recommendations led the Committee to conclude that further data collection would duplicate the extensive work that has already been completed. Building on the momentum for change, the Committee decided to use available information to evaluate the progress on the MAC 2005 recommendations and to highlight critical areas of ongoing focus for the new Department.

DETAILS OF PROGRESS AND MAC 2010 RECOMMENDATIONS



“The current Committee views Government’s decision to create a new Department as a potentially strong step towards protecting children. However, there is still a need to invest in human and fiscal resources to address systemic weaknesses and to create a stable and trained workforce.”

This section includes an examination of the progress made in relation to the ten key and seven program specific recommendations made in the MAC 2005 Report. The key and specific recommendations (Appendix D) appear in italics in this section and are presented within 16 key themes. Recommendations of the current Committee for further improvement appear in bold in this section.

INVESTMENT IN HUMAN AND FISCAL RESOURCES

Government must acknowledge that adequate human and fiscal resources were not invested to support the intended principles and purpose of the Child, Youth and Family Services Act. Lack of sufficient funding and human resources will continue to impact the operations of the Act from both a provincial and regional perspective. The MAC acknowledges the initiatives provided to support new directions and the efforts of service providers to continue to provide quality services. It is apparent through this review that this has not been enough and that a greater commitment is necessary to make the ‘fundamental shift’ in the way service delivery was envisioned with the implementation of this Act.

The Government of Newfoundland and Labrador has made a substantial investment in human and financial resources to the Child Youth and Family Services program since the release of the MAC 2005 Report and in response to other subsequent reports. In Budget 2006-2007, Government provided funding to create 57.5 new social work positions.

The Deloitte Organizational and Operational Review was a high level review of the roles and responsibilities of various positions within the CYFS system. It also addressed the relationship

DETAILS OF PROGRESS AND MAC 2010 RECOMMENDATIONS

between the DHCS and the RHAs and the processes and tools that support the work of CYFS. The report cited gaps in many areas essential to the delivery of a high quality of service including: organizational culture and leadership; structure of CYFS programs; the processes and tools of the risk management system and the information technology system (Deloitte Consulting Inc, 2007).

In response to the systemic issues identified by the MAC 2005 Report and further illuminated by the Deloitte Report, an additional investment of \$6.5 million (annualized to \$9 million) was made in Budget 2007-2008 to strengthen the CYFS system. Initiatives included: the addition of 118.5 new positions with a skill mix of frontline, supervisory, clerical and provincial policy positions; the implementation of a mandatory orientation and training program for social workers, hiring additional lawyers to support the legal requirements of CYFS and the introduction of provincial quality assurance initiatives.

The Clinical Services Review, completed by a team of independent consultants, included a file review of 400 case files that were active between April 1, 2007 and March 31, 2008. It provided an analysis of the clinical social work and management practices in seven CYFS programs. The report concluded that significant improvements are needed in the ten keys areas, including but not limited to: case planning and documentation, contact with clients, standards, policies, and adherence to the current client risk management system.

Notwithstanding these financial investments, the reports continued to identify significant systemic weaknesses that require attention. In response to the Clinical Services Review, Government announced the creation of a new Department of Child, Youth and Family Services.

The current Committee views Government's decision to create a new Department as a potentially strong step towards protecting children. However, there is still a need to invest in human and fiscal resources to address systemic weaknesses and to create a stable and

trained workforce. While we acknowledge that the type of improvements required will take time, every effort needs to be made to provide investments and to take action that will bring about the systemic changes required as quickly as possible. It is imperative that the system be able to effectively respond to the needs of vulnerable children and youth in this province.

MINISTER'S ADVISORY COMMITTEE 2010 RECOMMENDATION:

The Committee recommends that when services transfer from the Regional Health Authorities to the new Department of Child, Youth and Family Services that continued emphasis is placed on investing adequate human and fiscal resources to achieve the principles and purposes of the *Act*.

PREVENTION AND EARLY INTERVENTION

A focus on prevention and early intervention requires a commitment from government. A move in this direction received considerable support from service providers, however it is clear that they are challenged to create programs and services that promote and support prevention and early intervention. Without proper investments, the principles and purpose of the Act will continue to be compromised. The current focus in practice will remain on protection of children without the availability of a continuum of services for children, youth and families that was intended.

Prevention and early intervention strategies envisioned in the Act require knowledge, coordination, linking of key partners and provincial support to make this a reality of practice for children, youth and families. Updated education and training for Regional and Integrated Health and Community Services Boards and other community partners responsible for services to children, youth and families is essential.

The Committee is aware that since 2005 Government has embarked on a variety of prevention and early intervention initiatives

DETAILS OF PROGRESS AND MAC 2010 RECOMMENDATIONS

aimed directly at preventing child maltreatment and supporting the overall health and well-being of children, youth and their families. Within the Department of Health and Community Services (DHCS), several prevention and early intervention initiatives were undertaken including:

- strengthening the in home visiting programs through a best practice review that focused on parent-child interactions;
- increasing funding to address waitlists for home based early intervention services for children with a developmental delay;
- increasing funds for the Healthy Baby Club program so that more mothers and children could access services; and
- developing three new Family Resource Programs in Conception Bay South, Lewisporte and Happy Valley-Goose Bay.

In 2006, the *Early Learning and Child Care Plan* was released. It focused on creating quality, affordable and accessible child care. Changes were made to the plan in 2007 to enhance the inclusiveness of child care spaces, recruit and retain well-trained child care staff and increase the capacity of spaces available.

In 2009, the Department of Health and Community Services reorganized the Division of Children, Youth and Family Services to create two divisions: the Division of Child, Youth and Family Services and the Division of Family and Child Development. The latter division focuses on prevention and early intervention work.

The Government's Poverty Reduction Strategy (PRS) currently supports over 60 initiatives focused on reducing, alleviating, preventing and reducing the rate of poverty in this province. Given the correlation between poverty and child maltreatment, the Committee is pleased that many of the currently initiatives under the PRS reflect an emphasis on early intervention and prevention.

Despite the investments made to date, significant challenges continue to exist in availability and accessibility of supportive services for children and families. During the DCYFS's provincial consultation sessions with CYFS staff, social workers reported that clients were waitlisted for services, such as children's mental health and addictions counseling for parents; and those specific services are often not available in their respective or neighboring communities.

With the recent creation of the DCYFS, efforts are focused on developing a transition plan to transfer services from the RHAs to the new department and on preparing a strategic plan to guide its future work and mandate. Given these stated priorities, it is not clear to the Committee how community based prevention and early intervention activities will be represented within the Department's mandate and organizational structure.

**MINISTER'S ADVISORY COMMITTEE
2010 RECOMMENDATIONS:**

The Committee recommends that the Department of Child, Youth and Family Services develop strategies for engaging community partners in identifying, developing, funding, implementing and externally evaluating early intervention and primary prevention projects and community based demonstration projects.

Assuming that the focus of new Department will include preventing future child maltreatment, the Committee recommends that the Department of Child, Youth and Family Services take a leadership role in facilitating primary prevention and early intervention initiatives across government departments. This will help ensure effective coordination of services which will Subsequently assist in achieving the principles and purpose of the *Act* and prevent risk of maltreatment to children.

DETAILS OF PROGRESS AND MAC 2010 RECOMMENDATIONS

EVALUATION AND QUALITY IMPROVEMENT

Immediate implementation of the evaluation framework is required. This framework was initially developed to review the programs and services under this Act and to assist the Department of Health and Community Services in determining the impact of this legislation. This has not happened. The Division of Child, Youth and Family Services at the Department does not have the human and fiscal resources to implement the framework. This is an issue that government must address. The need for evaluation was identified as a critical component following the implementation of the Act in 2000.

The Department of Health and Community Services needs to develop the capacity to invest resources into implementing the evaluation framework that is seen as an integral part of determining the successes and failures of the legislation. Increased capacity will allow for the program and policy development that is needed in this program area.

The Department of Health and Community Services must undertake an evaluation of the Act. The development of the evaluation framework and its implementation was seen as critical to determining the success/failure of this legislation.

The comprehensive evaluation framework referenced in the MAC 2005 report was not implemented. The DHCS has undertaken reviews, (Deloitte Organizational and Operational Review and the Clinical Services Review) each with an evaluative component. The Committee recognizes that the processes used for these reviews can help inform future evaluation activities undertaken by the new Department and recommends that comprehensive internal and external evaluation will become a stated and resourced priority.

The Committee is aware that the Department has begun to establish a provincial CYFS quality initiatives team to develop a continuous quality improvement plan that reflects the overall shared

mission, purpose, and vision of the organization. It is being designed to include a comprehensive system for gathering and analyzing information and reviewing results to effect positive change in areas of policy, practice, program design, and workload on an ongoing basis.

As quality is part of the supporting infrastructure, the Committee notes that collaboration and information sharing between the CYFS program staff and the quality team will enable informed decision making pertaining to policy, practice, and standards. The Committee views this as positive sign that the Department will progress in its ability to gather the information necessary to evaluate departmental performance and to identify and implement systemic changes that improve outcomes for children, youth and their families.

MINISTER'S ADVISORY COMMITTEE 2010 RECOMMENDATIONS:

The Committee recommends that the Department of Child, Youth and Family Services continue to develop and implement a plan for continuous quality improvement on an internal basis and commit the human and fiscal resources to support the plan.

The Committee recommends that the Department of Child, Youth and Family Services fund and facilitate planned, targeted, external evaluations of programs and policies. Targeting a specific program area each year is an example of how an external program evaluation model might be designed and implemented.

The Committee recommends that the Department of Child, Youth and Family Services form a Minister's Advisory Committee on a four year rotation schedule to execute a meta analysis of all internal and external evaluations and to identify and commission further evaluation that is deemed necessary to assure that the purposes of the Act are met.

DETAILS OF PROGRESS AND MAC 2010 RECOMMENDATIONS

LEGAL RESOURCES

The Department of Justice requires increased resources in the areas of Legal Aid, circuit courts and access to specialized family court services. While there are other factors impacting the legislated court time frames, the provision of increased resources in this area would certainly improve the current status.

The Department of Health and Community Services and the Department of Justice need to address the current challenges in the court systems that are adversely affecting planning and outcomes for children. These include access to specialized family court services across the province, human resources at legal aid and resource issues within the court system itself.

The Committee has identified that funding was provided in Budget 2007-2008 to create four solicitor positions, one for each of the RHAs and to develop an Alternate Dispute Resolution (ADR) model for child protection. The ADR model would be developed, in part, to address currently lengthy wait times and reduce the volume of cases before the courts. Additionally, Legal Aid was provided with funding to hire two additional lawyers, one para-legal and a social worker to provide immediate support to families in crisis whose children are in need of protection. To date, a formal evaluation to determine the impact of these resources has not been completed. The Committee is aware that the Department of Child, Youth and Family Services is examining the role of ADR in child protection work. More information will be provided regarding ADR provisions in a later section of this report.

During the DCYFS's provincial consultation sessions with CYFS staff, it was reported that although previous financial investments have been positively received, there is a continuing gap in legal resources and numerous delays continue to exist in the processing of child protection matters in court. The delays may be due to the provision of disclosure documents, the

need to obtain an external assessment or expert opinion, or the scheduling of the courts or lawyers. These delays ultimately impact on the operations of the Act as it impedes the director's ability to develop permanent plans for children in a timely manner.

**MINISTER'S ADVISORY COMMITTEE
2010 RECOMMENDATION:**

The Committee recommends that the Department of Child, Youth and Family Services work in partnership with the Department of Justice to examine the issue of judicial delays and implement strategies that improve the disposition of child protection matters before the courts.

**INCREASE PROVINCIAL LEADERSHIP
CAPACITY**

The Act was based on evidence regarding best practice in the area of services to children, youth and families. Lack of evaluation and monitoring at the provincial level is crippling the ability to maintain best practice standards. The capacity at the Child, Youth and Family Services Division, Department of Health and Community Services, is not adequate to develop these critical areas and to provide the necessary support to regions. Government needs to take leadership as required to focus on monitoring, evaluation, policy and program development.

The Committee is aware that 27 positions have been created at the provincial office since 2006, including managers, consultants, clerical and other support staff, to focus on developing program specific knowledge and expertise, to review and develop policy and to provide internal evaluation and monitoring. The committee is encouraged by the strengthening of knowledge, expertise and leadership at the provincial level and views this enhanced capacity as a positive step toward helping the new Department improve programs and services to children youth and their families.

DETAILS OF PROGRESS AND MAC 2010 RECOMMENDATIONS

In response to the Clinical Services Review, the Minister of CYFS announced the appointment of a leadership team to support the implementation of its recommendations. The Committee anticipates that the establishment of a leadership team and enhanced provincial capacity will assist the Department as it transfers regional programs and services to the new Department and begins to build a revitalized child protection system.

MINISTER'S ADVISORY COMMITTEE 2010 RECOMMENDATIONS:

The Committee recommends that the Department of Child, Youth and Family Services continue to support capacity at the provincial office to focus on research and best known practices that inform policy and program development.

The Committee recommends that the Department of Child, Youth and Family Services further develop monitoring and evaluation strategies that promote the internal continuous quality improvement plan.

EDUCATION/PROFESSIONAL DEVELOPMENT FOR SOCIAL WORKERS

Training for social workers must become a priority for government. Best practice in this area supports the need for specialized skills, knowledge and expertise as outlined in the numerous reports cited in this review. Without this, the retention rate cannot be stabilized and inexperienced social workers will continue to struggle with the complexities of this work.

The Committee is aware that training for CYFS staff is a priority area for the DCYFS and progress has been made to equip both social workers and supervisors with the specialized training, knowledge and skills required for effective child welfare practice. Since 2007 funding has been provided to develop and implement training for front line social workers and supervisors. The Department has

established a provincial training unit (one manager and two consultant positions) which works in partnership with regional learning facilitators and training managers.

The Committee has been advised that a training plan is being implemented by a provincial management training committee that reports to the provincial CYFS Directors. This plan is based on the principles of adult education, intended to build a learning culture for CYFS social workers and focuses on five areas:

- **CYFS Orientation** - The Orientation Program includes a Learning Needs Assessment, Basic Orientation and Pre-Core Training and is provided to all new social workers in CYFS. This Orientation became a departmental standard in May 2007. Risk Management System (RMS) and Client Referral Management System (CRMS) training are included as mandatory components to this orientation.
- **Core Training** - This training provides social workers and managers with specific job related skills for investigation and intervention in the area of child welfare. There are eight modules in the Core Training Program.
- **Supervisory Skills** - This intensive training program is offered to all managers. It incorporates best known practice approaches to supervising staff in child welfare. There are five modules in the Supervisory Skills Program and implementation is underway.
- **Specialized Training** - This training focuses on advanced skill development in areas such as violence prevention training, joint investigations with police in the areas of child sexual abuse and family violence.

Stabilization of the workforce is key to an effective child protection system. The RHAs have experienced difficulty in recruiting and retaining experienced staff due to a shortage of social

DETAILS OF PROGRESS AND MAC 2010 RECOMMENDATIONS

workers and the complex nature of child protection work. In response to recruitment and retention issues, housing units have been provided in communities on the north coast of Labrador for social workers. In addition, funding to Memorial University of Newfoundland (MUN) School of Social Work has been provided through the Department of Education to increase numbers of students in the Bachelor and Master of Social Work programs. Effective 2008 the number of students in the Master of Social Work program increased from 15 to 30. Beginning September 2009, the number of students in the Bachelor of Social Work (BSW) program increased from 45 to 60. In May 2010, MUN will commence a one-year BSW fast track program for students with a first degree.

Funding was provided to the L-GRHA to partner with the Nunatsiavut Government to produce a recruitment video and implement a 2 year BSW program in Labrador through St. Thomas University. Twenty three students will graduate from this program in summer 2010; 12 sponsored by the Nunatsiavut Government and 11 eligible employees of the L-GRHA. MUN and the Nunatsiavut Government recently announced a joint initiative that will result in the delivery of a pre-social work program to 33 individuals in Happy Valley-Goose Bay to prepare them for a BSW. The pre-social work program integrates aboriginal content and will take 1 year to complete. The program will be offered completely in Labrador, allowing students to remain at home while they study. Candidates who successfully complete this program can apply to enter the 4 year BSW program which is also expected to be offered in Labrador. Up to 20 seats are planned to be available at the Labrador site.

The Committee recommends that the Department of Child, Youth and Family Services evaluate the impact of new post-secondary education initiatives on the status of the Departmental work force.

MODEL FOR COORDINATION OF SERVICES

In 2006, the Department of Education initiated a review of the Individual Support Services Plan (ISSP) and Pathways Model (an individual planning process to meet the individual learning needs of students). As noted in the *ISSP and Pathways Commission Report* (2007), the Individual Support Services Plan (ISSP) is an interagency program planning document used to coordinate the delivery of supports and services provided by the Departments of Education; Health and Community Services; Human Resources, Labour and Employment; and Justice. It is considered to be a key element of the Model for the Coordination of Services to Children and Youth.

It is important to note that a review of the Model for Coordination of Services to Children and Youth was not within the defined scope of the commissioned review. Notwithstanding this, the *ISSP and Pathways Commission Report* concluded that the Model for the Coordination of Services to Children and Youth had evolved into an educational document that is problematic in several areas, notably: unrealistic demands on personnel; excessive meetings and documentation; unnecessary procedures; and a pronounced lack of commitment from other government agencies. In light of these findings, an interdepartmental review of the Model for Coordination of Services was recommended.

MINISTER'S ADVISORY COMMITTEE 2010 RECOMMENDATIONS:

The Committee recommends that the Department of Child, Youth and Family Services fully implement and evaluate the provincial training plan including curriculum and delivery mechanisms.

MINISTER'S ADVISORY COMMITTEE 2010 RECOMMENDATIONS:

The Committee recommends that the Department of Child, Youth and Family Services determine the status of the review as recommended in the *ISSP and Pathways Commission Report*.

DETAILS OF PROGRESS AND MAC 2010 RECOMMENDATIONS

The Committee recommends that the Department of Child, Youth and Family Services engage in dialogue with the partnering Departments to clarify how current practices impact the programs and policies relevant to children, youth and their families and how these policies and programs overlap and complement or conflict with the programs and policies of DCYFS.

ENSURING THAT THE INTERESTS OF WOMEN AND CHILDREN ARE HEARD

With the consolidation of 14 health boards into four Regional Health Authorities, government must ensure that the interests of children and women are heard in the midst of this larger system. There is concern that CYFS will get lost in this large structure and will not receive sufficient attention. The larger the system, the more fragmented services can become. The Committee recommends in-service sessions on the Child, Youth and Family Services programs across all newly established health authorities.

As previously stated, in a March 2009 news release, the Provincial Government announced the creation of the new Department of Child, Youth and Family Services. The Minister of CYFS also acknowledged systemic weaknesses in the child protection system that has been reflected in various commissioned and non commissioned reports. The Committee is hopeful that the creation of a new Department will focus on the needs of children, youth and families and provide a platform for child welfare issues to be identified and addressed.

PUBLIC AWARENESS AND KEY STAKEHOLDER ENGAGEMENT

A Public Awareness Campaign is recommended to educate service providers, service recipients and the general public about the Child, Youth and Family Services Act. The community at large should be informed about the programs and services offered through Child, Youth and

Family Services and their responsibilities regarding child safety. Knowledge is power and if the community is engaged in these kinds of discussions and sessions, they may become more empowered to get involved. Unfortunately, there are many community based service providers who are not connected to Child, Youth and Family Services because they're not aware or simply have been unable to make the right connections. It is critical that if this legislation is promoting collaboration and community involvement, that education take place.

The Department of Health and Community Services, in partnership with Regional Integrated Health Authorities must promote coordination and planning to engage all partners in the provision of integrated services for children, youth and families.

The Department of Health and Community Services, in partnership with Regional Integrated Health Authorities, needs to develop a Public Awareness Campaign to help educate, engage and empower the larger community on the Child, Youth and Family Services Act.

The Department of Health & Community Services, in partnership with the Regional Integrated Health Authorities, should develop a public awareness campaign regarding child abuse and maltreatment, and the duty to report under the legislation.

In October 2008 Government, under the auspices of the Violence Prevention Initiative, launched a child abuse reporting campaign entitled, "See it. Report it. It's the Law". The campaign was province wide and designed to raise awareness about the duty to report child maltreatment under the CYFS Act. (Government NL, Department of Health and Community Services). While progress has been made with respect to raising the awareness of the duty to report provision in the Act, a public awareness campaign about the programs and services available to support children, youth and families to enhance community collaboration and engagement, has not occurred.

DETAILS OF PROGRESS AND MAC 2010 RECOMMENDATIONS

**MINISTER'S ADVISORY COMMITTEE
2010 RECOMMENDATIONS:**

The Committee recommends that the Department of Child, Youth and Family Services undertake a public awareness campaign to educate the public about the programs and services available to support children, youth and their families. A campaign would be beneficial for the public and timely given the creation of the new Department and the review of the *CYFS Act* that is currently underway.

The Committee recommends that the Department of Child, Youth and Family Services consider partnering with Memorial University's School of Social Work and the Newfoundland And Labrador Association of Social Workers to discuss strategies to promote child welfare practice in social work and to define this practice as a career path rather than an entry level pathway.

**TRAINING AND EDUCATION FOR
SERVICE PROVIDERS**

The Committee is recommending updated training and education for service providers within the Regional Integrated Health Authorities. The legislation has been in place for five years with no follow up training. This is not acceptable for such a complex field of work. It was apparent during this review that initial training during implementation of the Act was not adequate. People want to know what is happening across the province and how the legislation is being interpreted. This will help to better inform practice and improve client service.

Comprehensive training regarding the Act is critical for social workers in the regions who are interpreting and practicing under this Act. The Departments of Health and Community Services; and Justice, in partnership with the Regional Integrated Health Authorities should begin development of this training as soon as possible. With five years of practicing under this Act, many experiences need to be shared and discussed.

The Committee is aware that as part of the mandatory orientation training for child protection, social workers are provided with training regarding legal issues. A legislative review of the *CYFS Act* is also currently underway. The Committee views training for both staff and key stakeholders as a necessary step toward effectively operationalizing the new legislation.

**MINISTER'S ADVISORY COMMITTEE
2010 RECOMMENDATIONS:**

The Committee recommends that the Department of Child, Youth and Family Services provide training for all CYFS staff regarding the new legislation and opportunities for discussion regarding the impact of legislative changes. Consideration should also be given to how the Department of Child, Youth and Family Services can engage key stakeholders within Government and the community to provide them with updated and timely information regarding the structure of the new Department and the proclamation of new legislation.

The Committee recommends that the Department of Child, Youth and Family Services explore opportunities to partner with other government departments to develop and implement interdisciplinary training for CYFS staff, social workers and other professionals who are required to have a thorough understanding of the *Child, Youth and Family Services Act* and how it may inform and impact their professional practice.

FAMILY SERVICES PROGRAM

Staffing resources within the Child, Youth and Family Services program, dedicated to providing Family Services and the building of the community partnerships needed to provide effective services to clients, must be put in place.

Prevention and early intervention strategies envisioned in the Act require knowledge, coordination, linking of key

DETAILS OF PROGRESS AND MAC 2010 RECOMMENDATIONS

partners and provincial support to make this a reality of practice for children, youth and families. Updated education and training for Regional and Integrated Health and Community Services Boards and other community partners responsible for services to children, youth and families is essential.

The rates for the Child Welfare Allowances must be increased to the rate that was recommended when the Act was implemented. This is an invaluable service under the Family Services Program that is significantly under funded.

The Family Services Program, as envisioned in the Act, requires knowledge, coordination, linking of key partners and provincial support to work for children, youth and families. Updated education and training for Regional Integrated Health Authorities and other community partners responsible for services to children, youth and families is essential. This is particularly critical given the expansion of Health Boards in this province.

The Family Services Program (FSP) was initiated in 2000 under Section 10 of the CYFS Act. The FSP was intended to be part of a larger continuum of interconnecting services created to achieve the principles and purposes to the Act. Its goal was to provide early intervention and prevention support to children, youth and their families who were not considered to be in need of protection but could greatly benefit from supportive services to prevent child maltreatment. The Department advises that specific resources for the FSP have not been allocated. A program consultant was hired in spring 2009 and has commenced a review of the program. A review of the child welfare allowance program and subsequent CWA rates is part of this review.

**MINISTER'S ADVISORY COMMITTEE
2010 RECOMMENDATIONS:**

Concerns have been raised with respect to the fragmented implementation of Section 10 of the Act, largely due to a lack of resources. The

Committee recommends that services to families referenced in the Act be provided given their importance in achieving the principles and purpose of the Act.

The Committee also recommends that the Department of Child, Youth and Family Services complete a review of the Family Services Program. The review should focus on assessing current regional practice to determine the scope of the program and enhance existing policy and standards with a view to promoting comparable service provision across the province.

YOUTH SERVICES PROGRAM

The Department of Health and Community Services, in collaboration with regions, must undertake an evaluation of this new provision to fully understand what is and is not working for youth in this province. Standards and policy development are critical to long term success and quality outcomes for youth and their families.

Education, training and public awareness regarding the Youth Services Program must be undertaken by the Department of Health and Community Services, and in partnership with the health authorities.

The development of a Youth Policy Framework was intended to facilitate a high quality system of promotion, prevention, early support and intervention for youth across relevant government departments. This ad hoc working group should be reconvened to continue development and implementation of this framework.

The issue of guardianship for youth deemed incompetent to make decisions requires a full review.

Youth should be engaged in program review and developmental processes where possible and appropriate.

In 2009 a permanent program consultant position was established at the provincial office to focus on the Youth Services Program (YSP).

DETAILS OF PROGRESS AND MAC 2010 RECOMMENDATIONS

The consultant has obtained program updates from the four RHAs, reviewed national and international research and best practices for the provision of child welfare services to youth and is conducting a jurisdictional review of other YSPs. Program and policy development is ongoing in this area. Work is also ongoing to further develop partnerships with other government departments, such as Department of Human Resources of Labor and Employment and Department of Education to address service delivery issues related to youth.

Several gaps in service have been identified and are being examined as part of the current legislative review. The issue of guardianship for youth deemed incompetent is highlighted as a critical area that requires examination. Similarly, the age limit for service provision to youth is also being examined. Currently, youth aged 16-18 who were not previously in the care of the Director are eligible for services. Focus groups are being held with consumers of the YSP program to obtain their feedback on how best to address service gaps and to ensure that services are responsive to the developmental needs of these young people.

MINISTER'S ADVISORY COMMITTEE 2010 RECOMMENDATIONS:

The Committee recommends that the Department of Child, Youth and Family Services engage in activities to inform youth about the Youth Services Program. These activities can be part of a larger public awareness campaign undertaken to educate the public about the programs and services offered under the mandate of the Department.

The Committee recommends that the Department of Child, Youth and Family Services continue its review and undertake a formal evaluation of the Youth Services Program with a view to identifying areas for targeted program strengthening.

The Committee recommends that the Department of Child, Youth and Family

Services establish a Youth Advisory Committee to inform the Department's review process.

The Committee recommends that the Department of Child, Youth and Family Services develop a strategy in partnership with other government departments to transition youth with complex multiple needs to the adult service system. The strategy would include partnerships with community services that have developed programs to assist this population of youth.

ALTERNATE DISPUTE RESOLUTION

Alternate Dispute Resolution mechanisms may be a viable alternative that could lead to improved case management and decision making, mitigate the issues regarding adherence to court time frames outlined in the Act and provide alternatives to the court time frames for children and families.

The Department of Health and Community Services should begin research and development of Alternate Dispute Resolution mechanisms.

In January 2009, a consultant was hired by Child Youth and Family Services Division to begin research and make recommendations regarding the implementation of a provincial Alternate Dispute Resolution (ADR) model for provincial child welfare practice. The research included a literature review and consultation with other jurisdictions in Canada and the United States regarding best practices in the area of ADR, including current models of practice. Recommendations from this work are currently being reviewed by the DCYFS (Government of NL, Department of Health and Community Services, 2009).

Feedback regarding the use of ADR provisions in provincial child welfare practice is currently being sought as part of the legislative review process. It is anticipated that future decisions regarding the role of ADR will be made following the consultation process and in tandem with

DETAILS OF PROGRESS AND MAC 2010 RECOMMENDATIONS

amendments to the legislation and strategic directions set by the new Department (Government of NL, Department of Health and Community Services, 2009).

MINISTER'S ADVISORY COMMITTEE 2010 RECOMMENDATION:

The Committee recommends that the Department of Child, Youth and Family Services move purposefully towards the completion of the review of the applicability of ADR in the Newfoundland and Labrador. Following the analysis of this report appropriate action towards implementation should be taken, if warranted. In this scenario the implementation of ADR should include an evaluation component and specific time line.

COURT PROVISIONS

The Minister's Advisory Committee recommends that the Department of Health and Community Services undertake a review of legislated court time frames and time limits. Strong and varying opinions were expressed during the review process regarding this issue. Key partners need to be engaged in this process including: the Judiciary, Legal Aid, Department of Justice and Regional Integrated Health Authorities and the Office of the Child and Youth Advocate.

Consideration should be given to including time limits in the Act on how long a judge may take to make a temporary or continuous.

The Department of Health and Community Services and the Department of Justice should work jointly to develop training and education sessions for those within the court system who deal with matters under this Act.

The Department of Health Community Services must begin research and development of Alternate Dispute Resolution. Introduction of these mechanisms may help mitigate some of the challenges being experienced with the court time frames.

The Department of Health and Community Services and the Department of Justice need to address the current challenges in the court systems that are adversely affecting planning and outcomes for children. These include access to specialized family court services across the province, human resources at legal aid and resource issues within the court system itself.

A review of the CYFS Act is currently underway. The DCYFS sought input from a broad range of stakeholders including the public, service providers, key informants and consumers of service. Feedback was sought regarding legislated court time frames including time limits and related delays in court dispositions, all of which impact permanency planning for children.

MINISTER'S ADVISORY COMMITTEE 2010 RECOMMENDATION:

The Committee recommends that the Department of Child, Youth and Family Services engage in dialogue with the Provincial and Unified Family Courts to develop a common understanding of best interests of children and to determine the training needs for court personnel with respect to the Act.

PERMANENCY PLANNING FOR CHILDREN IN CARE

Regional Custody Review Committees need to be supported and maintained within the Regional Integrated Health Authorities.

There is consensus that the Individual Support Services Planning process is an effective means of service coordination for children and youth. The commitment to the ISSP process, as part of the Model for Coordination of Services, should be strengthened and renewed.

The Department of Health and Community Services must move forward with implementation of the Looking After Children.

DETAILS OF PROGRESS AND MAC 2010 RECOMMENDATIONS

The Department should continue to support and work with the Newfoundland and Labrador Foster Families Association; the MAC recommends that the report of Dr. Ken Barter, Newfoundland and Labrador Foster Families Association: A Review (2001) be revisited with a view to implementing the recommendations.

Caregivers had requested a legislative amendment to change their name to foster parent, the term used in the former Child Welfare Act. The Committee acknowledges the value of foster parenting as one type of care giving on the continuum of caregivers available to children and youth. It recommends that the current definition and term of caregiver not be changed in the Act.

The Department of Health and Community Services, in conjunction with the Regional Integrated Health Authorities should review the current residential treatment options available to children and youth in this province. The report of the provincial committee looking at this issue requires a response from the Department of Health and Community Services.

Custody Review Committees are currently operating in the four RHAs and there is recognition that a mechanism to review plans of care for children in the continuous custody of the director is needed.

The Department of Child, Youth and Family Services have undertaken best known practice research, including a review of the Looking After Children model. The research is focused on identifying models of practice in operation across Canada and other jurisdictions that are focused on effectively identifying children's developmental needs and developing plans to meet these needs. Recommendations will be made following completion of the research (Government of NL, Department of Health and Community Services, 2009).

The term 'caregiver' which is used to describe the role of a foster parent, is being examined as part of the legislative review process. In 2008

Government engaged an external consultant to review provincial and regional programs associated with children in the care and custody of a Director of Child, Youth and Family Services. The *Children in Care in Newfoundland and Labrador Report* provided a profile of children in care and custody while identifying gaps in the service system, specifically in the area of placement resources for children in care/custody. Nine recommendations were provided to address gaps in the existing continuum including but not limited to: implementing a new rate structure for foster parents, developing and implementing a provincial training initiative for foster parents, the introduction of a short term residential treatment program, and the development of a therapeutic /treatment foster home program (Fowler, 2008).

In February 2009, Government announced funding for the establishment of two provincial youth residential treatment facilities - an addictions treatment facility to be located in Grand Falls Windsor and a youth mental health treatment facility to be located in St John's. A provincial steering committee, comprised of both provincial and regional staff, has been struck to oversee development of both facilities. Advisory committees are in place to provide advice and guidance to each respective RHA to facilitate the planning and establishment of the treatment facilities.

In March 2009, Government announced that it would be strengthening the foster care system through an investment of \$1.3 Million to implement a new rate structure for foster parents. The new rate structure will include increases in the monthly rate in 2009 and 2010, the provision of a Labrador allowance to reflect the higher cost of living in Labrador, the provision of an infant allowance to reflect the higher cost associated with caring for infant children, the provision of a placement allowance to provide additional support when children are initially placed in foster care and enhancements to the Christmas allowance for children in care.

DETAILS OF PROGRESS AND MAC 2010 RECOMMENDATIONS

**MINISTER'S ADVISORY COMMITTEE
2010 RECOMMENDATIONS:**

The Committee recommends that the Department of Child, Youth and Family Services further develop the continuum of out of home placements available to children and youth in the care of the director.

The Committee recommends that the Department of Child, Youth and Family Services undertake a purposeful timed review to determine the most appropriate approach to documenting the developmental needs of children in care. This documentation plan should place primary emphasis on service needs and implementation and also have a reliable functionality for accountability and planning.

The Committee recommends that the Department of Child, Youth and Family Services implement the remainder of the strategic directions recommended in the *Children in Care in Newfoundland and Labrador* report.

MANDATED INTERVENTIONS

The Risk Management System (2003) must receive the continued support of the Department of Health and Community Services with a focus on training, monitoring systems and support to the regions during and following the implementation phase.

The Committee is aware that a Risk Management System (RMS) for child welfare practice has been implemented in the province since 1993. The implementation of the RMS (revised 2003) became a policy requirement in 2005. Training in the use of the RMS is also mandatory for all CYFS social workers.

As previously indicated, in 2008 the DHCS undertook a review of the clinical services provided by CYFS in seven program areas, including the Protective Intervention Program (PIP). The review was undertaken to obtain a deeper understanding of the quality of clinical

services provided and to develop recommendations that would guide changes and/or improvement in CYFS policies, standards and programs. For the PIP, the findings indicate that adherence to standards outlined in the risk management process was challenged by multiple and complex barriers including but not limited to: workforce instability, insufficient leadership and resources and a lack of training and policy development. The report concluded that significant improvements are needed in areas such as: case planning and documentation; contact with clients; standards and policies; and adherence to the current RMS.

The Report of the Auditor General (2009) also noted significant concerns with adherence to risk management standards which were noted to be caused primarily by a lack of training provided to staff prior to commencing work in the RMS and Client Referral Management System (CRMS); staff recruitment and retention issues in the RHAs; case complexity; and inability of the CRMS to provide the reports necessary for effective monitoring of the PIP.

In May 2009, the Minister of CFYS announced that the Department accepted the recommendations of the Clinical Services Review in full and indicated that the Department will use the Review as a guiding document in its transformation of the child protection system. (Government of NL, Department of Child, Youth and Family Services, 2009). The Department is currently reviewing the RMS to enhance the efficiency of the process while ensuring the application of reasonable standards. The Committee has been advised that the DCYFS remains committed to the use of a risk management system to ensure a comprehensive approach to the assessment of risk of maltreatment to children and to facilitate clinical decision making.

**MINISTER'S ADVISORY COMMITTEE
2010 RECOMMENDATIONS:**

The Committee recommends that the Department of Child, Youth and Family

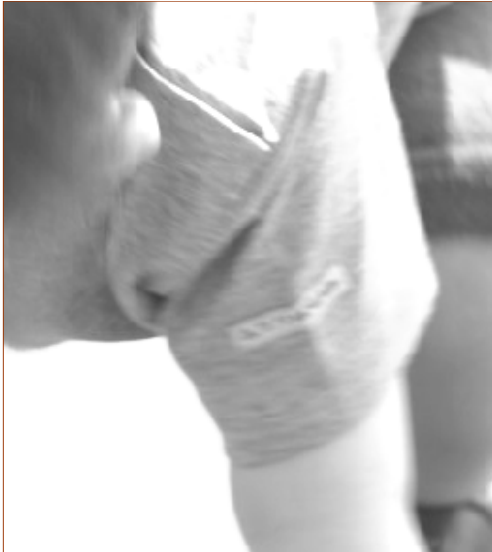
DETAILS OF PROGRESS AND MAC 2010 RECOMMENDATIONS

Services continue to evaluate the Risk Management System in accordance with the internal continuous quality improvement plan and to make appropriate changes to the RMS in accordance with forthcoming evidence.

The Committee recommends that the Department of Child, Youth and Family

Services complete a due diligence review of the recommendations included in the various reports referenced on page 18 of this document with a view to assuring that outstanding recommendations are acted on.

CONCLUDING STATEMENT OF THE 2010 MAC



“Notwithstanding the efforts made since the release of the MAC 2005 Report, multiple and complex shortcomings have been identified through various reports and require a commitment to the development of both short and long term solutions.”

The Minister's Advisory Committee would like to thank all individuals, groups, organizations and community agencies that provide prevention, early intervention and protective intervention services to children, youth and their families. The Committee would like to particularly acknowledge social workers and other support staff who have chosen to work in the field of child protection. Given the complexity of the work and the challenges facing the current provincial child welfare system, their dedication and commitment to helping vulnerable children and youth is recognized as invaluable.

Since 2005 many efforts have been made to improve the quality of child welfare services. As identified in this report, improvements had been made in various areas of the system which should lead to positive impacts on the quality of service provided. Notwithstanding the efforts made since the release of the MAC 2005 Report, multiple and complex shortcomings have been identified through various reports and require a commitment to the development of both short and long term solutions.

We wish the new Department of Child, Youth and Family Services well in its journey and encourage the staff of the Department to undertake their task by engaging in active partnerships with their colleagues within government and the community as well as in partnership with their client constituencies. We remain optimistic that the new Department, established in response to the identified shortcomings, has the potential to transform the child protection system. We emphasize that the work of transforming and restructuring programs and services is essential. Through the

CONCLUDING STATEMENT OF THE 2010 MAC

development of a well informed, well resourced, creatively implemented and regularly evaluated strategic plan, the Department has the potential

to greatly improve outcomes for children, youth and their families in the province of Newfoundland and Labrador.

APPENDICES

Appendix A	Statutory Provisions (Section 75) of the <i>Child, Youth and Family Services Act</i>
Appendix B	Committee Membership
Appendix C	Terms of Reference for Minister's Advisory Committee
Appendix D	MAC 2005 Recommendations
Appendix E	Turner Review and Investigation Recommendations
Appendix F	Deloitte Organizational and Operational Review Recommendations
Appendix G	Children in Care Report Recommendations
Appendix H	Clinical Services Review Recommendations

STATUTORY PROVISIONS

75. (1) The Minister shall establish an advisory committee whose function is to review every 2 years the operation 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.
- (2) The advisory committee shall be appointed by the Minister and shall be composed of
- (a) 2 persons who themselves or whose children are receiving or have received services under this Act or a predecessor Act;
 - (b) a representative from an authority;
 - (c) a representative of the Minister;
 - (d) a legal aid lawyer;
 - (e) 2 persons drawn from the cultural, racial or linguistic minority communities; and
 - (f) those other persons, not exceeding 3 in number, who the Minister may determine.
- (3) Appointments to the advisory committee shall be for 3 years and may be renewed.
- (4) The members of the committee shall elect one of their number to serve as chairperson.
- (5) The members of the committee shall serve without remuneration but may be reimbursed for expenses reasonably incurred in carrying out their duties on the committee.
- (6) The Minister shall present a copy of the committee's report to the House of Assembly not later than 30 days after receiving it and if the House of Assembly is not then sitting within 15 days of the beginning of the next sitting.

APPENDIX B

MEMBERS OF THE MINISTER'S ADVISORY COMMITTEE

Ivy Burt
Appointed under Section 75 (2)(c)

Mary Bungay-Gaultois (2006- 2008)
Appointed under Section 75 (2)(f)

Lewis Cole (2006 - 2008)
Appointed under Section 75 (2)(b)

Desmond Dillon (Chair)
Appointed under Section 75 (2)(f)

Jane Fitzpatrick (2006- 2007)
Appointed under Section 75 (2)(d)

Brian Lyall
Appointed under Section 75 (2)(e)

Karen Mitchell
Appointed under Section 75 (2)(a)

Michelle Sullivan
Appointed under Section 75 (2)(f)

TERMS OF REFERENCE

1. The Committee shall be responsible for reviewing the operations of the *Child, Youth and Family Services Act* which support the safety, health and well being of children, youth and families.
2. This review will be completed in accordance with the principles and purpose of the *Child, Youth and Family Services Act*.
3. The Committee shall prepare a report, every two years, outlining the conclusions of the review of the operations of the Act and will also recommend legislative amendments where necessary.
4. The Committee shall make every effort to create opportunities for input and participation of individuals, groups, organizations and communities in the review process.

MAC 2005 RECOMMENDATIONS

Key Recommendations

The final recommendations from the Minister's Advisory Committee are based on a cross comparison and examination of themes that emerged from the review process. The similarities that emerged are significant and assisted the MAC in prioritizing the recommendations. The Committee recognizes that government will need to review these recommendations and determine priorities within the DHCS and other government departments. The General Recommendations focus on broader changes that will impact on the more specific recommendations. The Specific Recommendations are presented according to the themes identified in the Discussion Document and used during the consultation process.

General Recommendations

The Committee has identified general recommendations that are more broadly based and will significantly impact all others recommendations contained in this report. Failure to address these issues will impede future attempts to improve programs and services to children, youth and families provided for under this Act.

1. Government must acknowledge that adequate human and fiscal resources were not invested to support the intended principles and purpose of the *Child, Youth and Family Services Act*. Lack of sufficient funding and human resources will continue to impact operations of the Act from both a provincial and regional perspective. The MAC acknowledges the initiatives provided to support new directions and the efforts of service providers to continue to provide quality services. It is apparent through this review that this has not been enough and that a greater commitment is necessary to make the "fundamental shift" in the way service delivery was envisioned with the implementation of this Act.
2. A focus on prevention and early intervention requires a commitment from government. A move in this direction received considerable support from service providers, however it is clear that they are challenged to create programs and services that promote and support prevention and early intervention. Without proper investments, the principles and purpose of the Act will continue to be compromised. The current focus in practice will remain on protection of children without the availability of a continuum of services to children, youth and families that was intended.
3. Immediate implementation of the evaluation framework is required. This framework was initially developed to review the programs and services under this Act and to assist the Department of Health and Community Services in determining the impact of this legislation. This has not happened. The Division of Child, Youth and Family Services at the Department does not have the human and fiscal resources to implement the framework. This is an issue that government must to address. The need for evaluation was identified as a critical component following the implementation of the Act in 2000. requires a commitment from government. A move in this direction received considerable support from service providers, however it is
4. The Department of Justice requires increased resources in the areas of Legal Aid, circuit courts and access to specialized family court services. While there are other factors impacting the legislated

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court time frames, the provision of increased resources in this area would certainly improve the current status.

5. The Act was based on evidence regarding best practice in the area of services to children, youth and families. Lack of evaluation and monitoring at the provincial level is crippling the ability to maintain best practice standards. The capacity at the Child, Youth and Family Services Division, Department of Health and Community Services, is not adequate to develop these critical areas and to provide the necessary support to regions. Government needs to take the leadership role required to focus on monitoring, evaluation, policy and program development.
6. Training for social workers must become a priority for government. Best practice in this area supports the need for specialized skills, knowledge and expertise as outlined in the numerous reports cited in this review. Without this, the retention rate cannot be stabilized and inexperienced social workers will continue to struggle with the complexities of this work.
7. With the consolidation of 14 health boards into four Regional Health Authorities, government must ensure that the interests of children and women are heard in the midst of this larger system. There is concern that Child, Youth and Family Services will get lost in this large structure and will not receive sufficient attention. The larger the system, the more fragmented services can become. The Committee recommends in-service sessions on the Child, Youth and Family Services program across all newly established health authorities.
8. A Public Awareness Campaign is recommended to educate service providers, service recipients and the general public about the *Child, Youth and Family Services Act*. The community at large should be informed about the programs and services offered through Child, Youth and Family Services and their responsibilities regarding child safety. Knowledge is power and if the community is engaged in these kinds of discussions and sessions, they may become more empowered to get involved. Unfortunately, there are many community based service providers who are not connected to Child, Youth and Family Services because they're not aware or simply have been unable to make the right connections. It is critical that if this legislation is promoting collaboration and community involvement, that education take place.
9. The Committee is recommending updated training and education for service providers within the Regional Integrated Health Authorities. The legislation has been in place for five years with no follow up training. This is not acceptable for such a complex field of work. It was apparent during this review that initial training during implementation of Act was not adequate. People want to know what is happening across the province and how the legislation is being interpreted. This will help to better inform practice and improve client service.
10. The MAC recommends a renewed commitment to the *Model for Coordination of Services* within the four government departments who initially endorsed this process including: Justice; Health and Community Services; Education; and Human Resources Labor and Employment. ISSP was established as a result of recommendations of the *Classrooms Issues Report (1995)* which identified the need for increased inter-agency cooperation, collaboration and communication. Service principles include prevention, collaboration, integrated service management and the involvement of children and families in the planning process. These principles are consistent with principles in the Child, Youth and Family Services Act.

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Specific Recommendations:

1. *Prevention/Early Intervention Recommendations*

- The Department of Health and Community Services, in partnership with Regional Integrated Health Authorities must promote coordination and planning to engage all partners in the provision of integrated services for children, youth and families;
- Prevention and early intervention strategies envisioned in the Act require knowledge, coordination, linking of key partners and provincial support to make this a reality of practice for children, youth and families. Updated education and training for Regional and Integrated Health and Community Services Boards and other community partners responsible for services to children and youth and families is essential;
- The Department of Health and Community Services, in partnership with Regional Integrated Health Authorities, needs to develop a Public Awareness Campaign to help educate, engage and empower the larger community on the *Child, Youth and Family Services Act*.

2. *Family Services Program Recommendations*

- Staffing resources within the Child, Youth and Family Services program, dedicated to providing Family Services and the building of the community partnerships needed to provide effective services to clients, must be put in place;
- The Department of Health and Community Services needs to develop the capacity to invest resources into implementing the evaluation framework that is seen as an integral part of determining the successes and failures of the legislation. Increased capacity will allow for the program and policy development in this area that is needed in this program area;
- The Family Services Program, as envisioned in the Act, requires knowledge, coordination, linking of key partners and provincial support to work for children, youth and families. Updated education and training for Regional Integrated Health Authorities and other community partners responsible for services to children, youth and families is essential. This is particularly critical given the expansion of Health Boards in this province;
- The rates for the Child Welfare Allowances must be increased to the rate that was recommended when the Act was implemented. This is an invaluable service under the Family Services Program that is significantly under funded.

3. *Youth Services Program Recommendations*

- The Department of Health and Community Services, in collaboration with regions, must undertake an evaluation of this new provision to fully understand what is and is not working for youth in this province. Standards and policy development are critical to long term success and quality outcomes for youth and their families;
- Education, training and public awareness regarding the Youth Services Program must be undertaken by the Department of Health and Community Services, and in partnership with the health authorities;
- The development of a Youth Policy Framework was intended to facilitate a high quality system of promotion, prevention, early support and intervention for youth across relevant government departments. This ad hoc working group should be reconvened to continue development and implementation of this framework;

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- The issue of guardianship for youth deemed incompetent to make decisions requires a full review;
- Youth should be engaged in program review and developmental processes where possible and appropriate.

4. *Alternate Dispute Resolution Recommendations*

- Alternative Dispute Resolution mechanisms may be a viable alternative that could lead to improved case management and decision making, mitigate the issues regarding adherence to court time frames outlined in the Act and provide alternatives to the court time frames for children and families;
- The Department of Health and Community Services should begin research and development of Alternate Dispute Resolution mechanisms.

5. *Court Provisions Recommendations*

- The Minister's Advisory Committee recommends that the Department of Health and Community Services undertake a review of legislated court time frames and time limits. Strong and varying opinions were expressed during the review process regarding this issue. Key partners need to be engaged in this process including: the Judiciary, Legal Aid, Department of Justice and Regional Integrated Health Authorities and the Office of the Child and Youth Advocate;
- Consideration should be given to including time limits in the Act on how long a judge may take to make a temporary or continuous custody order;
- The Department of Health and Community Services and the Department of Justice should work jointly to develop training and education sessions for those within the court system who deal with matters under this Act;
- The Department of Health and Community Services must begin research and development of Alternative Dispute Resolution. Introduction of these mechanisms may help mitigate some of the challenges being experienced with the court time frames;
- The Department of Health and Community Services and the Department of Justice need to address the current challenges in the court systems that are adversely affecting planning and outcomes for children. These include access to specialized family court services across the province, human resources at legal aid and resource issues within the court system itself.

6. *Permanency Planning & Placement of Children Recommendations*

- Regional Custody Review Committees need to be supported and maintained within the Regional Integrated Health Authorities;
- There is consensus that the Individual Support Services Planning process is an effective means of service coordination for children and youth. The commitment to the ISSP process, as part of the *Model for Coordination of Services*, should be strengthened and renewed;
- The Department of Health and Community Services must move forward with implementation of the Looking After Children;

- The Department should continue to support and work with the Newfoundland and Labrador Foster Families Association, the MAC recommends that the report of Dr. Ken Barter, *Newfoundland and Labrador Foster Families Association: A Review* (2001) be revisited with a view to implementing the recommendations:
- Caregivers had requested a legislative amendment to change their name to foster parent, the term used in the former *Child, Welfare Act*. The Committee acknowledges the value of foster parenting as one type of care giving on the continuum of caregivers available to children and youth. It recommends that the current definition and term of caregiver not be changed in the Act;
- The Department of Health and Community Services, in conjunction with the Regional Integrated Health Authorities should review the current residential treatment options available to children and youth in this province. The report of the provincial Committee looking at this issue requires a response from the Department of Health and Community Services.

7. *Mandated Interventions Recommendations*

- The Department of Health and Community Services must undertake an evaluation of the Act. The development of the evaluation framework and its implementation was seen as critical to determining the success/failure of this legislation;
- The Risk Management System (2203) must receive the continued support of the Department of Health and Community Services with a focus on training, monitoring systems and support to the regions during and following the implementation phase;
- Comprehensive training regarding the Act is critical for social workers in the regions who are interpreting and practicing under this Act. The Department of Health and Community Services; and Justice, in partnership with the Regional Integrated Health Authorities should begin development of this training as soon as possible. With five years of practicing under this Act, many experiences need to be shared and discussed;
- The Department of Health and Community Services, in partnership with the Regional Integrated Health Authorities, should develop a public awareness campaign regarding child abuse and maltreatment, and the duty to report under the legislation.

TURNER REVIEW AND INVESTIGATION RECOMMENDATIONS

THAT either by legislation or directive from the Minister of Justice for Newfoundland, provision be made for informing potential sureties of their obligations should they enter into a Recognizance, and for qualifying them to serve as sureties (including provision of documentation verifying their financial capacity to serve as sureties); and that the legislation or Ministerial directive designate who will be responsible for discharging these duties.

THAT before legislation is enacted or a Ministerial directive is issued, the Province shall consult with all Newfoundland Courts and obtain their views on the processes which will most probably facilitate informing potential sureties of their obligations under, and qualifying them to enter into, a Recognizance.

THAT the Child and Youth Advocate, after having determined who is legally entitled to conduct a Judicial Review (acting along with the authority of the Federal Government), do so in order to fully examine how the justice system functioned in relation to Dr. Shirley Turner and hence affected the rights and interests of Zachary Turner.

THAT the Child and Youth Advocate report her findings to the House of Assembly and the Newfoundland public.

7.1 THAT Section 14 of the *Child, Youth and Family Services Act* be amended, in order to ensure better protection of the child, by providing:

A child is in need of protective intervention where the child is, or is at risk of being

- (a) physically harmed by the action or lack of appropriate action by the parent of a child;
- (b) sexually abused or exploited either by the child's parent, or through lack of appropriate action by the parent of a child;
- (c) emotionally harmed by the conduct of a parent of a child;
- (d) physically harmed by a person and the parent of a child does not protect the child;
- (e) sexually abused or exploited by a person and the parent of a child does not protect the child;
- (f) emotionally harmed by a person and the parent of a child does not protect the child;
- (g) in the custody of a parent who refuses or fails to obtain or permit essential medical, psychiatric, surgical or remedial care or treatment to be given to the child when recommended by a qualified health practitioner;
- (h) abandoned;
- (i) left with no living parent or a parent is unavailable to care for the child;

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- (j) exposed to domestic or other violence; or,
- (k) where the child
 - (i) has been left without adequate supervision appropriate to the child's developmental level; or
 - (ii) has allegedly, or whose parent has allegedly, killed or seriously injured another person or has caused serious damage to another person's property; or
 - (iii) on more than one occasion caused, or whose parent has caused, injury to another person or other living thing or threatened, either with or without weapons, to cause injury to another person or other living thing;
- (l) the child is living in circumstances in which the child's safety, health or well-being otherwise is, or is at risk of, being endangered..

THAT Section 15(4) be amended to add "to suspect or believe that a child is, or may be, in need of protective intervention."

THAT where the Advocate's Office is contacted by someone already receiving services under the *Child, Youth and Family Services Act*, the Advocate shall consider initiating a case conference with those mandated under the *Act*.

THAT the policy manual be amended to include clear directions with respect to interpretation of least intrusion within the context that the best interests of the child are the paramount consideration under the *Act*. The amendments must provide clarification as to when the practice becomes a form of negligence and contributes to a child being "in need of protective intervention."

THAT policy with respect to Section 10 Family Services be drafted and disseminated through in-service training to all personnel.

THAT the Province develop and deliver mandatory, multidisciplinary education and training (including but not limited to) from police, health care professionals, educators, lawyers and caregivers, the focus of which is investigation and assessment of the need for protective intervention on behalf of the child or children.

THAT the investigation and assessment of the need for protective intervention, at all times, only be carried out by someone who has successfully completed the education and training proposed in recommendation 10.

THAT the definition of parental social history be expanded and the collection of a full social history, as outlined above, be mandatory not only for all child protection investigations and assessments, but also in long-term family services cases.

THAT whenever a child comes to the attention of CYFS, if and when it is discovered that the child and/or family are involved with more than one professional or agency, a case conference involving all

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parties be a regular part of policy.

THAT Social Work education and in-service training include coverage of the ability to override confidentiality, where a child's safety is at issue.

THAT the Director in Region of Child, Youth and Family Services be responsible for both line and legislated authorities, to ensure effective and efficient formal lines of accountability and communication.

THAT where there is an open file related to a matter under the *Child, Youth and Family Services Act*, all activities and/or discussions pertaining to it shall be recorded on that file, no matter at which level they occur.

THAT when a child comes to the attention of CYFS as possibly in need of protection, the responsible worker be proactive in thoroughly and expeditiously seeking out and documenting all relevant sources of information.

THAT policy be clearly established that part of the manager/supervisors mandate and responsibility is to assist the worker carrying a file to establish long-term as well as short-term goals. The goals must be translated into specific tasks, with projected time lines attached, to enable periodic reviews of outcomes.

THAT when a worker responsible for a child entitled to any service under the *Child, Youth And Family Services Act* is on leave, or absent for whatever reason, another worker must be assigned and the persons responsible for the child's care be informed of the name of that person to ensure constant monitoring of the child's safety and security.

THAT mandatory in-service training which incorporates skills in caseload management and time management be developed and delivered to supervisory and direct service personnel.

THAT all assessment workers be provided with ongoing and regularly scheduled in-service training on the meaning, the importance and the implementation of Policy Reference No. 02-02-03 (Coordinated Response).

THAT all prior records of child abuse and neglect, currently held on card indexes, be transferred to CRMS as soon as possible and be easily accessible to all CYFS staff.

THAT all child abuse and neglect records include sufficient identifying information such that a name change will not result in their being overlooked.

THAT all reports be founded on fact to promote evidence based practice.

THAT a multi-disciplinary committee be struck, including representation from NLASW and the Province, to consult with the Memorial University School of Social Work (within three months of the release of these Findings) to investigate the feasibility of establishing a postgraduate diploma in child welfare and child protection.

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THAT the Memorial University School of Social Work give a seat on its Academic Council to the Province.

THAT caseload management and time management be included in course work at the Memorial University School of Social Work.

THAT training on legislation, policy and procedures, and other appropriate in-servicing be updated semi-annually, and be the responsibility of the Provincial Director to ensure province-wide equity of opportunity.

THAT regular performance evaluations be provided to all personnel using child-centered criteria to fit with the monitoring duties of the Provincial Director under section 5 of the *Child, Youth and Family Services Act*.

THAT record keeping, beyond what may already be required by law or policy, be a fundamental obligation at all levels. Records to include purpose of the event, strategies used to achieve objectives, decisions made, directions given, those responsible for implementing actions, time lines, plans for follow-up and evaluation, and whether objectives have been achieved.

THAT mandatory in-service training be developed in the theory and practice of documentation and record keeping.

THAT there be group supervision as well as individual supervision beyond what is already required by law or policy.

THAT the *Child, Youth and Family Services Act* be amended to authorize the Supreme Court of Newfoundland and the Provincial Court of Newfoundland to receive, hear, decide and make orders resulting from applications for psychological and psychiatric assessments, and for health care treatment of persons having, or being considered by CYFS or the Court to have, custody of or access to children, as well as children themselves, where established to be relevant from the perspective of a child's best interests in either a CYFS investigation or in a proceeding under the *Act*.

THAT reports of the course and results of assessment or treatment be provided to CYFS, the ordering Court and the persons assessed or treated, or their caregivers.

THAT the Departments of Psychology and/or Psychiatry at Memorial University of Newfoundland (MUN) complete a psychological autopsy on Dr. Shirley Jane Turner.

THAT issues in Forensic Psychiatry be addressed not only in the education and training of general psychiatrists, but also be part of a continuing medical education program.

THAT lectures in .Physicians and the Law be offered at Memorial University's Faculty of Medicine, both at the undergraduate and postgraduate levels, such lectures to include coverage of child protection issues.

THAT the decision to call a Medical Examiner's inquest in Newfoundland - a public inquiry into any death under its jurisdiction - lie with the Chief Medical Examiner and, when made, shall not be

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countermanded by the Provincial Government.

THAT the Chief Medical Examiner be appointed at arms length from the Government of the Province and only be dismissed for cause.

THAT an investigation be conducted to determine the feasibility of appointing the Chief Medical Examiner with a non-tenured position at Memorial University, partially or wholly funded by the University; for which purpose, the portion of the budget of Memorial University provided by the Provincial Government would include funding adequate – in the judgement of the Department of Justice and Memorial University - for the operation of the Office of the Medical Examiner.

THAT the Office of the Medical Examiner conduct an investigation into the death of all children under two years old.

THAT, in order to reduce or eliminate any further speculation surrounding the circumstances of both Dr. Turner's and Zachary's deaths, full toxicological analyses be done on all the still preserved body fluids of both decedents.

THAT the Medical Examiners Office establish and conduct Child Death Reviews, chaired by the Chief Medical Examiner, with multi-disciplinary membership including the Child and Youth Advocate.

THAT the Chief Medical Examiner be given the legislative authority to make recommendations to respective Ministers of the Crown (with opportunities to follow-up on these recommendations).

THAT the Office of the Chief Medical Examiner seek accreditation by the National Association of Medical Examiners.

THAT the four regional integrated health authorities created by the *Regional Integrated Health Authorities Order* be specifically listed in the Schedule to the *Act*.

THAT an amendment of the Schedule to the *Act* include the Chief Medical Examiner and any other agency of the Provincial Government likely to possess information relevant to the Advocate's responsibilities under the *Act*.

THAT an amendment of the *Act* provide that the Chief Medical Examiner be obligated to perform, or cause to be performed, any feasible medical or laboratory analysis or other scientific procedure requested by the Advocate which the Advocate determines to be relevant to the Advocate's mandate under the *Act*.

THAT section 21 of the *Act* be amended to authorize the Advocate to require information by written interview instead of depending on voluntary participation.

THAT the *Act* be amended to provide for addition of the following section:

(1) For the purposes of a review or an investigation, or a review and investigation, subject to subsection (4), the Child and Youth Advocate may

(a) summon by subpoena and enforce attendance of any witnesses;

(b) summon by subpoena and enforce production by witnesses of any records and

other things, and provisions of answers to written questions.

- (2) Where the Advocate exercises a subpoena power under subsection (1), a person or other legal entity who fails or refuses to
- (a) attend;
 - (b) answer questions;
 - (c) produce the records or other things in the person's custody or possession, or provide answers to written questions requested by subpoena;

is liable, on application by the Advocate or his or her Delegate to a Judge of the Trial Division of the Supreme Court of Newfoundland and Labrador, to be committed for contempt as if in breach of an order, judgement or other process of the Supreme Court of Newfoundland and Labrador.

- (3) The Advocate shall issue a subpoena provided for in subsection (1) in the manner authorized by the *Public Investigations Evidence Act*.¹¹

The Advocate shall not exercise the powers prescribed by subsection (1) unless the Advocate is unable, under section 21 or voluntarily, to obtain evidence, records and other things that the Advocate determines to be necessary to a review or investigation.

THAT amendment of section 21 of the *Act* provide that, should the Advocate encounter any refusal or delay in response to an information request for documents or other things, verbal testimony, or written answers, the Advocate may apply for an information disclosure order from a Judge of the Provincial Court of Newfoundland on not less than seven days written notice of the application to the information source. And, that the Judge be given discretion to order payment by respondents to an application of some or all of the actual fees and disbursements incurred by the Advocate in making the application (depending on the outcome of the application).

THAT amendment of the *Act* provide that during a review or investigation by the Advocate, all information (oral and written) on which the Advocate relies for reports the Advocate may or must make under the *Act* to any department or scheduled agency of the Provincial Government or a community or community member, be received under oath or on affirmation.

THAT regulations be enacted under the *Act* which prescribe forms to be employed by the Advocate in requesting and receiving information, e.g., documents and written interview answers.

THAT the *Act* be amended throughout to express the mandate, powers and duties of the Advocate in terms of children, youth and families, including parents and other caregivers.

THAT the *Act* be amended to provide that any question respecting the Advocate's jurisdiction to review or investigate any matter under the *Act* may be resolved by the Advocate's application to a judge of the Provincial Court of Newfoundland for a declaratory order determining the question of jurisdiction.

THAT section 15(1)(c) of the *Act* be amended to enable the Advocate to dispense with advocacy, mediation or other dispute resolution process, and any other precursor to investigating a matter where, in the Advocate's opinion, those mechanisms are impracticable.

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THAT section 24 of the *Act* be amended to state that the types of steps the Advocate may propose include, although not be confined to:

- (a) enactment of new legislation and amendment of existing legislation;
- (b) development of policies, standards and practices, and alterations to existing policies, standards and practices;
- (c) development of new programs and reform of existing programs;
- (d) review, modification and reversal of particular program services delivery decisions;
- (e) rectification of omissions in program services delivery;
- (f) provision of reasons for decisions;
- (g) allocation and reallocation of program service centres and providers;
- (h) development of professional and non-professional employee training, and modification of existing training;
- (i) conduct of additional investigations;
- (j) no name/no blame monitoring and auditing of professional and non-professional program services delivery personnel; and
- (k) resolution of circumstances which are unreasonable, unjust, oppressive or discriminatory.

12.13 THAT section 17(1) of the *Act* be amended by deleting “*Young Offenders Act*” and substituting “*Youth Criminal Justice Act*”

DELOITTE RECOMMENDATIONS

- The following pages summarize the more than 40 recommendations made in the previous section. The recommendations are structured around the frame work for an ideal work environment, i.e. strategy, structure, organization culture, people, processes and tools.
- We also provide a summary of the top 10 recommendations which we believe are critical to stabilizing the CYFS system and should be addressed immediately.
- Finally, in Appendix E we indicate how the recommendations contained in this report reinforce or address some of the recommendations made in the Turner Review and Investigation.

Strategy

- 1.1 A provincial strategy for CYFS should be developed that articulates the vision for CYFS as part of an integrated Department with a focus on child development. The strategy should also include 3-5 year targets for CYFS standards (for those standards that lend themselves to a phased –in approach-in some cases 100% will be the minimum standard).
- 1.2 Directors of CYFS should be held accountable for achieving minimum standards in their regions, and they must be given the appropriate resources to do so.
- 1.3 One comprehensive set of CYFS policies and standards must be developed.
 - A mechanism must be established to ensure regular review and updating.
 - Provincial Office is responsible for reviews and updating.
- 1.4 Provincial policy and standards documentation should be available on-line for ease of access and updating.
- 1.5 There is a need to identify regional operational policies that will be necessary to support provincial policies. Where possible, regions should work together to avoid duplication of effort.

Structure

- 2.1 The authority of the Provincial Director and the accountability of the regions must be strengthened. This can be accomplished by establishing a formal accountability mechanism between the Department and the regions.
 - It is recommended that the Deputy Minister and CEOs, along with the Assistant Deputy Minister and VPs/COO, develop a policy to establish the accountability mechanism. (Note: consideration should be given to defining this accountability mechanism in law.)
 - The accountability mechanism should be a CYFS Program and Policy Committee to operationalize the *CYFS Act*.
 - The committee should be comprised of Directors of CYFS, chaired by the Provincial Director.

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- The policy describing the Committee should describe the mandate, composition, accountability, issue resolution process, and monitoring and evaluation process.
 - The Committee should have authority to take action and implement recommendations (i.e. have “teeth”) recognizing that decisions regarding CYFS must align with broader regional decisions as well as the legislated mandate of the *CYFS Act* and provincial direction
 - The Committee should be accountable to the Deputy Minister and CEOs by reporting through the Assistant Deputy Minister and VPs/COO.
 - The Minister of Health and Community Services should communicate the importance of the Committee to the Deputy Minister and CEOs.
- 2.2 The Provincial Director must have the necessary resources to fulfill the legislated role. Existing temporary positions should be made permanent.
- 2.3 The link between the Provincial Director and the Minister should be strengthened.
- A formal reporting mechanism should be put in place that requires the Provincial Director to prepare a semi-annual report to the Minister on the state of the CYFS system.
- 2.4 Eastern Region must immediately move from an interim management structure to a permanent structure for CYFS to provide needed stability. This could include formalization of the current interim structure or consideration of options. (consideration must be given to the vulnerability of the Director of CYFS role in the large Eastern Region with only one incumbent).
- 2.5 Working with the regions, the Department should lead the development of a formal complaint process at the provincial level (note that court-related complaints follow a different process).
- A description of the complaint process must be communicated to all stakeholders
 - The regions must have a regional CYFS complaint process that is integrated into an overall complaint process.
- 2.6 Consideration should be given to strengthening the accountability under the *Health Authorities Act* by making the regions accountable for more than financial performance.
- 2.7 The recently implemented organization structures in Western, Central and Labrador-Grenfell must be evaluated for effectiveness within 6-12 months of implementation. Consideration must be given to the following:
- Alignment with provincial direction (*CYFS Act*) and regional strategy.
 - Clear accountability for CYFS by the Director of CYFS, as per the *CYFS Act* (note: Western is the only region where the Director of CYFS does not have direct access to senior management).
 - Importance of integration and other aspects of the Authority.
 - Economies of scale and workload.
 - Complexity of organization.
 - Diversity and complexity of clients served.

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- 2.8 The Province should work with the Office of the Child and Youth Advocate to clarify the role of the Office relative to the Department and the regions, and communicate same.
- 3.1 Each region should develop specific plans to address organizational cultural weaknesses identified in this review.
- There are tools available to assess culture along various dimensions, which allows for development of specific plans to move from the current to a desired culture (see Appendix D for a sample tool – Deloitte’s Culture Print).
 - In regions where CYFS workers are integrated with non- CYFS workers, the cultural assessment should extend beyond CYFS to better understand the environment in which child, youth and family services are provided.
 - This should not hold up implementation of other recommendations.
- 3.2 Revisit and implement the evaluation framework for the *CYFS Act*
- Revisit to ensure that all aspects are still relevant.
 - Implement.
 - Conduct external reviews of CYFS – on rotational basis, review various parts of CYFS.
 - Regions should collaborate to avoid duplication of effort.
- 4.1 Ensure that work is done by the most appropriate resource. Specifically:
- Introduce additional support roles – social work assistants, community service workers, behaviour management specialists, financial assessment officers (FAOs), and improved legal access. Requirements vary by region; specific regional analyses are required. Roles and responsibilities of the various roles must be clear. (Note: it is important that there are adequate numbers of social workers and managers to direct the work of these support roles.)
 - Allow clerical staff to assist with CRMS (referrals, demographics, risk assessment, case notes). (Note: may require legal opinion.) Allow social workers flexibility in terms of how case notes are entered into CRMS, i.e. type themselves or hand-write/dictate for transcription by clerical staff thus accommodating strengths and weakness’ of individual workers. Training and/or increase the number of clerical staff accordingly.
 - Enhance delegation of authority for social workers (especially Code 26 in Eastern and Western regions)
 - Streamline staffing process at all regions to reduce time spent by managers.
- 4.2 Enhance clinical supervision by managers.
- Ensure that time of managers that is freed up (per recommendation 4.1) is redirected to clinical supervision.
 - Invest in managers to ensure they have the skills and competencies to provide adequate clinical supervision. Provide managers with training on clinical supervision (as part of the provincial competency-based training program).
 - Ensure that this increased focus on clinical supervision does not negatively impact the classification of managers.

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- 4.3 Further invest in orientation, training and professional development. Specifically:
- CYFS Program orientation should be developed centrally and rolled out consistently across the Province.
 - Workers should be restricted from handling a caseload or all functions of work until they have completed orientation, including initial training, and have been delegated authority. They should be buddied with/mentored by an experienced worker for several months. Initial client visits should take place with the buddy/mentor.
 - As is currently planned, competency-based training a professional development should be developed provincial (including clinical supervision, documentation and case note).
 - Dedicated training resources should be in place in every region and provincially.
 - Managers require a signification investment in training: clinical supervision (as per recommendation 4.2), managerial (e.g. performance management/mentoring/coaching, staffing), administrative (e.g. budgeting, time sheets, expense reporting).
 - Mangers should be trained before front line workers receive the same training.
 - The Department should work with Memorial University to enhance the CYFS curriculum in the School of Social Work.
- 4.4 The scope of responsibilities of the Provincial Director of CYFS should be limited to the programs legislated under the *CYFS Act* and *Adoption Act*. Dealing with the responsibilities of the Provincial Director beyond this will require a change to the management structure of the Division.
- 4.5 Continue work on workload measurement approach and guidelines.
- Build on work currently being undertaking by the CRMS Documentation and Statistical Reporting Working groups, which encompasses MIS Standards implementation, including workload measurement.
 - The Province should participate and actively encourage progress nationally and internationally with respect to workload measurement.
 - In the interim, a provincial approach and guidelines should be developed to allow for a consistent approach to resourcing throughout the Province.
 - Additional social workers and managers will be required throughout NL to bring workload to a reasonable level.
- 4.6 Ensure that on call practices across the Province are consistent (to the extent possible), and that workers are adequately trained to meet on call needs.
- 4.7 Ensure that classification and compensation are fair and equitable across the Province.
- 4.8 Ensure there are formal processes in place in each region to re-assign cases when workers are on leave or absent.

Processes and Tools

Regional Risk Management

- 5.1 The CYFS Program should actively participate in and support the regional approach to risk management

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- Provide top down direction and support for completion of occurrence reports.
- Increase risk management awareness of staff through top level support, training, and on-line promotion, specifically, provide access to information on each region's intranet website.

Information Technology

- 6.1 Undertake a comprehensive evaluation and develop a plan for CRMS with the objective of identifying how to make the application more user friendly and ensuring it is clinically sound.
- CRMS has been operating for more than five years and has not yet been evaluated.
 - This process should include development of a strategic plan for rolling out additional modules of CRMS
 - The plan should document the process for making and communicating enhancements. In future, the nature of the enhancement must be communicated more clearly to the regions.
 - The link between CRMS and policies must be clearer, i.e. the impact of any CRMS enhancement on provincial policy must be clearly articulated.
 - Continue implementation of policy direction that allows frontline staff to make changes/ edits where appropriate.
 - Once enhancements are made, update CRMS user manual and provide access on-line.
- 6.2 Separate responsibility for CRMS training from CRMS technical support.
- Until CRMS is stable, CRMS technical support should be provided provincially. Regional help desks lack technical knowledge of CRMS, which is changing frequently. This will require additional resources provincially. (Note: additional technical support cannot be provided by existing CRMS development resources.) The technical support resource(s) should be dedicated to CYFS.
 - This will allow CRMS Coordinators to focus on provision of timely and comprehensive training.
 - CRMS training curriculum development should be developed provincially to avoid duplication of effort. E-learning programs should be developed to supplement classroom sessions (once social workers are more comfortable with CRMS, e-learning will likely become an acceptable approach).
 - CRMS Coordinators should continue to come together regularly to share best practices.
- 6.3 Update policies and access to CRMS in order to enable clerical support staff to enter referrals, demographics and social worker case notes (sign-off from responsible social worker required) into CRMS.
- Legal opinion required.
 - Assess alternatives for social workers to document their notes (including digital dictation in portable handheld devices, which requires transcription and voice recognition software that automatically transcribes).
- 6.4 Include case documentation as part of the competency-based training being developed by the Province.
- 6.5 Provide access to other technological tools to support the work of CYFS.

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- Workers and managers should have access to a laptop to work from locations other than the office, cell phone, and Dictaphone to allow more flexibility in work practices.
 - These resources can be shared depending on demand.
- 7.1 A provincial policy or guideline should be developed to guide information sharing. It should be consistent with the Model of Coordination of Services to Children and Youth and require that individuals share information. It should identify what information is to be provided, under what circumstances, to whom.
- 7.2 Regional policies for information sharing should be developed or, if they already exist, enforced.
- 7.3 The Department, in conjunction with the regions, should provide education on duty to report, and then enforce the legislation.

Human Resources

- 8.1 Streamline staffing practices in all regions.
- Determine what is truly mandated under the collective agreement; identify areas that can be negotiated.
 - Identify where temporary positions should be converted to permanent positions.
 - Identify best practices regarding public sector staffing.
 - Determine if new transition agreement can address some of these issues.
- 8.2 Enhance the relationship between HR and CYFS in each region.
- Best practice would suggest that managers should be heavily involved in HR processes (i.e. staffing, mentoring), but the processes should be streamlined and efficient.
- 8.3 Each region must put in place a formal performance management process.
- Semi-annual or annual reviews of all staff.
 - Personal plans developed that align with strategic plan and operational plan, including personal training and professional development needs.
 - Performance appraisal process tailored to meet the needs of CYFS.

Wellness Programs

- 9.1 Regions must ensure that CYFS staff are involved in development of wellness programs.
- Programs must then be well communicated to CYFS staff (including posting on intranet) and staff must be given the opportunity to participate.

Finance

- 10.1 Empower social workers with the ability to authorize all appropriate financial requests – to approve programs and funding for clients for all codes – within limits and with proper controls (will require change in provincial policy to align with direction that is evolving in regions).

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- 10.2 Increase the number of Financial Assessment Officers and/or budget analysts in the regions to allow social workers to delegate the tactical aspects of client financial matters.

Clerical Support

- 11.1 Expand the role of clerical staff in all regions and add resources as required. The expanded role should include:
- Enhanced role related to documentation in CRMS (consider digital dictation where clerical staff are not on-site).
 - Assistance with file preparation.
 - Assistance with tactical financial matters (in the absence of Financial Assessment Officers).

Legal Services

- 12.1 Improve access to legal services by the Provincial Office and the regions.
- Each region and the Provincial Office should have ready access to legal council knowledgeable of CYFS.
 - Where agents are used, regions should have input into selection of agents, based on past experience. Consideration should be given to having regions go directly to pre-selected agents.
- 12.2 Develop training in court preparation as part of provincially developed competency-based training for Child Protection workers.
- Topics could include interpretation of the *Act*, completion of forms, expectations for court appearances.
 - Various forms of training could be used including video/DVD, plus a manual, to supplement classroom training, mock, court room appearances, etc.

Physical Space

- 13.1 Improvements must be made to physical space. Specifically:
- Given the sensitive and confidential nature of their work, CYFS social workers working in cubicles should be provided with office space. If that is not possible in the short term, CYFS social workers should be separated from social workers from other programs.
 - CYFS files must be sorted appropriately at all sites as well as in the Department.

Additional Recommendation

The Department of Health and Community Services must develop an integrated multi-year plan of activities to improve the CYFS system across the Province.

- Work with the regions to develop an integrated workplan describing all the initiatives that will be undertaken to improve the system. The plan should include the sequencing and duration of initiatives, as well as the responsible party.

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- The plan should incorporate all the recommendations from this report and others (e.g. Report of Minister's Advisory Committee).
- Progress toward the plan should be monitored on an ongoing basis. The plan should be embedded in the Department's operational plan and progress reports should be prepared periodically.
- A formal external review should be undertaken in 12-18 months to determine if the identified gaps have been closed.
- Communicate the plan to the CYFS system and the public, which will help establish confidence in the system.

Top 10 Most Critical Recommendations

The following 10 recommendations are considered by Deloitte to be most critical; i.e. implementation should commence immediately.

1. A provincial strategy for CYFS should be developed that articulates the vision for CYFS as part of an integrated Department with a focus on child development.
2. The authority of the Provincial Director and the accountability of the regions must be strengthened. This can be accomplished by establishing a formal accountability mechanism between the Department and the regions.
3. The Provincial Director must have the necessary resources to fulfill the legislated role. Existing temporary positions should be made permanent.
4. The scope of the responsibilities of the Provincial Director of CYFS should be limited to the programs legislated under the *CYFS Act* and *Adoption Act*. Dealing with the responsibilities of the Provincial Director beyond this will require a change to the management structure of the Division.
5. Ensure that work is done by the most appropriate resource.
6. Enhance clinical supervision by managers.
7. Further invest in orientation, training and professional development.
8. Eastern Region must immediately move from an interim management structure to a permanent structure of CYSF to provide needed stability. This could include formalization of the vulnerability of the director of CYFS role in the large Eastern Region with only one incumbent).
9. Undertake a comprehensive evaluation and develop a plan for CRMS with the objective of identifying how to make the application more user friendly and ensuring it is clinically sound.
10. The Department of Health and Community Services, in collaboration with the regions, must develop an integrated workplan of activities to improve the CYFS system across the Province.

CHILDREN IN CARE REPORT RECOMMENDATIONS

Recommendation 1 - That a new rate structure for the caregiver program be implemented immediately.

Recommendation 2 - That a strategy be developed and implemented across the province for the provision of ongoing education and training initiatives for foster parents.

Recommendation 3 - That the Department of Health and Community Services focus on establishing standards (and practice guidelines to support them) for the development of emergency placement options, especially for children under 12.

Recommendation 4 - That there is a clear need for the development and implementation of a provincial therapeutic/treatment foster home program as an important component of the placement continuum. This should be developed and implemented based on the unique needs of children in each region.

Recommendation 5 - That the Department of Health and Community Services develop standards for a Group Home program for the province. This should be developed and implemented based on the unique needs of children in each region.

Recommendation 6 - That the province would benefit from the introduction of a short term residential treatment program as an important component of the continuum of care, and it is recommended that the findings and recommendations of the 2003 Residential Treatment report be used to guide the development of such a program.

Recommendation 7 - That the Department of Health and Community Services develop a standardized process to help determine the most appropriate placement type for children being placed in the care of a CYFS Director. Further, that this assessment process must be culturally sensitive.

Recommendation 8 - That the Department of Health and Community Services develop a plan to implement the Canadian Looking after Children (CanLAC) Model.

Recommendation 9 - Policy and program development related to placement resources and service needs of children in care must be culturally sensitive and responsive to the unique needs of Aboriginal children and their families (i.e., the provision of mental health services).

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CLINICAL SERVICES REVIEW RECOMMENDATIONS

Leadership: The need for a mandated leadership team with sufficient resources and time within which to undertake the necessary reform of the child protection system.

Legislative Reform: The current legislation requires review and updating in several areas in order to achieve greater clarity of purpose with a more child centered focus.

Stabilization of the Workforce: There is an urgent need to stabilize the province's workforce through the development of a coordinated, province-wide recruitment and retention program. Such a program will recognize the risks inherent in child protection work as the most difficult form of social work practice. Workforce stabilization will require incentives, both financial and other, in order to attract, support and keep people on the job.

Training and Development: The development of a comprehensive training and development program which includes both mandatory and specialized components. The training should be focused on the development of core competence required to deliver clinical services. As a minimum the training should include orientation and basic training for new staff and review and refresher opportunities for experienced staff. Training should address the core competencies identified by the *Clinical Services Review* including risk assessment, planning, comprehensive assessment, client engagement, documentation and clinical supervision.

Quality Improvement: Development of a quality improvement program that will utilize the baseline data extracted from this project and develops strategies for improving on the results. Accurate and timely information regarding casework and flow, human resources and financial resources is essential to the development of such a program.

Management of Complex Cases: A system for the management of complex cases is needed. This should include the routine review of certain types of cases according to an agreed-upon format. Findings and recommendation coming out of these reviews should be aggregated and utilized to make service improvements.

Policy and Procedures: Work already undertaken to develop the *Child, Youth and Family Services Policy and Standards Manual* should be continued in order to develop greater clarity regarding requirements and expectations for service delivery. Methods must be developed for ensuring that staff are knowledgeable about the contents of the Manual and that supervisors are ensuring that review and monitoring of requirements occurs. A system for the ongoing review and revision of the Manual and a communications plan is required.

Workload: An accurate picture of the workload and the current work needs to be ascertained. From this, workload benchmarks must be developed and implemented to direct staff recruitment, management and assignment of work.

Documentation: Current standards of documentation are a serious concern throughout all of the programs. Attention needs to be given to the implementation of formats, file organization and

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Infrastructure and Information Technology: Accurate, timely information and training on how it is to be utilized to set targets, monitor and evaluate service goals is basic to system improvement. This will promote a system view and reduce the reliance on often faulty anecdotal information.

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