

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.

1. Recommendation Information	
Report Name:	In Need of Protection: Angel's Story
Date Released:	12/13/2018
Full Recommendation: (including details)	<p>Recommendation Four:</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>DETAILS:</p> <p>This province-wide quality assurance framework should include:</p> <ul style="list-style-type: none"> • An evidence-informed review and update of existing Child and Family Service standards; and • 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.
Intent(s) of Recommendation:	<p>The intent of the recommendation is to:</p> <ol style="list-style-type: none"> 1. Conduct an evidence-informed review and update existing provincial service standards 2. Establish province-wide measures of service accountability through a provincial quality assurance framework. <ul style="list-style-type: none"> • The service standards and quality assurance measures must be consistent throughout the province, culturally appropriate and supported and enforced by the CFS authorities • Per provincial legislation, quality assurance measures at the authority level must be assessed and monitored by the Minister of Families

Theme:	CFS Minimum Standards
Issue:	Quality Assurance
Public Body	Manitoba Families
Dates of Previous Official Updates from Public Body:	June 30, 2020
	December 31, 2019
	June 27, 2019
2. Compliance Determination	
Limitedly Compliant 0.25	Actions taken fulfill requirements to a limited degree resulting in significant deficiency in implementation.
3. Rationale for Determination <i>(How did you reach this compliance determination)</i>	
<p>1. Conduct an evidence-informed review and update existing provincial service standards</p> <ul style="list-style-type: none"> The Department of Families intends on conducting a review and update of <i>The Child and Family Services Act</i> (CFSA) based on the <i>Act Respecting First Nations, Inuit and Metis Children, Youth and Families</i> (the Act) and recommendations from The Child Welfare Legislative Review Committee. The Department of 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. The Department of Families indicated that while large scale work is planned, updates to Standards has 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: <ul style="list-style-type: none"> 1.3.5 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. <p>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.</p> <p>2. Establish province-wide measures of service accountability through a provincial quality assurance framework.</p> <ul style="list-style-type: none"> The Department of Families stated that two major developments have affected action and compliance with this recommendation including the anticipated legislation change from <i>The Child Welfare Legislative Review Committee Recommendations</i> and the new federal legislation <i>An Act Respecting First Nations, Inuit and Metis Children, Youth and Families</i>. The Department of 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.

- The Department of 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* (The Authorities Act). The Authorities Act 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 to monitor and assess how authorities carry out their responsibilities (S.24.(c)).

Information provided by the Department of Families includes evidence that work to review the current Standards Manual is underway and acknowledgment that this work overlaps with the completed Legislative Review. However, an essential intent of this recommendation is the enforcement of those standards across the province. Currently, and despite nearly two years since the issuance of this recommendation, there does not appear to be engagement with the legislated responsibilities to ensure that minimum provincial service standards are being followed. The Authorities Act is clear that the four Authorities are obligated to ensure the delivery of high-quality CFS services and the department is obligated to engage in its legislated role and responsibility to assess and monitor the implementation of legislation. Despite this, the Department of Families indicates clarification is being sought of its role and responsibility pertaining to quality assurance. Fulfilling these roles is critical to ensuring that Manitoba children, youth, and their families can access CFS supports through well-trained staff who deliver services that consistently meet minimum service standards. The commitment to review the roles and responsibilities of Agencies, Authorities and the Department of Families quality assurance oversight demonstrate an initial and early step to fulfilling this recommendation.

Progress with this recommendation requires a plan to ensure quality assurance of services for children and families comply with existing legislation and this recommendation. Early steps are being taken toward compliance, however, none of the requirements have been met. Hence, the recommendation is limitedly compliant.