

# COMPLIANCE DETERMINATION

## Angel's Story- Recommendation 4

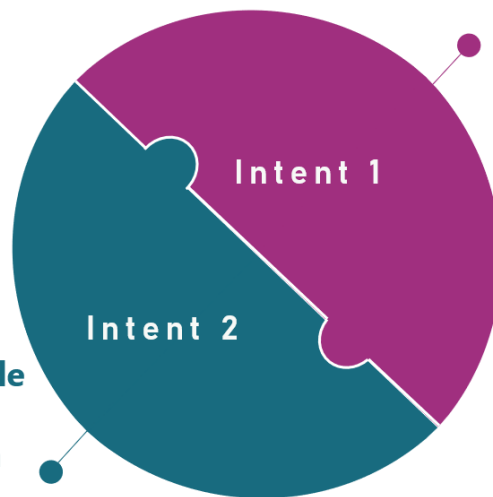
**Recommendation Summary:** Conduct review, update existing CFS minimum standards, and establish province-wide quality assurance measures and framework.

**Primary Public Body:** Manitoba Families

### 1. Conduct an evidence-informed review and update existing provincial service standards

Early steps were reported to update existing provincial service standards, including a working group to shift away from an apprehension model.

**Outstanding Action:** A completed comprehensive review and update of provincial standards.

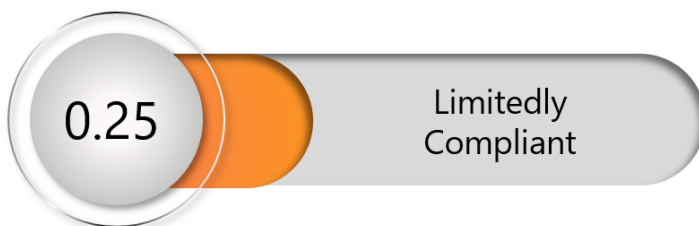


### 2. Establish province-wide measures of service accountability through a provincial quality assurance framework

Evidence was provided that a quality assurance process exists for the new standard on high-risk expectant parents. No demonstrable exercise of this practice extending to an overarching quality assurance framework was provided.

**Outstanding Action:** A plan to ensure quality assurance of services for children and families that complies with existing legislation and this recommendation.

## COMPLIANCE DETERMINATION



Some changes to select standards, organization of a working group and quality assurance process for a particular standard, implement a small part of the recommendation. There remains, however, a significant deficiency in implementation thus a compliance determination of limitedly compliant.

## Recommendation Compliance Summary

This form details the assessment of compliance with recommendations made under Section 27 and Section 31 of *The Advocate for Children and Youth Act*. MACY assesses recommendations for compliance once a year but receives updates from the public bodies every six months.

<b>1. Recommendation Information</b>	
<b>Report Name:</b>	<b>In Need of Protection: Angel's Story</b>
<b>Date Released:</b>	12/13/2018
<b>Full Recommendation:</b> (including details)	<p><b>Recommendation Four:</b></p> <p>The Manitoba Advocate for Children and Youth recommends that the Minister of Families, through the Child and Family Services Division (CFSD), in collaboration with the four child and family services Authorities, (1) conduct an evidence-informed review and update of existing provincial service standards, and (2) establish province-wide measures of service accountability through a provincial quality assurance framework. Both the service standards and the quality assurance measures must be consistent throughout the province, culturally appropriate, and supported and enforced by the governing child and family services Authorities within their child and family services agencies. As per provincial legislation, quality assurance measures at the authority level must then be assessed and monitored by the Minister of Families.</p> <p><b>DETAILS:</b></p> <p>This province-wide quality assurance framework should include:</p> <ul style="list-style-type: none"> <li>• An evidence-informed review and update of existing Child and Family Service standards</li> <li>• That the updated standards reflect a requirement that service models being used in the CFS system move away from an apprehension model and toward service models that require meaningful engagement of family, extended family, and community, which is in the best interests of children.</li> </ul>
<b>Intent(s) of Recommendation:</b>	<p>The intents of the recommendation are to:</p> <ol style="list-style-type: none"> <li><b>1. Conduct an evidence-informed review and update existing provincial service standards .</b></li> <li><b>2. Establish province-wide measures of service accountability through a provincial quality assurance framework.</b> <ul style="list-style-type: none"> <li>• <b>The service standards and quality assurance measures must be consistent throughout the province, culturally appropriate and supported and enforced by the CFS authorities.</b></li> <li>• <b>Per provincial legislation, quality assurance measures at the authority level must be assessed and monitored by the Minister of Families.</b></li> </ul> </li> </ol>
<b>Issue:</b>	Training CFS Minimum Standards

<b>Public Body</b>	Manitoba Families
<b>Dates of Previous Official Updates from Public Body:</b>	May 31, 2021
	June 30, 2020
	December 31, 2019
	June 27, 2019
<b>2. Compliance Determination</b>	
<b>Limitedly Compliant 0.25</b>	Actions taken only implement a small part of the recommendation, requirements are only fulfilled to a limited degree by actions taken, resulting in significant deficiency in implementation.
<b>Self-Assessment</b>	Partially Compliant (for Intents 1 and 2)
<b>Previous Compliance Determination</b>	Limitedly Compliant
<b>3. Rationale for Determination</b> <i>(How did you reach this compliance determination)</i>	
<p><b>Intent 1: Conduct an evidence-informed review and update existing provincial service standards. 2021</b></p> <ul style="list-style-type: none"> <li>Manitoba Families reported that work on standards, priorities, and modernization remains underway. The Standing Committee approved the standards modernization project and CYSD is beginning the collaborative work. To this end, Authorities identified representatives and the first meeting occurred in May 2021. The Standards revision work is aiming to shift away from an apprehension model towards an engagement with family model. The new high-risk expectant parent standard is an example of this shift, as it replaces the practice of birth alerts through voluntary engagement, assessment, and planning with expectant parents who are assessed as being high-risk prior to the birth of the child. The high-risk expectant parent standard aims to reduce apprehensions at birth and when apprehension is not avoidable, to increase the likelihood that the child is placed with extended family and community. The Department of Families reported that the new overall approach (engagement with family model) was provided to all CFS Authorities and Agencies by the province under the CFS Transformation including the move to Single Envelope Funding.</li> <li>Additional information was provided, which indicates that the implementation of the federal legislation, <i>An Act Respecting First Nations, Inuit and Métis Children, Youth and Families</i>, will have significant implications on Manitoba's existing child welfare legislation because Indigenous governing bodies will begin to exercise jurisdiction through their own laws. As Manitoba Families works to support the implementation of the federal act, a more staggered approach to legislative changes based on priority needs is being used.</li> <li>Promising early steps are being taken to update existing provincial service standards, including the development of a working group established to shift away from an apprehension model. That said, however, neither a review nor an update of the provincial service standards have taken place.</li> </ul> <p><b>2020</b></p> <ul style="list-style-type: none"> <li>Manitoba Families plans to conduct a review and update of <i>The Child and Family Services Act</i> (CFSa) based on <i>An Act Respecting First Nations, Inuit and Métis Children, Youth and Families</i> (the Act) and recommendations from The Child Welfare Legislative Review Committee. Manitoba Families stated that it is pursuing the process of legislative modernization, while remaining cognizant that updates to the Provincial Standards need to align with a legislative and regulatory framework for the child welfare transformation.</li> <li>Manitoba Families indicated that while large scale work is planned, updates to Standards has</li> </ul>	

been ongoing. Most recently, changes to Standards 1.5.6 (Removing Foster Children), 1.3.4 (Provincial Child Abuse Investigations), 1.2.2 (Voluntary Family Services), and 1.3.1 (Child Protection) were made between April 2019 and June 2020.

- There are three Standards priority areas being reviewed in advance of the larger systemic review and redrafting of Standards. Priority areas include:
  - Child Sexual Exploitation in connection with 1.4.7 (Absent and Missing Children): a working group is to be established to identify updates to the Standard, with a focus on federal legislation, agency role, role of enhanced StreetReach in Winnipeg and expanded StreetReach North in Thompson.
  - 1.4.7 (Absent and Missing Children): The Department of Families will include case specific responses to support practice decisions and connect to case planning requirements for children in care.
  - 1.3.4 (Provincial Child Abuse Investigations): The Department of Families is outlining the process for foster home abuse investigations, to address areas of responsibility, safety assessments, and decision-making respecting change of placement.
- While some changes to above indicated standards have taken place, a larger and more comprehensive review is underway. The activities reported indicate early steps are being taken to address the recommendation including a systemic review and re-drafting of the standards, but none of the requirements have been met yet.

**Intent 2: Establish province-wide measures of service accountability through a provincial quality assurance framework.**

**2021**

- Manitoba Families reported on the development of a Standards training plan, in collaboration with Authorities. The training plan is cited as an example of consistency in practice. For example, a working group, including the CYSD and representation from all four Authorities, was established to track and monitor the implementation of the new high-risk expectant parent standard. The working group has terms of reference and a quality assurance framework.
- Manitoba Families indicated that overall quality assurance work will be consistent with the legislated responsibilities of the Division, to monitor and assess Authority quality assurance activities. The approach is said to be issues- and priority-driven and additionally requires the cooperation of Authorities in sharing quality assurance results.
- Although Manitoba Families has demonstrated that a quality assurance process for the implementation of the new standard on high-risk expectant parents exists, there is no demonstrable exercise of this practice extending to an overarching quality assurance framework.

**2020**

- Manitoba Families stated that two major developments have affected action and compliance with this recommendation, including the anticipated legislation change from The Child Welfare Legislative Review Committee Recommendations and the new federal legislation *An Act Respecting First Nations, Inuit and Métis Children, Youth and Families*. Manitoba Families stated that some changes under the new federal legislation are clear but others are uncertain regarding the interaction between federal and provincial jurisdiction and Indigenous governance structures.
- Manitoba Families has indicated that the review into the roles and responsibilities of Agencies', Authorities', and the Department of Families' quality assurance oversight is a first step into establishing a province-wide quality assurance framework, but there has been no

commitment from the Department of Families to create a framework.

- The Minister, Director, and Authorities have an ongoing legal responsibility to ensure quality of child welfare services as articulated in the legislation that was proclaimed in 2003, *The Child and Family Services Authorities Act* (CFSA). The CFSA states that CFS Authorities have a duty to ensure that agencies follow the practices and procedures in accordance to culturally appropriate standards (S.19.(e)), and ensure that those standards are consistent with provincial standards (S.19.(d)). In turn, the Minister of Families is responsible for monitoring and assessing how Authorities carry out their responsibilities (S.24.(c)).

**Analysis Summary:** Actions reported are in-line with each intent of this recommendation. The development of a working group of CFS Authority representatives to review provincial standards and plans for a quality assurance framework for the high-risk expectant parent standard are promising. Given none of the requirements have yet been met, the recommendation remains limitedly compliant.