

SECTION 1 INTRODUCTION

1.1 Introduction

The intent of this manual is to provide a consistent quality of care to all children who are placed outside of their parent's home by a children's services agency in Nova Scotia. Children in care of agencies have the same rights regardless of the nature of their care status. Most policies and procedures outlined here apply to all children in care. However, some special conditions may exist for children in permanent care or for children in care by agreement with their parents. These are noted as they apply throughout the manual.

Organization of This Manual

This manual outlines the legislative requirements, standards, policies, and procedures currently in place for working with children in the care of children's services agencies in Nova Scotia. Children's Aid Societies, Family and Children's Services agencies, and district offices will be referred to as "agencies" throughout the manual. It is intended for use by staff responsible for children in care. The manual is organized by section for easy reference. The rights of children are included at the beginning to emphasize that all of our work must be directed by respect for the rights of children in our care.

This manual is organized in chronological order from the time a child comes into care until the time a child exits care. Particular sections such as "Section 4: Religion, Language, Race, and Culture" and Section 7: Special Circumstances" may apply at different points in the child's involvement with the child welfare system. Each of the sections and subsections are numbered and the table of contents outlines where specific areas are covered.

Each section is set out so that the standard that applies to an area of practice is outlined first. Essential definitions and guiding principles may be included to clarify the standard. The procedures that should be followed in carrying out the standard are included directly following the standard to which they apply.

Where possible, the manual provides direction on the criteria that should be considered in making decisions. Work with children in care is complex and calls for considerable initiative and judgement on the part of the social worker. The contents of this manual are not intended to replace the professional judgement of a social worker nor to diminish the responsibility to consult with the appropriate supervisor as unique situations arise.

The *Manual of Standards, Policies, and Procedures for Children in Care and Custody of the Minister*, hereinafter referred to as the manual, contains the current standards, policies, and procedures approved by the Department of Community Services for children in care of agencies across the province. It should be updated regularly when changes in standards, policies, or procedures are approved.

A Children in Care Standard or Policy Issue form is included in the appendix of this section for the purpose of identifying issues which arise that are either not addressed in the standards or policies or are not adequately addressed to ensure appropriate and consistent treatment of children in care.

The form should be completed by the social worker and reviewed by the Supervisor in situations where a standard or policy may need to be developed or reviewed. The client's name should not be included. The completed form should be forwarded to the Executive Director/District Manager who will ensure that they are forwarded to the Manager of Adoption and Children in Care. A copy of the form should be provided to the Regional Child Welfare Specialist.

Standard 1.1(a)

Every Family and Children's Service agency having responsibility for children committed to its care must have a copy of this manual accessible to all staff who are responsible for the supervision of children in care.

Procedures

- Every social worker responsible for children in care should be familiar with the contents of this manual and be able to reference the manual when procedural questions arise.
- The Department of Community Services, Family and Children's Services Division, is responsible for forwarding updates and changes to this manual to each agency in the province.

1.2 Caseload

It is recommended that services to children in care, particularly those in long-term care, be provided by social workers with caseloads dedicated specifically to this program area. It is recognized that many smaller agencies will require social workers to provide both protection and children in care services.

Procedures

- The casework supervisor is responsible for regular review of the caseload of all social workers under their supervision.

- A supervisor should, in assigning cases, consider the intensity of involvement with the child and attempt to achieve balance in high, medium, and low involvement. Some factors to consider include:
 - court involvements
 - amount of contact with birth family
 - issues of access, including siblings in care and others
 - special needs of the child
 - stability of placement
 - the comprehensive plan of care for the child and immediacy of critical moves and/or decisions
 - patterns of social worker involvement with this child
 - amount of social worker contact with caregiver
 - amount of direct social worker involvement with collateral agencies (school, therapist, etc.)

1.3 Supervision

Children in care social workers are professional social workers who require regular access to appropriate supervision to assist them in managing their cases and maintaining their professional skills.

The standards listed in “Training for Supervisors, Caseload Evaluation, and Supervision” in the *Child Protection Services* manual apply equally to supervision of children in care social workers. All supervisors should be provided with ongoing training in supervision skills and up-to-date knowledge of child welfare issues to assist staff in providing quality services to clients and to support staff in their work.

Standard 1.3(a)

Every child in care caseload must be evaluated every 60 days by means of a supervision process to review the list of cases, status, and workload involved.

Standard 1.3(b)

The supervisor must meet at regular specified intervals a minimum of two hours a month with the child in care worker and focus on a review of cases in accordance with standards. This supervision time needs to be planned and prepared for by both parties. However, exceptions for emergency situations will be made so that a supervisor will be available at all times.

Standard 1.3(c)

In regular supervision, the provision of services and/or the comprehensive plan of care for each child in care must be reviewed once every 90 days.

Procedures

- Newer social workers will require a greater amount of supervisor contact and the supervisor will make sure there is a level of support that matches the experience and needs of the social worker.

1.4 Rights of Children in Care

Legislation

The preamble to the *Act*, contains important principles that are the foundation for the rights of children in care:

- Children have basic rights and fundamental freedoms no less than those of adults and a right to special safeguards and assistance in the preservation of those rights and freedoms.
- Children are entitled, to the extent they are capable of understanding, to be informed of their rights and freedoms. They are entitled to be heard in the course of and to participate in the processes that lead to decisions that affect them.
- When it is necessary to remove children from the care and supervision of the parents or guardians, they should be provided for, as nearly as possible, as if they were under the care and protection of wise and conscientious parents.
- The preservation of a child's religious, linguistic, racial, and cultural heritage promotes healthy development of the child.

The Department has endorsed the following rights for children in care:

- to be placed in a home of their own religion, language, race, and culture, if possible
- to participate in making plans for their care
- to be told what their rights are and to complain if they think they are being treated unfairly
- to have their own lawyer or guardian *ad litem* as appropriate in court proceedings if they request it and if the judge decides it is in their best interest
- to be cared for in a kind, wise, and thoughtful manner
- to visit regularly and in private with their family, relatives, and friends unless their situation suggests that this may be harmful

- to be placed with brothers and sisters whenever possible
- where the brothers and sisters must be separated the agency shall take steps to actively preserve their relationship
- to review, sign, and receive a copy of their temporary care and custody agreement if they are over 12
- to be told about and to attend court hearings that concern them if they are over 12, unless the judge feels it would not be in their best interest

While in placement approved by the agency, children in care are also entitled to the following rights:

- to be informed of the rules, discipline, and their responsibilities when they first go to a placement and any changes that may occur while in care
- to appropriate discipline and no physical punishment (note: sometimes physical restraining may have to be used if the child is hurting themselves, hurting others, destroying household property or another's belongings, or out of control and the child or other people in the house are at risk; persons using physical restraint must have appropriate training to do so)
- to necessary medical, dental, and eye care
- to an education that is suitable for them
- to wholesome, well-balanced meals
- to suitable clothing
- to reasonable privacy
- to take part in recreational, athletic, and social activities that are suitable for them
- to have some of their personal possessions with them
- to have regular visits with their social worker and to speak to them in private
- to practise their own religion
- to send and receive mail that hasn't been opened by others, unless their situation suggests that this may be harmful to them

Standard 1.4(a)

The social worker responsible for the child must inform each child in care of their rights as soon as possible after the child comes into care. This must be documented in the case recording.

Standard 1.4(b)

Foster parents and other caregivers must also be informed about the rights of children in care. This must be documented in the case recording.

Standard 1.4(c)

The social worker must provide each child in care with a copy of the booklet *Your Rights and Responsibilities While You Are In Care* to the child within the first month of placement.

Procedures

- When a social worker becomes aware of a situation where the rights of a child are not being respected, they will immediately notify the supervisor, executive director, or district manager of their agency.
- The social worker should explain to the child that they have a right to complain about services or treatment while they are in care and provide the child with a copy of the agency complaint brochure on request, as well as a copy of the booklet *Your Rights and Responsibilities While You Are In Care*.

1.4.1 _____ When a Child Has a Complaint

Children in care have the right to complain about the services they receive from an agency and to have their complaints heard. When a child in care complains to a caregiver or an agency social worker, every effort must be made to address the concern raised by the child. The child should be made aware of the agency complaint procedure and provided with a copy of the brochure. It is the social worker's responsibility to explain the complaint procedure and make sure that the child understands that they have the right to have their concern raised beyond the level of their social worker if they are not satisfied that the matter has been resolved. All complaints must be documented in compliance with provincial protocol.

In some instances, the child's complaint may suggest that they have suffered abuse or neglect in a foster home or residential child-caring facility. If the child complains of abuse or neglect, the appropriate protocol procedures must be followed in dealing with this matter.

Where the child's complaints concern the services being provided in the licensed residential child-caring facility where they reside, the residential child-caring facilities complaint process should apply. Copies of the complaint process can be obtained from the children's agency or the facility.

If a child in care is over 16 years of age, the protocols for the investigation of allegations of abuse/neglect in foster care and residential child care facilities do not apply. The youth should be advised to contact the police to file a complaint.

The caregiver/child's caseworker should offer support in contacting the police. Where medical intervention or counselling is required by the youth, the caregiver/child's caseworker will provide the necessary support and referrals.

**SECTION 1
APPENDIX**

1. Children in Care Standard or Policy Issue form

CHILDREN IN CARE STANDARD OR POLICY ISSUE

REGION _____

DATE _____

AGENCY _____

CLIENT SITUATION

STANDARD OR POLICY

DECISION

RECOMMENDATION FOR CHANGE

SECTION 1 REFERENCE MATERIAL

1. Section 10 of the *Child Protection Services Policy Manual* (Department of Community Services) contains a description of the role and Function of Social Work Supervision in Child Welfare.
- 1(a) Section 4.0 of the *Child Protection Services Policy Manual* (Department of Community Services) outlines the standards and guidelines for Section 17 and Section 18 Agreements.
2. Booklet: “Your Rights and Responsibilities While You are in Care” (Department of Community Services).
3. Agency Complaint Process Brochure “When you Disagree ...”.
4. Section 4 - *Child Protection Services Policy Manual* (Department of Community Services) “Temporary and Special Needs Agreements”.
5. *Case Management System Manual* - Section II.
6. *Child Protection Services Policy Manual* - Social History.
7. Protocol for Investigating Allegations of Abuse and Neglect in Foster Care.
8. Protocol for Investigation of Allegations of Abuse and Neglect in Residential Facilities.

SECTION 1 INTRODUCTION

Summary of Standards For Introduction

- 1.1(a) Every Family and Children’s Services agency having responsibility for children committed to its care must have a copy of this manual accessible to all staff who are responsible for the supervision of children in care.
- 1.3(a) Every child in care caseload must be evaluated every 60 days by means of a supervision process to review the list of cases, status, and workload involved.
- 1.3(b) The supervisor must meet at regular specified intervals a minimum of two hours a month with the child in care worker and focus on a review of cases in accordance with standards. This supervision time needs to be planned and prepared for by both parties. However, exceptions for emergency situations will be made so that a supervisor will be available at all times.
- 1.3(c) In regular supervision, the provision of services and/or the comprehensive plan of care for each child in care must be reviewed once every 90 days.
- 1.4(a) The social worker responsible for the child must inform each child in care of their rights as soon as possible after the child comes into care. This must be documented in the case recording.
- 1.4(b) Foster parents and other caregivers must also be informed about the rights of children in care. This must be documented in the case recording.
- 1.4(c) The social worker must provide each child in care with a copy of the booklet *Your Rights and Responsibilities While You Are In Care* to the child within the first month of placement.