

Alberta Children and Youth Services

Response to the Office of the Child and Youth Advocate

Annual Report 2009/2010

The Office of the Child and Youth Advocate (OCYA) plays an essential role in the identification and resolution of systemic issues. The Ministry and the OCYA work collaboratively to resolve issues, resulting in the improvement of services for children, youth and families.

New Systemic Issues for 2009/2010

Signing of Agreements by Young People with Impaired Capacity

The Advocate expresses concerns that young people, particularly those aged 18-22, are entering into agreements for support and financial assistance without being thoroughly assessed to determine their competency to negotiate services for themselves, their capacity to understand the terms and conditions of the agreement they are entering into, or their ability to make informed decisions.

Advocate's Recommendation

- ❖ *Develop clear policy direction to address situations where a young person over 18 years of age is not competent to enter into an agreement, but still requires services.*
- ❖ *Discuss the issue at the Provincial Enhancement Table.*

Ministry Response

Young people must understand what it means when they enter into an agreement with the Ministry, and that caseworkers assess not only the capacity of the young person to do so, but are prepared to establish links to appropriate adult services and supports.

Status

Policy requiring the caseworker to determine if the young person aged 18-22 has the capacity to understand the agreement that he or she is potentially entering into will be finalized in Spring 2011. Current policy directs caseworkers to explore available and appropriate adult services.

The policy change will be discussed with Child and Family Services Authority and Delegated First Nations Agency staff at the Provincial Enhancement Table.

Insufficient Use of Historical File Information to Inform Decision-Making

The Advocate expresses concerns that information about a child or youth may be overlooked in the decision-making process because some information may not be easily locatable due to the volume of information and because information is kept in both paper and electronic records.

Advocate's Recommendation

- ❖ *Determine how to identify and bring forward historical health, educational and family/placement information on case files to make it more available to caseworkers.*

Ministry Response

It is important that staff have easy access to as much information as possible to inform their decision-making. Current policy requires caseworkers to review both paper and electronic files when conducting assessments or a key decision point.

Status

Child Youth Information Module, the current electronic database used within the Ministry, provides concise information summaries for placement. The Ministry is looking at technology and other options to bring forward historical information to assist staff. Intervention Services Information System, a database currently under development, will provide more efficient access to historical information.

Systemic Issues from 2008/2009

Systemic issues are complex by definition and strategies to resolve them involve careful planning over time to effect substantive and positive change. The Ministry is working collaboratively with the Office of the Child and Youth Advocate (OCYA) in addressing recommendations outstanding from the 2008/2009 Annual Report. The Advocate reports that no progress has been made regarding three of the issues from 2008/2009; the Ministry has a different perspective on the rate of progress. The fact that a concern is raised in consecutive annual reports does not mean that progress has not been made.

Kinship Care Placements

The Advocate expresses concerns regarding non-compliance with existing policy about the approval and ongoing support of kinship care homes.

Advocate's Recommendation

- ❖ *Re-write policy to include the recommendations of the Kinship Care Report.*
- ❖ *Improve the monitoring of compliance to policy regarding recruitment, selection, training and ongoing support of kinship care homes.*

Ministry Response

Kinship care is a valuable form of family-based care for children. Careful monitoring of placements and the provision of a broad range of supports to caregivers are necessary to meet the needs of children and caregivers and ensure the safety and well-being of our children.

Status

All five recommendations of the Kinship Care Report were accepted by the Ministry. Discussions have occurred with field staff regarding the Kinship Care Report and revised policy will be finalized in the Spring 2011 in response to three of the recommendations. In response to the other two recommendations, training for kinship care providers is being piloted and cross-Ministry consultations regarding risk assessments are underway. For more information regarding the Kinship Care Report, visit www.child.alberta.ca/home/595.cfm.

Restrictive Procedures and Intrusive Measures

The Advocate expresses concerns about the use of restrictive procedures and intrusive procedures and reiterates the recommendations made in his 2008/2009 Annual Report.

Advocate's Recommendation

- ❖ *Train and support service providers in the use of the least restrictive or intrusive means of managing young people in their care.*
- ❖ *Develop a policy framework that defines the terms "restrictive procedures" and "intrusive measures," provides direction that considers alternatives to restrictive procedures and intrusive measures and addresses a system of accountability.*

Ministry Response

The inappropriate use of restrictive procedures is unacceptable and clear direction for acceptable practice in the area is provided to staff working in group care settings. The Residential Facilities Licensing Regulation addresses the use of restrictive procedures; current policy supports the Regulation and provides additional direction to staff.

Status

The Ministry is working collaboratively with the Advocate's Office on this issue. A cross-jurisdictional review of practice in this area is underway. Current policy is being strengthened to clarify terminology and provide direction in best practice regarding restrictive procedures and intrusive measures. The policies will be finalized in Spring 2011, followed by implementation and training.

Young People with Complex Needs

The Advocate expresses concerns that the Children and Youth with Complex Needs initiative is not working effectively for young people in care who have complex and special needs.

Advocate's Recommendation

- ❖ *Undertake a comprehensive review of the Children and Youth with Complex Needs process.*

Ministry Response

The Children and Youth with Complex Needs (CYCN) initiative, led by Education, focuses on collaborative planning and service co-ordination for children and youth who require significant services and supports from more than one Ministry due to the unique nature and severity of their needs.

Status

The Ministry continues to work collaboratively with its partnering Ministries (Education and Health and Wellness) in supporting and promoting this initiative and improving data collection. The initiative offers a single point of entry for children and families, including children in care, to access co-ordinated services from multiple Ministries. The Ministry also supports other initiatives aimed at providing collaborative services to children and youth with complex needs, such as Success in School for Children and Youth in Care and Setting the Direction.

Recent evaluation results of phase three of the Success in School initiative are positive, supporting the decision to move ahead with a phased implementation of the initiative across Alberta in the 2010/2011 school year.

Investigation of Abuse Allegations against Staff of Government-Run Residential Facilities:

The Advocate expresses concerns about inconsistency in practice around the investigation of allegations of maltreatment of a child in care made against staff in government-run facilities.

Advocate's Recommendation

- ❖ *Develop policy to identify and address the special considerations that need to be made in the investigation process when allegations of abuse are made against employees in a government-run facility.*

Ministry Response

Reports of the mistreatment of a child or youth in care are taken seriously and dealt with immediately. Policy in this area is frequently reviewed to ensure that it reflects current best practices.

Status

The policy regarding the investigation of placement resources was revised to provide increased clarity about the process when investigating an allegation of abuse of a child in care across the range of approved placements. The changes to the policy were communicated to staff provincially through video conference in January 2010. Further revisions to policy specific to government-owned and operated facilities will be finalized in Spring 2011. The Human Resources policies related to this issue were also reviewed in Fall 2009 and determined to be sufficiently clear.