

## Planning with Access Provisions in Place

The Child Protection Worker must comply with access provisions outlined in the Permanent Custody Order.

### REFERENCE

*Child and Family Services Act, section 38(2)*

*Adoption Act, section 36(2)*

### PURPOSE

- To ensure access focuses on the child or youth's best interests.

### PROCEDURES

1. Determine if access is in the child or youth's best interests by considering the following factors:
  - The nature, extent and success of previous contact between the child or youth and the individual.
  - The effect of maintaining the relationship on the continuity of the child or youth's care.
  - The extent to which the person is interested and involved in planning for the child or youth and supports the adoption plan.
  - The child or youth's views – if the child is 12 years of age or older, any decision about access should be consistent with the child or youth's best interests. Children under 12 may be consulted depending on their level of understanding of the adoption process.
  - Whether access will interfere with the child being available for adoption.
2. Document recommendations or plan to continue, vary, or terminate access in the *Child Assessment for Adoption Placement form*.
3. Consult with the Legal Counsel on the recommendations and the need to apply to the Territorial Court to vary or terminate the access provided in a child or youth's Permanent Custody Order.

4. Consult with the Director of Child and Family Services before applying to the Territorial Court.

**Note:**

The Director of Child and Family Services will not approve the child for adoptive placement if there are unresolved issues regarding access by the birth family.

**FORMS**

- Child Assessment for Adoption Placement

**TOOLS**

- Child Assessment for Adoption Placement Guide