

PROTOCOL

Between:

**Provincial After Hours Program
Ministry for Children and Family Development
(Hereafter referred to as MCFD)**

And:

**Vancouver Aboriginal Child and Family Services Society
(Hereafter referred to as VACFSS)**

1 - Introduction

VACFSS has delegated responsibility for guardianship care for Aboriginal children in continuing care (CCOs) and for the development and support of contracted residential resources. VACFSS also delivers Aboriginal Family Preservation Services to children, youth, and their families and caregivers across the City of Vancouver. Currently VACFSS is in the planning phase for assuming child protection services scheduled for transfer from the Ministry for Children and Family Development (MCFD) in 2008.

VACFSS will access and continue to receive emergency response services through the MCFD Provincial After Hours Program. The relationship between VACFSS and the Provincial After Hours Services will be based on respect of each party's role for ensuring the safety of children through collaborative service delivery.

This protocol provides a framework for:

- delivering consistent, quality child protection and guardianship services to children and families receiving services from VACFSS
- co-ordinating child protection and guardianship services between VACFSS and MCFD for children and families as needed.

2 - Objectives

The objective of this protocol is to establish communication guidelines and information management and to enhance collaboration between the two parties. The roles and responsibilities of all parties will be clearly outlined and the mechanisms for information sharing and dispute resolutions will be understood.

This protocol promotes best practices to ensure all decisions promote the safety and well-being of children receiving services from VACFSS. It is also based on the principle

that the safety and best interests of children are primary considerations in all decisions relating to services.

The parties acknowledge the importance of identifying a process and a working relationship between each other for the safety and well-being of children and understand the successful support for children is dependent upon mutual cooperation and clearly defined roles and responsibilities for each party.

3 - Definitions

Aboriginal – shall have the same meaning as in Section 35 of the Constitution Act, 1982, which recognizes and affirms the Aboriginal rights of the Aboriginal people of Canada who are the Indian, Inuit and Métis people.

Aboriginal child - means a child

- (a) who is registered under the Indian Act (Canada),
- (b) who has a biological parent who is registered under the Indian Act (Canada),
- (c) who is under 12 years of age and has a biological parent who
 - (i) is of Aboriginal ancestry, and
 - (ii) considers himself or herself to be Aboriginal, or
- (d) who is 12 years of age or over, of Aboriginal ancestry and considers himself or herself to be Aboriginal.

Child, Family and Community Service Act (2002) CFCSA - is the provincial legislation that provides authority for the provision of child and family services and is inclusive of the regulations, as amended or replaced from time to time.

Community Information System (CIS) - After Hours computer system where alerts and memos are documented, as well as delegated social workers contact information for after hours services.

Parties – means parties to this protocol.

Provincial After Hours Program - means a child protection service provided by the Ministry for Children and Family Development (MCFD) to respond to child protection reports outside VACFSS hours of operation.

Vancouver Aboriginal Child and Family Services Society (VACFSS) - a delegated urban agency providing integrated Family Preservation Services, Guardianship Care of children in continuing care, the development and support of contracted Residential Resources and currently in the process of assuming Child Protection Services for Aboriginal children in Vancouver.

4 - Roles and Responsibilities

The parties have a duty and an obligation to carry out their responsibility and authority according to the *Child Family and Community Services Act (CFCSA)*. MCFD After Hours Program provides after hours child protection and guardianship services to children under the care of VACFSS.

VACFSS and MCFD will ensure the safety of children under the care of VACFSS by carrying out their respective roles and responsibilities and by following these guidelines:

- All complaints regarding children at risk will be followed up in a timely manner
- MCFD will ensure that any child at immediate risk/danger will be promptly assessed and any necessary protective action will be taken
- Both MCFD and VACFSS agree to assist and support each other whenever possible
- Any information held by either party on any family will be freely shared with one another
- VACFSS will ensure that the After Hours Program office is advised and updated as to their guardianship staff contact numbers. This information will be updated through the office information list on the CIS system
- VACFSS will use the CIS Alert and After Hours memo systems to document a child at risk
- VACFSS will keep the CIS files updated with accurate and current file information.

5 - Dispute Resolution

In the event of a dispute, VACFSS and MCFD will do their best to resolve the issue amongst themselves at the local level with the view to obtaining a mutually satisfactory resolution. Disputes are to be resolved on a case by case basis through joint meetings and discussions between staff involved in the matter. The purpose of the joint meeting is to reach consensus. If no agreement can be reached, the parties agree to refer the matter to the next appropriate administrative level. Where a dispute cannot be resolved at the line level, supervisory, management levels or director, the matter will be referred to a mediator agreed upon by all parties and the cost associated with this will be funded jointly by both parties.

6 - Information Sharing

Each party agrees to facilitate the sharing of information within the context of confidentiality, respect for the client and within applicable legislation, policy and standards. To the extent permitted or required by legislation, personal information may be shared without the person's consent in situations involving the protection of a child or services on behalf of a child in care.

7 - Commitment to and Implementation of Protocol

Each party agrees to work co-operatively with each other to facilitate continuity and minimize disruption in the delivery of services under this protocol to the extent permitted by legislation and policy.

Both parties are responsible for ensuring that the staff of their organizations are familiar with the provisions of the protocol.

Either party to this agreement may request in writing a meeting to clarify a specific section of this protocol. Any revisions agreed to must be stated in writing and attached as an appendix and then incorporated into the body of the protocol at the 12 month review.

The parties agree to meet every 12 months or at other intervals agreed upon to review all matters with respect to interpretation, implementation; updating of information, local resources and contact information.

As VACFSS expands its level of delegation and assumes Child Protection Services, this protocol will reflect all delegated services provided by VACFSS.

8 - Term of the Agreement

This protocol will take affect on the date of signing for a term of five years.

9 - Signatories

Provincial After Hours Program
Manager on behalf of MCFD

Chief Executive Officer on
behalf of VACFSS

Witness

Witness

Date: _____

Date: _____

