



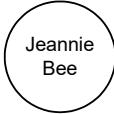
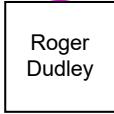
Genogram Code Key



Male Applicant – should be indicated by a double square and is placed on the left



Female Applicant – should be indicated by a double circle and is placed on the right



Other males and females should be indicated by a single square or circle – males are placed to the left and females to the right. Siblings are placed in order of birth.



Solid line connects individuals and also represents marriage – date of marriage is placed above the line



Dotted line connecting individuals horizontally is indicative of a common law relationship - date of the relationship started can be placed above the line



Solid line with two slashes through it represents a divorce – date of divorce is placed above the line



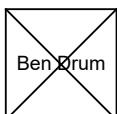
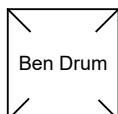
Solid line with one slash through it represents a separation – date of separation is placed above the line



Dotted line with solid line vertically indicates an adoption – date of adoption is placed beside the lines



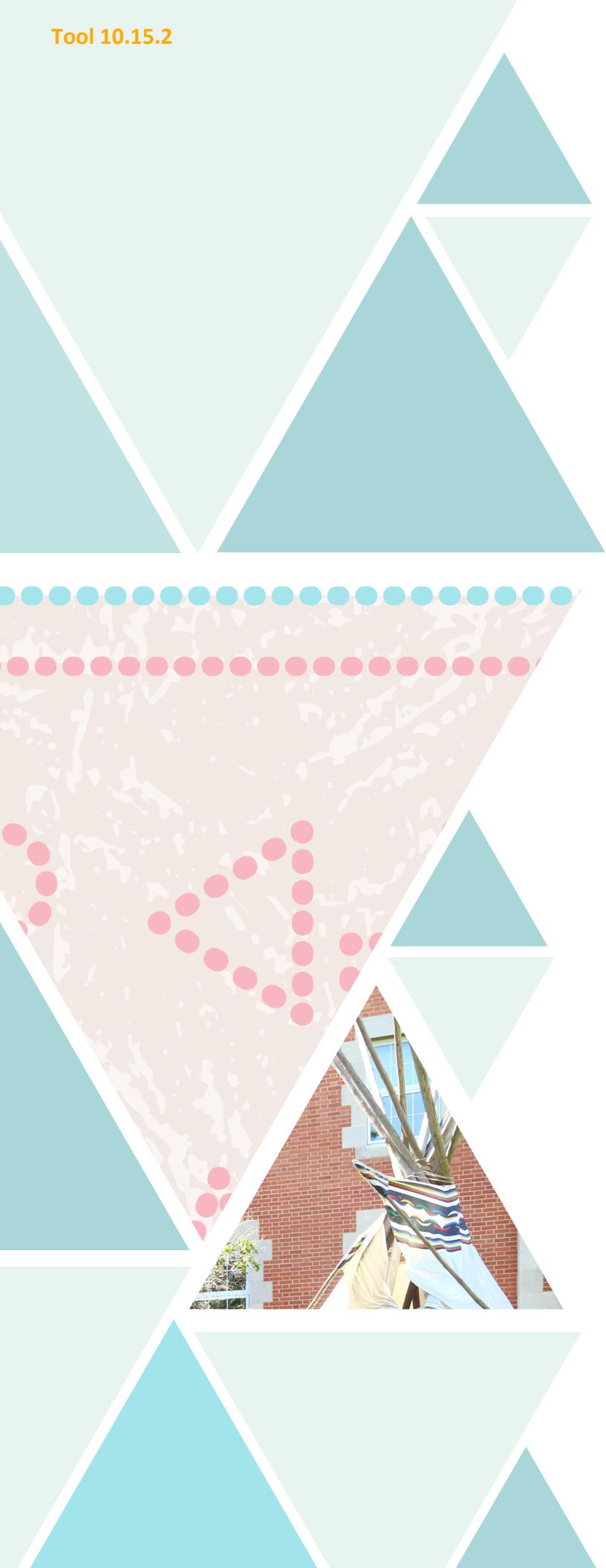
Vertical single dotted line indicates a foster child



Either box is acceptable to indicate a death – the date of death should be placed above the box



A triangle is used to represent a miscarriage



Bill C-92 Compliance Guide for Social Workers and Service Providers

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Background

Bill C-92: An Act respecting First Nations, Inuit and Métis children, youth and families is the first federal legislation on the subject of Indigenous Child and Family Services [CFS].

The Act is the first statute to recognize inherent Indigenous jurisdiction over CFS as an Aboriginal (S. 35) right in Canada. As called for in the TRC Final Report, the statute establishes national minimum standards for CFS delivery for all Indigenous children and families. This includes First Nation, 'non-status,' Métis, and Inuit children, living on or off reserve.

The Act is in force on January 1, 2020, and the National Standards apply in all provinces as of that date. Note that Quebec's reference question about its constitutionality does not change this. Unless a court finds it is invalid, the law applies. Where there is conflict or inconsistency with provincial CFS Acts, the National Standards prevail.



Key Purposes of Bill C-92

Jurisdiction s. 8(a):

What: This law recognizes that Indigenous peoples have the inherent right to jurisdiction (authority) over their own child and family services.

So What?: Within one year, January 1, 2021, some Indigenous groups may have their own legislation, that, where different, will prevail over provincial CFS legislation.

National Standards: s. 8(b):

What: This law puts into place national standards for providing child and family services relating to Indigenous children and families.

So What?: On January 1, 2020, this law came into force, and the national standards apply in all provinces. Where different, these standards will prevail over provincial legislation. The new national standards are minimum standards – you can do more.

Assess your current practice standards and ensure they meet the National Standards

The National Standards map on to Indigenous led and evidence-based best practices already in the child protection field. *The best interests of the child* is still the primary consideration for decision-making but requires a different approach. It includes the importance of ongoing relationships for Indigenous children and should be considered in light of the *cultural continuity* and *substantive equality* principles.

The **National Standards** focus on:

- Prioritizing prevention and early intervention over apprehension;
- Maintaining and promoting Indigenous children’s relationships with family, community and territory;
- Valuing and promoting culture, including community, language and territory; and
- Reunifying Indigenous children, families and communities.

Bill C-92 Compliance Checklist for Social Workers and Service Providers



Is the child Indigenous?

First Nations, Inuit or Métis.

First Nations can include Status or Non Status.

The parents or child can live on or off reserve, inside or outside their community.

If so where are they from?

Do they have ties to more than two Nations?

Helpful Hints



- **Identify the child's Indigenous Governing Body or Bodies [IGB]:** All files should include an Indigenous child's Indigenous governing body or bodies and their preferred contact information. In addition, check for social media and other ways the IGB may reach out to members or advertise community events.
- **Family-mapping/Genogram:** In addition to identifying an Indigenous child's IGB(s), a family map or genogram should be completed as soon as possible to identify family members and community members.

Have you notified everyone that the National Standards require?

You *must* give notice to child's parents and the care provider as well as the Indigenous governing body *before* any "significant measure in relation to the child": ss 12 & 13.

a. Have you notified the child's Indigenous Governing Body? How? Results?

Indigenous Governing Body means a council, government or other entity that is authorized to act on behalf of an Indigenous group, community or people that holds rights recognized and affirmed by section 35 of the Constitution Act, 1982.

b. Have you notified the child's parents? How? Results?

c. Have you notified the child's care providers? How? Results?

Helpful Hints

These are **mandatory** provisions. To be compliant, you MUST demonstrate HOW and WHEN you provided notice to the child's IGB, parent(s) and/or care providers as applicable or document with evidence WHY it was not safe or possible to do so. In addition, to make the most of this process for the child:

- **Take a Team Approach:** Approach decisions from a collaborative perspective and communicate with the IGB, parents and/or care providers the way you would with colleagues.
- **Conference:** Plan a conference call, case conference or family group conference with the Indigenous Governing Body representative and the child's parents and/or caregivers to give notice of and discuss any significant measure beforehand.
- **Err on the side of Communication:** "Significant measures" should be interpreted in a broad inclusive way – not just legal changes but changes in placements, service provider awareness or responses to issues such as suicidal ideation or behaviour, sexual identity, etc. – anything that could significantly change the day to day life of the child, parent and/or care provider, or can impact the likelihood or timeline of apprehension, permanency or reunification.

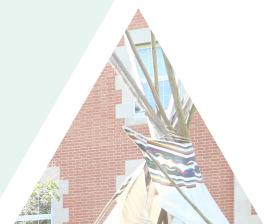
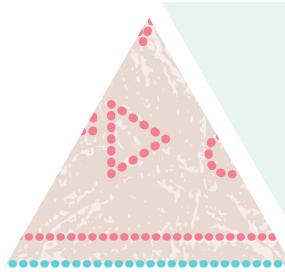
Is the Child a member of an Indigenous Nation that has its own Child Welfare legislation enacted under Bill C-92?

- Check on the Government of Canada website, the Indigenous Governing Body's website and/or with the Indigenous community representative.
- If so, abide by the Indigenous Nation's Law where and to the extent it applies.
- If there is not, or the Indigenous Nation's Law does not fully address the situation, continue using the National Standards.

Helpful Hints



- **Seek out Experts:** Indigenous Governing Bodies are the experts on their own laws. Relationship-building and asking clarifying questions to Indigenous experts can help you understand and apply Indigenous child and family laws properly.
- **Appreciative Inquiry:** Change is part of life and all systems. Approaching Indigenous legislation with curiosity and approaching required changes from a strengths based and problem-solving approach can benefit everyone involved.
- **Cultural Humility:** Self-reflexive practice is wise practice. Humbly acknowledging yourself as a learner, working to understand personal and systemic biases and building and maintaining respectful processes and relationships based on mutual trust can help overcome fear-based reactions to Indigenous laws you may not understand or be familiar with at first.





Have you prioritized and made reasonable efforts for prevention?

The Act mandates priority be given to Preventative Care generally and Prenatal Care promoting preventative care (when likely to be in best interests of child after birth) in order to prevent apprehension after birth: s. 14(1) & (2): *Before apprehending* a child who resides with a parent or family member, the service provider *must demonstrate* that he or she made reasonable efforts to have the child continue to reside with that person: s. 15.1. Finally, A child *must not* be apprehended based on his or her socioeconomic conditions, including poverty, lack of adequate housing or infrastructure or the state of health of the child's parents or the care provider: s. 15.

- a. Preventative Care:** What preventative care have you offered or provided the family?
- b. Pre-natal Care:** Is there a pregnancy? What prenatal care have you offered or provided the parents? What planning for prevention or placement has taken place where there are safety concerns?
- c. Reasonable Efforts:** What reasonable efforts can you take to keep the child living with parent(s)?
- d. Socio-economic Circumstances:** Have you ensured the sole reason for apprehension is not poverty or health related? How have you addressed poverty-related risks?
- e. Substantive Equality:** S. 9(3) of the Act states Indigenous children, families and governing bodies must be able to exercise their rights under this Act without discrimination: ss. 9(3)(b)-(d). Indigenous children with disabilities' distinct needs must be considered: s. 9(3)(a). Finally, s. 9(3)(e) of the Act states a jurisdictional dispute must not result in a gap in CFS services for Indigenous children and families.

In providing preventative services and assessing if reasonable efforts have been made, have you assessed for any substantive equality issues? This requires paying attention to the effect, not just the intent of services being provided.

Helpful Hints



- **Define “Reasonable Efforts”:** Create a policy on what reasonable efforts mean to your organization or agency and ensure it is adhered to by all.
- **Get Creative:** An ounce of prevention is worth a pound of cure – What kind of family supports make sense for this particular parent, family, or in this community? What risks or stressors can be relieved through support, resources and referrals? How can preventative services build on family's strengths and reduce safety risks (i.e. Signs of Safety planning)?
- **Jordan's Principle:** Familiarize yourself with Jordan's Principle and processes for accessing resources where applicable. *Jordan's Principle is a child-first principle*, ensuring First Nations children get the services they need when they need them. Jordan's Principle ensures that the First Nations children can access all public services when they need them. Services need to be cultural based and take into full account the historical disadvantage that many First Nations children live with. The government of first contact pays for the service and resolves jurisdiction/payment disputes later. For more information, see: www.jordansprinciple.ca
- **Show your Work:** It is important to document *how* you prioritized preventative care, what you offered and supplied to the child's parent(s) or care givers, and if there are individual or systemic barriers to prevention (e.g. Is a treatment program or family support workers available in the area/region the family lives in?) to determine if Indigenous children's, family's and governing body's right to substantive equality are being upheld. This can be done with affidavits. Your agency should create a template for each file. It is important to provide documentation.



If an out-of-home, out-of-family placement is unavoidable, how have you followed the placement priority provisions?

Placement Priorities: Placement is to occur in order of priority:

- (a) parents,
- (b) family member,
- (c) community member,
- (d) other Indigenous,
- (e) other

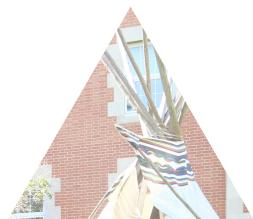
- + Must consider possibility of placement “with or near” siblings or relatives
- + Must take into account customs and traditions, such as custom adoptions:
s. 16 (1) & (2)

Helpful Hints



These are mandatory provisions. To be compliant, you MUST demonstrate HOW you have followed the placement priorities. Ways to show this include:

- **Adequate Knowledge of Child's Family:** Knowledge of a child's family tree and identification of as many family members or relatives as possible (i.e. genograms, family finding processes);
- **Consultation with Child's Community:** Consultation has occurred with Indigenous governing body or relevant community organizations or agencies for possible community placements;
- **Placement Priorities applied in EVERY placement move:** If a break down or planned move in out of home placements, how have you reassessed for the possibility for family unity (see below, s. 16(3)) and followed these placement priorities for the new placement.



When a child is not placed with parents or family members, what is the plan and resources provided for promoting:

a. Attachment and Emotional Ties to the child's Indigenous parents and family members?

- When a child is not placed with parent or family members, "attachment and emotional ties to each such member of his or her family are to be promoted": s. 17

b. Respect for and continuity with the child's culture?

Cultural continuity: s. 9(2)

- Cultural continuity is essential to wellbeing of children, families & communities s. 9(2) (a),
- CFS must not contribute to assimilation or cultural destruction: s. 9(2)(d).

Helpful Hints



These are **mandatory** provisions. To be compliant, you MUST demonstrate HOW you have promoted the child's attachments and emotional ties to family members and maintained the child's cultural continuity. Ways to show this include:

- **Plan of Care:** The child's plan of care includes support for promoting safe and sustainable attachment and emotional ties to their parents and family members.
- **Access Agreement or Orders:** Whenever possible, an access order should be included with or made in addition to any CFS order, along with appropriate resources allocated to facilitating regular and meaningful access when necessary.
- **Community/Cultural Connection Plan:** A community/cultural connection plan, developed collaboratively with all available and interested family members, supports and the child's IGB, must be completed for every Indigenous child placed outside their own family or community.

Where a child is not placed with parents or family members, what is the plan for ongoing reassessment for family unity?

The Act requires ongoing reassessment for family unity. This means there MUST be a reassessment, conducted on an ongoing basis, of whether it would be appropriate to place the child with parents or family members: s. 16(3)

- Bill C-92 allows for reassessment of current files. This can include temporary, private or permanent guardianship, or adoption orders.
- Youth, parents, care providers or family members/relatives may ask for reassessment.



Helpful Hints



This is a **mandatory** provision. To be compliant, you MUST demonstrate HOW you are planning or actually re-assessing the possibility of family unity on an ongoing basis. Ways to show this include:

- **Plan for Regular Reassessments:** You must include provisions for ongoing reassessment for family unity provisions in new and current cases.
- **Reassessments may lead to new plans to promoting relationships:** If placement with parents or family members is still not possible upon reassessment, you should also reassess plan for re-building or promoting attachments and emotional ties to parents and family members: s. 17.

For all of the above, are you aware of and applying the Act's new “Best Interests of an Indigenous Child” analysis when making decisions or taking action?

Bill C-92 is to be interpreted and implemented according to the principles of Best Interests of an Indigenous Child: ss. 9 (1) & ss. 10 (1)-(3), which requires decision-makers to go beyond principles in most provincial statutes. This requires a different approach:

- **Best Interests of the Child** [*Best Interests*] remains the paramount consideration: s. 10(1). However, while most provincial statutes simply give a list of factors, there are now primary considerations for determining these best interests.



Primary Consideration Clause: s. 10(2)

When considering best interests factors to make decisions or take action in relation to providing services in relation to, or apprehensions of Indigenous children, the primary considerations must be the child's *physical, emotional and psychological safety, security and well-being*, the importance of the child *having an ongoing relationship with their family and with Indigenous group, community and people, and preserving the child's connection to his or her culture*.



Put simply, the new starting point for deciding best interests is that Indigenous children's *need for continuing relationships* with their parents, family members, community and culture is at least equally important as other indicators of emotional and psychological safety, security and wellbeing.

- **Best Interests** should be determined by considering all factors related to the circumstances of the child, including those listed in s.10(3) (a)-(h). These include many factors similar to those found in provincial CFS and family law statutes but also include *the importance of relationships*, such as:

- the nature and strength of the child's relationships with parents, care providers and any family members (c),
- ongoing relationships with family, community, language and territory (d).

As well as *the importance of finding out*:

- the child's views, considering the child's age (e); and
- the Indigenous community's plans for the child's care, including care in accordance with their customs and traditions (f).

- Where an Indigenous Governing Body has their own legislation, **Best Interests** should be read in a manner as consistent as possible with the Indigenous law: s. 10(4)

Helpful Hints

- **Ask:** Find out what the child, the child's parents, family members and IGB think are wise ways of meeting the child's needs for safety, security and well-being.
- **Learn:** Seek out resources to deepen your understanding of Indigenous children's experiences in out-of-home care, Indigenous family structures, and the role of relationships and cultural continuity as protective factors for positive adult outcomes.
- **Follow:** The National Standards set out a framework for addressing the primary considerations for best interests in a range of circumstances.

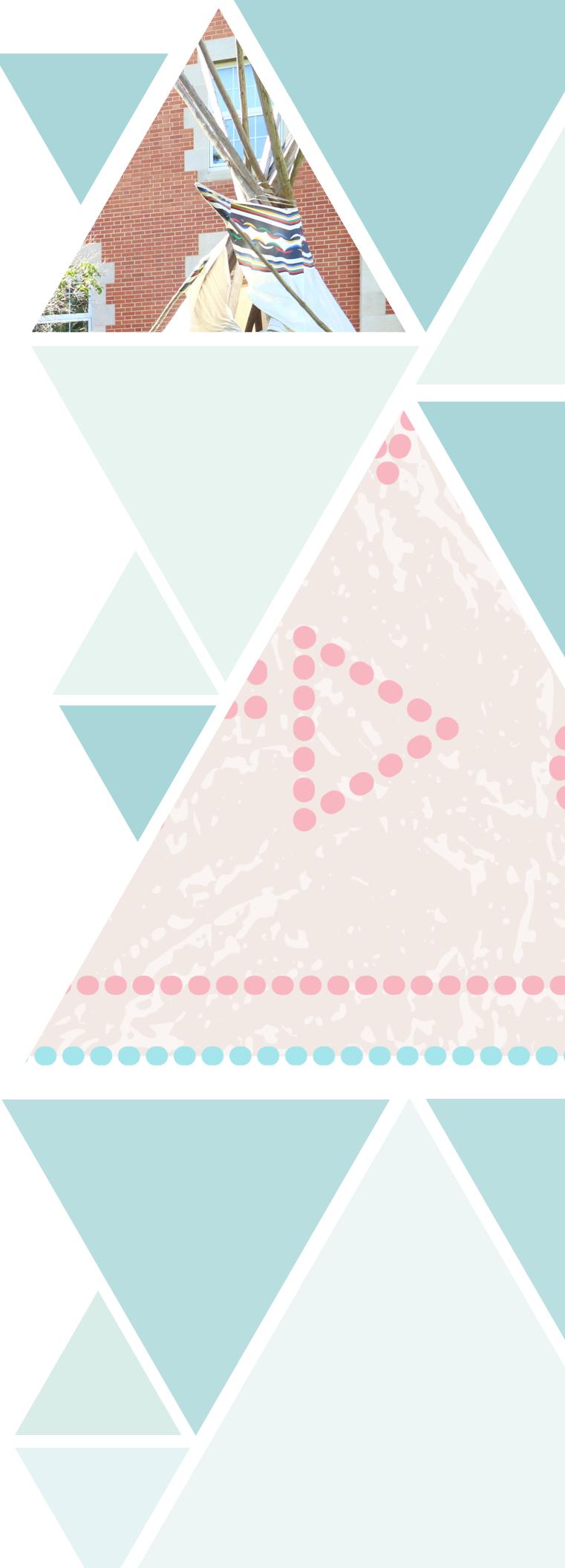


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It is not legal advice or a legal opinion.



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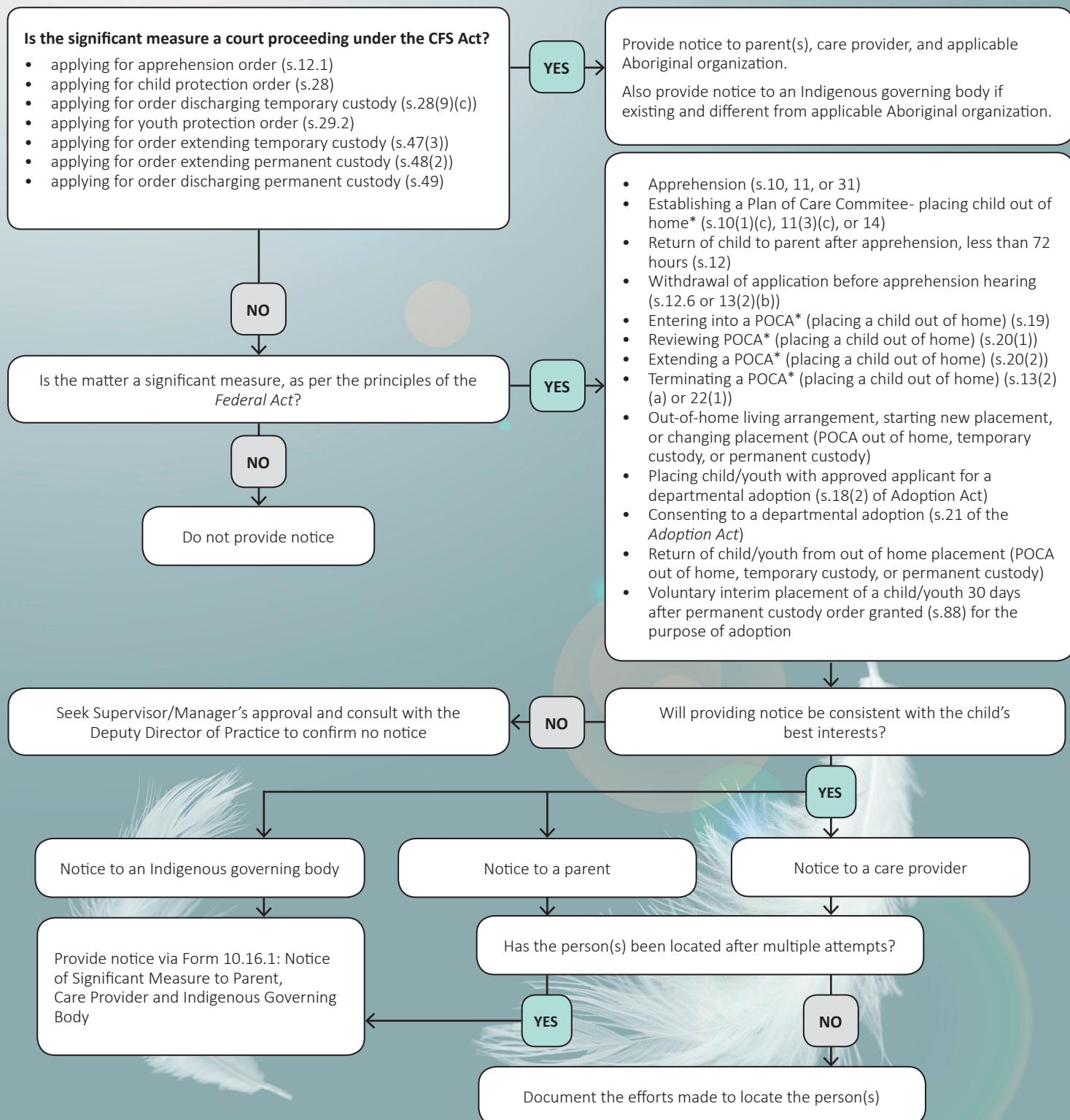
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Tool 10.16.1

Notice of Significant Measures Flowchart

Requirement to provide notice before taking a significant measure in relation to an Indigenous child or youth





Section 10 Administration

Tool 10.16.2

Significant Measures Notice Schedule

The purpose of the notice is to provide those affected by the proposed significant measure with an opportunity to have their views considered **before** taking the measure. Notice must be provided unless it is not in the best interests of the child/youth.

How Notice is Provided

Prior to taking a significant measure, complete **Form 10.16.1: Notice of Significant Measure to Parent, Care Provider, and Indigenous Governing Body**. Use this form for both court proceedings and non-court significant measures.

Court Proceedings

Where the Indigenous governing body (IGB) and the applicable Aboriginal organization (AAO) are the same, you must serve a certified copy of the originating notice/notice of motion, as well as a copy of **Form 10.16.1**.

If the Indigenous governing body and the applicable Aboriginal organization are not the same, serve a certified copy of the originating notice/notice of motion to the applicable Aboriginal organization. The **Form 10.16.1** is not required.

Where notice is required under the **CFS Act**, a court order under **s.83** is necessary to dispense with the requirement notice.

Best Interests of Child/Youth

Instances may exist where providing notice prior to taking a significant measure is not in the child/youth's best interest. In these cases, the Supervisor/Manager and Deputy Director of Practice (DDP) must be consulted and the reason for the decision to delay notice or deviate from the approved notification process must be clearly documented.

These instances may include but are not limited to:

- Where the child/youth's safety is at imminent risk and providing notification would compromise the safety of the child/youth, i.e., upon receiving a child protection report which requires an immediate child protection intervention. In this case, the notice of the significant measure must be provided as soon as possible after the significant measure has been taken.
- The person who will be provided notice of significant measure is involved in an alleged offence against the child, youth, or family and serving this person would compromise the safety of the child, youth, or family. In this situation, alternative methods of notification must be used such as notifying an alternate person.

There may be times a child/youth or family does not want a person or Indigenous governing body to be notified. However, the Child Protection Worker/Designate must provide notice of a significant measure to the parent(s)/care provider(s) and the Indigenous governing body/bodies to fulfill legislated responsibilities under the **Federal Act**.



Section 10 Administration

Tool 10.16.2

Notice Period

A default guideline of 10 days minimum is recommended for most significant measures. In urgent circumstances, the notice period is determined in consultation with a Manager/Supervisor.

X = current notice requirements under CFS Act

0 = notice requirements under Federal Act

Significant Measure (section of CFS Act)	Notice provided to the following persons before taking significant measure				Notice period
	Court proceedings	Parent(s)	Care provider	Applicable Aboriginal organization	
Indigenous Governing Body (IGB)	Notice period, as required under CFS Act				
Application to confirm an apprehension, otherwise known as an application for an apprehension order Section: 12.1	XO	XO	X	0	4 days
Application for a child protection order (a declaration that the child is in need of protection and a supervision, temporary custody, or permanent custody order) Section: 28	XO	XO	X	0	10 days
Application for a youth protection order (a declaration that the youth is in need of protection and a temporary custody or permanent custody order) Section: 29.2	XO	XO	X	0	10 days
Application for an extension of a child/youth temporary custody order Section: 47(3)	XO	XO	X	0	10 days
Application for an extension of a child/youth permanent custody order Section: 48(2)	XO	XO	X	0	10 days



Section 10 Administration

Tool 10.16.2

Application to discharge a child/youth temporary custody order Section: 28(9)(c)	XO	XO	X	0	10 days
Application to discharge child/youth permanent custody order Section: 49	XO	XO	X	0	10 days
Non-court proceedings	Parent(s)	Care provider (if having care of child)	Applicable Aboriginal organization	Indigenous Governing Body (IGB)	Notice period, as required under CFS Act and CFS Standards
Establishing a Plan of Care Committee- placing child out of home Sections: 10(1)(c), 11(3)(c), or 14	XO (unless part of the Committee)	0	N/A	0	Default 10 day minimum
Entering into a Plan of Care Agreement-placing child out of home Sections: 19	0 (unless signing the POCA)	0	N/A	0	Default 10 day minimum
Reviewing a Plan of Care Agreement-placing child out of home Sections: 20(1)	0 (unless signing the POCA)	0	N/A	0	Default 10 day minimum
Extending a Plan of Care Agreement-placing child out of home Sections: 20(2)	0 (unless signing the POCA)	0	N/A	0	Default 10 day minimum
Terminating a Plan of Care Agreement-if child was placed out of home Sections: 13(2)(a)	0 (unless parent terminates POCA)	0	N/A	0	Default 10 day minimum
Apprehension Sections: 10, 11, or 31	0	0	N/A	0	Default 10 day minimum



Section 10 Administration

Tool 10.16.2

Return of a child/youth from an apprehension, less than 72 hours Sections: 12	0	0	N/A	0	24 hour minimum
Withdrawal of application before apprehension hearing Sections: 12.6 or 13(2)(b)	0	0	N/A	0	Default 10 day minimum
Out-of-home living arrangement, starting new placement, or changing placement	0	0	N/A	0	Default 10 day minimum
Return of a child/youth from an out of home placement (POCA out of the home, TCO, PCO)	0	0	N/A	0	Default 10 day minimum
Voluntary interim placement of a child/youth 30 days after Permanent Custody Order is granted (s.88), for the purpose of adoption	0	0	N/A	0	Default 10 day minimum
Placing child/youth with approved applicant for a departmental adoption Section: 18(2) of Adoption Act	0	0	X (consulted if consent provided by parent/child)	0	Default 10 day minimum
Consenting to a departmental adoption Section: 21 of the Adoption Act	0	0	N/A	0	Default 10 day minimum



INFORMATION ON AN ACT RESPECTING FIRST NATIONS, INUIT AND MÉTIS CHILDREN, YOUTH AND FAMILIES (FEDERAL ACT)

Notice to Parent and Care Provider prior to taking a Significant Measure

Before taking a significant measure in regard to a child or youth under your care, the Child Protection Worker or Designate (including Authorized Persons, Supervisors or Managers) must notify you.

The reason why notice is provided is to give you an opportunity to share your views before a Child Protection Worker or Designate takes the measure.

Your views matter. Everything you say will be considered before a significant measure is taken.

We believe you should be involved and participate in the decision and planning for the child and youth.

What is a Significant Measure?

A significant measure is an intervention the Child Protection Worker or Designate takes after making a decision based on information gathered to put in place a plan or course of action for a child under your care.

You will be told exactly what significant measure is being considered for the child or youth in your care when you receive notice.

Examples of significant measures can include:

- a court proceeding;
- an apprehension;
- establishing/entering into/reviewing/extending or terminating a Plan of Care Agreement for a child/youth in an out-of-home living arrangement
- placing a child or youth in an out-of-home living arrangement;
- a child/ youth returning home from an out of home placement, or
- placing a child/youth for an adoption.

Before any measure is taken, you must be notified unless it is not in the child or youth's best interest. Sometimes, a measure must be taken right away for the safety of the child or youth. If this happens, you will be given notice as soon as possible. We will tell you why we could not wait. Your views are still important, and we want to discuss them with you as soon as possible as we work together to plan for the child or youth.

How are you going to give me Notice?

- You will be given a copy of a form that is titled *Notice of Significant measure to Parent, Care Provider, and Indigenous governing body*
- This form tells you what the proposed significant measure is, and how to get into contact with the Child Protection Worker or Designate.
- You will be given this form in person or by fax, registered mail, or email. Sometimes you might be told about the notice verbally, and the form will follow shortly after.
- This form includes information you need to participate in decisions and planning for the child or youth.

Is anyone else given Notice?

- If there is an Indigenous governing body that has informed us that they are acting on behalf of the Indigenous community to which your child or youth identifies with, then they will also be given notice.

What should I do when I receive Notice?

- Contact the Child Protection Worker or Designate if you would like to provide your views. This contact information is on the *Notice of Significant measure to Parent, Care Provider, and Indigenous governing body* form.
- Ask questions—this is your right.
- Let us know what you are concerned about and if you have any suggestions.
- You can ask for help from the Child Protection Worker or Designate, your family, your Indigenous Government, friends, or community members.
- You have the right to access and speak to legal counsel.
- You can ask to have any information or processes explained to you, as well as translated into your language.

If you would like this information in another official language, contact us at 1-855-846-9601.
Si vous voulez ces informations dans une autre langue officielle, téléphonez-nous au 1-855-846-9601.



INFORMATION ON AN ACT RESPECTING FIRST NATIONS, INUIT AND MÉTIS CHILDREN, YOUTH AND FAMILIES (FEDERAL ACT)

Notice to Indigenous Governing Body prior to taking a Significant Measure

Before taking a significant measure in regard to a child or youth, the Child Protection Worker or Designate (including Authorized Persons, Supervisors or Managers) must give notice to the Indigenous governing body.

The reason why notice is provided is to give the Indigenous governing body an opportunity to share their views before a Child Protection Worker or Designate takes the significant measure.

Your views matter. Everything you say will be considered before a significant measure is taken.

We believe you should be involved and participate in the decision and planning for the child and youth.

What is a Significant Measure?

A significant measure is an intervention the Child Protection Worker or Designate takes after making a decision based on information gathered to put in place a plan or course of action for a child or youth. Examples of significant measures can include:

- a court proceeding;
- an apprehension;
- establishing/entering into/reviewing/extending or terminating a Plan of Care Agreement for a child/youth in an out-of-home living arrangement;
- placing a child or youth in an out-of-home living arrangement;
- a child/ youth returning home from an out of home placement, or
- placing a child/youth for an adoption.

You will be told exactly what significant measure is being considered for the child or youth when you receive notice.

Before any measure is taken, the Indigenous governing body must be notified unless it is not in the child or youth's best interest. Sometimes a measure must be taken right away for the safety of the child or youth. If this happens, the Indigenous governing body will be given notice as soon as possible. We will tell you why we could not wait. Your views are still important, and we want to discuss them with you as soon as possible to work together to plan for the child or youth.

How is the notice given?

- The contact person(s) for the Indigenous governing body will be given a copy of a form that is titled *Notice of Significant Measure to Parent, Care Provider, and Indigenous Governing Body*.
- This form tells you what the significant measure is, and how to get into contact with the Child Protection Worker or Designate.
- You will be given this form in person or by fax, registered mail, or email. Sometimes you might be told about the notice verbally, and the form will follow shortly after.
- This form includes information you need to participate in decisions and planning for the child or youth.

Is anyone else given Notice?

- Parents and care providers of the child or youth are given notice.
- Another Indigenous governing body might also be given notice.

What should I do when I receive Notice?

- Contact the Child Protection Worker or Designate, if you would like to share your views. This contact information is on the *Notice of Significant Measure to Parent, Care Provider, and Indigenous Governing Body* form.
- Ask questions—this is your right.
- Let us know what you are concerned about and if you have any suggestions.
- You can ask to have any information or processes explained to you, as well as translated into your language.

If you would like this information in another official language, contact us at 1-855-846-9601.
Si vous voulez ces informations dans une autre langue officielle, téléphonez-nous au 1-855-846-9601.

Child and Family Services Audit Schedule

Legend	1st Audit
	1st Follow up Audit
	2nd Audit
	2nd Follow up Audit
	1st Phase of PC Audit
	2nd Phase of PC Audit
	3rd Phase of PC Audit

2012 AUDIT SCHEDULE

Authority	Community	Timeline
Sahtu	Norman Wells, Deline, Tulita, Colville Lake and Fort Good Hope	November 26-30, 2012

2013 AUDIT SCHEDULE

Authority	Community	Timeline
Tlicho	Behchoko – follow up	February
Dehcho	Fort Simpson, Fort Providence, Wrigley and Fort Liard	March
Beaufort Delta	Inuvik, Paulatuk, Fort McPherson, Tuktoyaktuk	November
Hay River	Hay River	December (TBD)
Permanent Custody	Beaufort Delta HSSA, Sahtu HSSA, Dehcho HSSA, Tlicho	June

Children File Reviews - Phase 1	Community Service Agency, Yellowknife HSSA, Hay River HSSA and Fort Smith HSSA	
Permanent Custody Children File Reviews - Phase 2	Beaufort Delta HSSA, Sahtu HSSA, Dehcho HSSA, Tlicho Community Service Agency, Yellowknife HSSA, Hay River HSSA and Fort Smith HSSA	October
Permanent Custody Children File Reviews - Phase 3	Beaufort Delta HSSA, Sahtu HSSA, Dehcho HSSA, Tlicho Community Service Agency, Yellowknife HSSA, Hay River HSSA and Fort Smith HSSA	December

2014 AUDIT SCHEDULE

Authority	Community	Timeline
Yellowknife	Yellowknife, Fort Resolution and Lutsel K'e	February
Fort Smith	Fort Smith	May
Sahtu	Norman Wells, Deline, Tulita, Colville Lake and Fort Good Hope - 1st follow up	September
Beaufort Delta	Inuvik, Paulatuk, Fort McPherson, Tuktoyaktuk - 1st follow up	November

2015 AUDIT SCHEDULE

Authority	Community	Timeline
Dehcho	Fort Simpson, Fort Providence, Wrigley and Fort	February

	Liard – 1st follow up	
Hay River	Hay River – 1st follow up	May
Yellowknife	Yellowknife, Fort Resolution and Lutsel K'e – 1st follow up	September
Fort Smith	Fort Smith – 1st follow up	November

2016 AUDIT SCHEDULE

Authority	Community	Timeline
Tlicho	Behchoko – 2nd audit	February
Sahtu	Norman Wells, Deline, Tulita, Colville Lake and Fort Good Hope – 2nd audit	May
Beaufort Delta	Inuvik, Paulatuk, Fort McPherson, Tuktoyaktuk – 2nd audit	September
Dehcho	Fort Simpson, Fort Providence, Wrigley and Fort Liard- 2nd audit	November

2017 AUDIT SCHEDULE

Authority	Community	Timeline
Hay River	Hay River- 2nd audit	February

Yellowknife	Yellowknife, Fort Resolution and Lutsel K'e- 2 nd audit	May
Fort Smith	Fort Smith- 2 nd audit	September
Tlicho	Behchoko - 2 nd follow up	November

2018 AUDIT SCHEDULE

Authority	Community	Timeline
Sahtu	Norman Wells, Deline, Tulita, Colville Lake and Fort Good Hope - 2 nd follow up	February
Beaufort Delta	Inuvik, Paulatuk, Fort McPherson, Tuktoyaktuk - 2 nd follow up	May
Dehcho	Fort Simpson, Fort Providence, Wrigley and Fort Liard- 2 nd follow up	September
Hay River	Hay River- 2 nd follow up	November

2019 AUDIT SCHEDULE

Authority	Community	Timeline
Yellowknife	Yellowknife, Fort Resolution and Lutsel K'e- 2 nd follow up	February
Fort Smith	Fort Smith- 2 nd follow up	May

Child Protection Worker Safety Guide

Safety Principles

Child Protection Workers must often perform site visits as part of their child protection related duties. In conducting any site visit, the primary consideration must be the safety of all parties involved.

Safety is a shared responsibility between the employer and the employee and must be considered as an integral part of any case management system. Further, it must be understood that due to the nature of the social work profession, individuals performing site visits are exposed to an element of risk that is inherent in the profession and this risk cannot be entirely eliminated.

In the interest of promoting Child Protection Workers' safety during site visits, the following best practice principles have been established.

Child Protection Workers should not knowingly put their personal safety at risk.

If Child Protection Workers have reason to believe that their personal safety may be compromised, they have the right and the responsibility to withdraw from the situation, to contact their Supervisor for consultation and to arrange for additional support that will allow the site visit to be completed safely.

Child Protection Workers must have the ability for two-way communication with their Supervisor or Designated Contact Person at all times when conducting site visits. They must check in with their Supervisor or Designated Contact Person at predetermined times when conducting site visits.

Supervisors must be aware of the location and approximate times that staff will be performing site visits, as well as the time they expect to return to the office or their home. The Child Protection Workers must provide this information to their Supervisors or Designated Contact Person.

If a Child Protection Worker fails to check in at a predetermined time, a missed check-in procedure must be activated.

Knowledge and awareness of clients' background, risk factors and living conditions are of critical importance and must be assessed by Child Protection Workers on an ongoing basis.

1. Child Protection Worker Safety Assessment

General Overview:

The Child Protection Worker Safety Assessment is designed to serve as a guide for Child Protection Workers that allows them to gauge the level of threat a particular site visit represents to personal safety. It supports and focuses the conversation between the Child Protection Worker and Supervisor in relation to:

- Whether or not the site visit should be undertaken;
- Under what circumstances the site visit should occur; and
- The potential need for additional staff or RCMP assistance in conducting the visit.

The threat level involved in a particular site visit will vary from visit to visit. Therefore, in order for the visit to be effective an assessment must be completed for each individual site visit.

Form Sections:

Section 1 - Consists of information that identifies the client's name and location of the site visit. The provision of this information ensures that the name of the client and the exact location of the site visit are clearly established, understood and readily available.

Section 2 - Consists of a series of questions which when answered, will determine the level of risk involved in a specific site visit. Using this information, the Child Protection Worker and Supervisor must decide if the visit should take place, under what circumstances, and if there is a need for additional staff or RCMP in conducting the visit. The greater the number of indicators present, the greater the likelihood that the site visit represents a high-risk situation. For example, a situation in which a Child Protection Worker that has been previously physically assaulted by a client must then go into that client's home to apprehend a child from that home represents a much greater threat to that Child Protection Worker's safety than the threat to the Child Protection Worker completing a visit involving an adoption home-study. If answers to any questions on the Child Protection Worker Safety Assessment are unknown, the responses to these questions should be treated as "yes" until the information necessary to complete these questions is available.

Section 3 - Records the decision by the Child Protection Worker to conduct the site visit or, in the case of risk factors being present, to consult with the Supervisor.

Section 4 - Records the decision to conduct the site visit or the results of the consultation with the Supervisor regarding whether the site visit should take place and under what circumstances.

2. Safe Attire

When conducting site visits, there is an expectation that Child Protection Workers wear appropriate clothing that will not hinder or impede personal safety. Child Protection Workers must be aware of the risks associated with individual clients, the environments in which they function at all times and ensure that their attire does not represent a safety concern (e.g. unstable footwear, long necklaces).

The following standards for site visits are recommended:

- Shoes should be low-heeled, stable and comfortable;
- Clothing and footwear should be appropriate for the weather; and
- Purses, laptops or heavy cases should not be carried.

3. Identification Cards

All Child Protection Workers will be provided with and must carry on their person an identification card that readily identifies them as such. The Director of Child and Family Services will issue this identification upon appointment as a Child Protection Worker. The identification card will at a minimum:

- Be made of plastic.
- Bear the official logo and colors of the GNWT.
- Bear the cardholders picture.
- Bear the cardholders name, date of birth and appointment number.
- Bear the signature of the Director of Children and Family Services.
- Declare authority as per section 54 of the *Child and Family Services Act*.

4. Call-Back Procedures

Child Protection Workers are often required to perform site visits after normal working hours. A call-back is any occasion when a worker is required to perform a site visit (i.e. investigation) outside of regular office hours. During after-hours calls Child Protection Workers continue to be responsible for following all site visit and sign in/out procedures with the following two modifications:

- Child Protection Workers will provide the Sign In/Out Form information over the phone to the Designated Contact Person.
- Child Protection Workers will notify the Designated Contact Person when s/he has arrived back at their home at the end of a call-out.

5. Site Visit Sign In/Out Form

Instructions:

Child Protection Worker Responsibilities:

- Give the completed form to the Designated Contact Person (DCP) prior to commencing the site visit.

Contacting the DCP to advise them:

- If s/he is experiencing any difficulties and requires assistance;
- Any change to the expected arrival time for any community visit;
- Any changes in the order of visits as listed on the form.
- If a site visit is likely to extend beyond the estimated length of time. The CPW must, within 15 minutes of the expected completion time for the visit, contact the DCP to advise of the delay and to update a revised estimate completion time.
- If a site visit is completed prior to the expected length of time for the visit as listed on the form, the CPW must contact the DCP to advise of the actual completion time and whether s/he is returning to the office or is proceeding to the next visit.

Designated Contact Person Responsibilities:

- Maintain contact with CPW conducting site visits;
- Note any schedule changes on the copy of the form in their possession.
- Ensure all CPW's have returned to the office/home at the end of the working day;
- Inform management if CPW's are still conducting site visits past the end of the normal working day.
- If a CPW has not contacted the designated contact person within **15 minutes past the estimated completion time** for a site visit, the designated contact person must:
 - Immediately contact the CPW; and
 - If not able to reach the CPW, activate the Authorities' Emergency Protocol for a CPW Missing in the Field.
- All Child Protection Worker Safety Plan Sign In/Out Forms must be kept for audit purposes.

6. Mandatory Reporting of All Safety Incidents

The Child Protection Worker Safety Standards do not supersede the Northwest Territories Workers' Safety and Compensation Commission legislation which dictates that:

- Any incident that occurs on the job which results in a worker sustaining an actual injury (such as a Child Protection Worker cutting their hand after being pushed into a glass door by a client) must be reported to the Workers' Safety and Compensation Commission within 24 hours of the incident.
- Any incident that occurs on the job that may result in a potential injury (such as a Child Protection Worker being pushed into a door frame by a client) must be reported to the Workers' Safety and Compensation Commission within 72 hours of the incident.
- Any incident that occurs on the job where the Child Protection Worker feels endangers their safety but has not resulted in an actual or potential injury should be reported to the Workers' Safety and Compensation Commission.

Child Protection Worker Safety Incident Report Sections:

The Child Protection Worker Safety Incident Report is designed to record and gather the information reported by a Child Protection Worker when an incident, which they feel, has endangered their safety has occurred. The Child Protection Worker who is reporting the safety incident is to complete sections one (1) and two (2) and the Supervisor who conducts the verbal debriefing should complete sections three (3).

Section 1 - Information concerning the reported safety incident including: The name of the Child Protection Worker reporting the safety incident, date the safety incident occurred, type of incident including a space to record any information regarding a safety incident that is not listed.

Section 2 – Child Protection Worker's comments and signature.

Section 3 - The Supervisor who conducted the verbal debriefing of the safety incident with the Child Protection Worker is to record the date the debriefing was conducted, their comments concerning the reported safety incident and/or any issues arising from the verbal debriefing. As well as the date this form was sent to the Chief Executive Officer of the Health and Social Services Authority.

Child Protection Worker Safety Incidents - Monthly Summary Sections:

The purpose of this form is to report to the Director of Child and Family Services on a monthly basis the number and type of safety incidents Child Protection Workers are reporting in the performance of their duties. This information is required to:

- Ensure the Director of Child and Family Services is aware of the number and type of safety incidents being reported by Child Protection Workers in the performance of their duties.
- Provide the information necessary to analyze and identify any new emerging threats to Child Protection Workers' safety as they occur.
- Provide the information necessary to modify the Child Protection Worker safety system to address emerging threats in a timely manner.
- Provide the information necessary to determine if the Child Protection Worker safety system has been effective over time.

Section 1 - The information in this block provides identifying information such as the name of the reporter, the office reporting, the date of the report, and the month of the report. It also reports the type and number of safety incidents reported during each calendar month.

Section 2 - The purpose of the information in this block is to report what action was taken to remedy the incident.

Section 3 - Information in this block provides the Chief Executive Officer with the space necessary to make any comments and identify what remedial action has been taken in relationship to the reported safety incidents occurring in their region.

4. Emergency Protocol Guidelines

Each Authority must establish a protocol for when a Child Protection Worker is deemed to be missing in the field.

A Child Protection Worker is considered, for the purposes of these standards, to be missing in the field if they have:

- not contacted the Designated Contact Person within 15 minutes after the estimated completion time of their last site visit; or
- the Designated Contact Person's attempt to contact the Child Protection Worker has failed.

The emergency protocol must at a minimum:

- ascertain the Child Protection Worker's whereabouts and status as quickly as possible; and

- obtain the appropriate assistance as quickly as possible in the event that they are injured and/or require assistance.

The resources necessary to accomplish these tasks will vary greatly from authority to authority and community to community. Consequently, such guidelines must be constructed at the authority level by personnel who are familiar with the communities and clients, as well as individuals or organizations in their area who can assist in ascertaining the Child Protection Worker's whereabouts and status.

This Guide is based on the work of the Worker Safety Group 2007.

Children's Special Allowances and Child Tax Benefit

The Child Protection Worker fills out an application for the Children's Special Allowances from the federal government for every child and/or youth who comes into the temporary or permanent custody and care of the Director of Child and Family Services within 30 days.

The form is not completed when a child has a Voluntary Support and Services Agreement, Plan of Care Agreement or Supervision Order in effect.

After the form is completed by the Child Protection Worker it is submitted to the Department of Health and Social Services Records Management Coordinator for signature and processing.

The Child Tax Benefit Section of the *Income Tax Act* provides a benefit to the person who is legally primarily responsible for the care and upbringing of a child under the age of 18. This may be the parent or other guardian that is responsible for the child's care.

When a child/youth becomes in the temporary or permanent custody of the Director of Child and Family Service, you need to advise the parent or other guardian that:

- The Government of the NWT, will be applying for the Children's Special Allowance, using Revenue Canada Form RC64E, and will be paid to the Department of Health and Social Services when the child comes into care (*CSA Act*, s.3, c.48); and
- That the parent is no longer eligible to receive the Child Tax Credit Benefit (Canada Child Benefit as of July 1, 2016) for the child beginning the first day of the month following the child's coming into the care of the Director. Revenue Canada may require the parent and/or guardian to return any money received under the Child Tax Benefit after that date (*CSA Act*, s.9, c.48; s. 122.6 and 122.64(4) of the *Income Tax Act*), and;
- That when the child/youth is returned to the legal parent(s) or guardian(s) custody and care, they must apply for reinstatement of the Canada Child Benefit using Revenue Canada Form RC66. *You may need to assist the parent or guardian in applying for reinstatement of the Child Tax Benefit.

If a child is placed with an Adoption home, the Children's Special Allowance continues to August 8, 2016

be collected by the Department until the actual Adoption occurs. The CPW will cancel the Children's Special Allowance effective one (1) day prior to the date that the Adoption Order was granted and in turn, the Adoptive parent(s) would apply for the Canada Children's Benefit (CCB) effective the date of the Adoption Order. The Adoptive parent(s) could still receive additional financial support through an Adoption Subsidy Agreement in the interim until the Adoption occurs.

Payment of the Children's Special Allowance will begin the month after the application was received. If the Children's Special Allowances form was not prepared in a timely manner, the Department of Health and Social Services will be entitled to receive the Children's Special Allowance before the date the application was received. In essence, the Children's Special Allowance will be backdated to the time when the Allowance would first have been payable up to 11 months preceding the application (CSA Act, s.4(2), c.48).

For example, if the child came into the Director's custody on June 23, 2015, and you submitted an application form to the Department of Health and Social Services on September 10, 2015, the Department would have been entitled to receive the Special Allowance for the month of July 2015 and therefore, the Allowance would be backdated to July 1, 2015.

This condition also applies when cancelling the Children's Special Allowance when the child is returned to the legal primary caregiver's care. Again, if the Children's Special Allowance is not cancelled in a timely manner, the benefit to the legal primary caregiver would also be backdated.

Request for Information Contained in a Child and Family Services File

To request for information contained within a child and family services file, the request form must be completed by individuals wanting to access information.

The completion of this form allows the Director of Child and Family Services to disclose information under the *Child and Family Services Act*.

The form specifies the type of records to be released, the individual who the records pertain to and to whom the records can be released.

There is no fee required for individuals wishing to have an information request processed.

To obtain your records, you must:

1. Contact your local Health and Social Services Authority or the Department's Territorial Social Programs Division to obtain a Request for Information Contained in a Child and Family Services File form.
2. Fill out the form with as much detail as possible in regards to the kind of information that you are seeking. The information request process may be delayed if all required information is not provided on the form.
3. Sign and date the form and have a witness verify your signature.
4. Provide photocopies of two pieces of your identification (birth certificate, driver's licence, etc.). The copies will not be returned to you.
5. Mail or fax the form to:

**Records Management Coordinator
Territorial Social Programs
Department of Health and Social Services
Government of the Northwest Territories
Centre Square Tower-6th Floor
P.O. Box 1320
Yellowknife, NT X1A 2L9
Fax: (867) 873-7706**

6. Advise the Department of any changes to your name, address or phone information so that the Records Management Coordinator is able to contact you for more information, if required, and is able to send you information that is to be released.

7. If you have any questions, please contact the Records Management Coordinator at (867) 920-6276.