

ABORIGINAL SERVICES C4 GUARDIANSHIP PRACTICE AUDIT REPORT

NIL/TU,O CHILD & FAMILY SERVICES (IVA)

Field Work Completed January 30, 2009

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PURPOSE

The purpose of the audit is to improve and support child service, guardianship, family service and investigative practice. Through a review of a sample of cases, the audit is expected to provide a measure of the current level of practice, confirm good practice and identify areas where practice requires strengthening.

The specific purposes of the audit are:

- To confirm good practice and further the development of practice;
- To assess and evaluate practice in relation to existing legislation and the Aboriginal Operational and Practice Standards and Indicators (AOPSI);
- To determine the current level of practice across a sample of cases;
- To identify barriers to providing an adequate level of service;
- To assist in identifying training needs; and
- To provide information for use in updating and/or amending practice standards or policy.

The audit is being conducted using the Aboriginal Case Practice Audit Tool. Audits of the delegated agencies providing child protection, guardianship, family services and resources for children in care will be conducted according to a three year cycle. This is the agency's second audit with the first being conducted in 2006.

METHODOLOGY

This was a practice audit involving the Aboriginal Policy and Service Support branch of the Ministry of Children and Family Development (MCFD). There were 2 auditors from MCFD.

Field work was conducted from January 26-30, 2009 by two auditors. The computerized Aboriginal Case Practice Audit Tool (ACPAT) was used to collect the data and generate office summary compliance reports and a compliance report for each file audited. In selecting the files to audit, there were problems determining the accurate number of open files. This was mainly due to the agency having a number of files opened internally on Tribes but not registered on MIS. As well, upon further review of the internal family service files, it was clear that some of the files were what the auditor did not consider to be auditable family service files. Many of the family service files needed further documentation to open them and many were opened to follow-up on referrals from MCFD for family support services. A sample of 5 child service files, 13 family service files and 5 resource files were audited. Cases were randomly selected from a total of

20 open child service files, 67 open family service files and 19 open resource files. In all, 23 files were audited, which is 22% of the total open files. Cases were selected from each caseload in order to get an equal representation of files from each worker. Only open files and only work conducted by the agency since April 2006 were audited.

Upon arrival at the NIL/TU,O Child and Family Services office in Saanichton the Executive Director, Supervisor and all available staff met with the auditors to discuss the audit purpose and process. Staff members were invited to meet with this auditor to discuss office systems and procedure. The auditors met with 10 staff members during the course of the audit. At the completion of the audit, a meeting occurred with both auditors, the Executive Director and the Supervisor to discuss the general findings of the audit and the next steps of the audit process including the report and recommendations. The Executive Director explained that she and the Supervisor would share the information with the staff the following week.

AGENCY OVERVIEW

a) Delegation

NIL/TU,O Child and Family Services (NIL/TU,O) is delegated at C4 Guardianship. This level of delegation enables the delegated agency to provide the following services:

- Guardianship for children in continuing custody;
- Support services to families;
- Voluntary care agreements;
- Special Needs agreements;
- Establishing and maintaining residential resources for children in care.

NIL/TU,O was granted C3 – Voluntary Services delegation in 2001 and obtained C4 – Guardianship delegation in 2007.

b) Demographics

NIL/TU,O provides the services described above to 7 bands. These 7 bands are: Tsawout, Tsartlip, Pauquachin, Pacheedaht, Songhees, Beecher Bay and T'Souke. These bands extend from Sidney to west of Port Renfrew on the southern coast of Vancouver Island. There are approximately 1,996 registered on reserve band members residing in these 7 communities (Source: Registered Indian Population by Sex and Residence 2006, December 2006, Indian and Northern Affairs Canada).

The NIL/TU'O office is currently located on Tsawout Band land in Saanichton. Agency staff are located in two buildings with one housing the social workers, administrative support staff, Executive Director, supervisor and the finance officer. The other building accommodates the prevention program including the family support workers and the supervisor of that program. The buildings are in a convenient location for staff and other professionals, close to Highway 17 and on a bus route however they are not located near any other service providers.

NIL/TU,O works closely with the other programs operated by the agency and the Nations they serve. They also work closely with the local Ministry of Children and Family Development (MCFD) offices. Social workers from the agency attend the communities with MCFD social workers when a child protection investigation is required.

In addition to the delegated services, the agency also provides a family support prevention program and alcohol and drug counseling. The family support workers provide one to one counseling and recreation to children and families in all of the communities served. The alcohol and drug worker provides one to one counseling in all of the communities as well as leadership support to two AA meetings and participation as needed to assist entry into neighborhood AA programs for new members. In addition NIL/TU,O is involved in the provision of FASD support and education to parents, caregivers and children and youth needing these services. There is ongoing cultural continuity and cultural support in both prevention and reconnection realms. The agency reports that they have a ROOTS worker on staff that carries the ROOTS intake and NIL/TU,O reconnection and reunification roles.

c) Professional Staff Complement

NILTU,O has an executive director, one social worker supervisor, and six social workers. The agency also employs a family support supervisor, seven family support workers and one alcohol and drug worker. Five of the six social workers have a generalized caseload, while one social worker carries a caseload of family care home providers. Except for the resource social worker, the social workers are assigned caseloads based on geographic communities. All of the social workers have specific days assigned to them to provide intake for the agency.

There is also four administrative support staff at the agency. During the audit process, information was gathered to indicate that the agency has experienced significant staffing uncertainty over the past few months. Finally, two of the social workers who are managing files at the agency are not delegated. The auditors discussed this issue with the Executive Director and Supervisor, and the risk this exposes the agency and the First Nations Director.

The Executive Director believes that they are providing adequate supervision to the two social workers and they do not have any concerns regarding this matter.

d) Supervision/Consultation

NIL/TU,O Guardianship, Family Services, Resources and Prevention have regular team meetings three times a week which all frontline workers are to attend. At this meeting, new intakes and shared cases are discussed. There is also time made available for one to one case supervision where each social worker and the supervisor meet on an as need basis and meet monthly to conduct a file reviews. The supervisor is responsible for the supervision of five of the six social workers. The auditors were unable to confirm why this supervision arrangement was in place.

The auditors identified some concerns regarding the current supervision structure. As well, given the recent changes on the staffing at the agency, the caseloads have been left unassigned which has some of the social workers responding to cases in which they have very limited information to respond with.

STRENGTHS OF THE AGENCY

The auditor identified several strengths at the agency and of the agency's practice over the course of the audit.

- Commitment of staff – Agency staff are very committed to serving their clients and community.
- Knowledge of community – The staff are very knowledgeable of the communities they serve and are aware of services available in/to the communities.
- Organization of physical files - The physical files were in good order with the documents being grouped into sections, in chronological order.
- Support staff located in agency – Family Support Workers and Social Workers are housed in the same physical location. This helps to ensure that a good match is made when a child or family is referred to a support worker by the social worker.
- NNADAP (National Native Alcohol and Drug Abuse Program) support and early intervention for children, youth and families needing alcohol and drug addictions intervention, education, and referrals.
- Focus on culture and traditions – the agency focuses on the family and traditional aboriginal practices when supporting children and families.

CHALLENGES FACING THE AGENCY

. This has impacted the current staffing levels as well as how the staff plan their work in the communities. At times they have had difficulty reserving the vehicle due to it being in use elsewhere. As well, staff report low morale at the agency

and need clear information regarding the changes in the agency and how decisions that affect them are being made.

Finally, a challenge facing the agency is the type of family service they are providing to the communities. The auditors had to re-select the family service files for auditing after initially reviewing several files. The auditors found that the agency is opening family service files and assigning a social worker for a variety of requests for service such as attending court with a client of MCFD, monitoring the provision of family support services to an MCFD client, monitoring an FRA custody matter and providing bus passes to a community member. While this may be the practice and philosophy of the agency to provide this type of family service, the social workers then need to document the request for service, the family service plan, support services agreement and monitor and review the plans as per the AOPSI standards.

The following challenges facing the agency and agency's practice were identified by the agency staff during the course of the audit:

- General challenges facing the Nation – some of the challenges facing the Nation include drug and alcohol abuse, unemployment, shortage of housing, recovering from historic abuse, and members suffering from Fetal Alcohol Spectrum Disorder.
- Orientation and training for caregivers – there is no identified orientation program for caregivers. As well, the caregivers are not being offered training and if training has been taken, it is not being documented in the file.
- Intake documentation – the family service files did not contain clear intake documentation which reflected the request for service, the response from the agency, supervisor consultation, the plan if services were going to be provided or if the request needed to be referred to another agency or MCFD for follow-up and sign off by social worker and supervisor.

DISCUSSION REGARDING THE THREE PROGRAMS AUDITED

As already stated, the audit reflects the work done by the agency since April 2006.

a) Child Service files

As already stated, 5 of the 20 open child service files were audited. All of the child service files audited had been transferred to the agency from MCFD within the last year. Many positive aspects were found in the child service files including: preserving the identity and culture of the child in care, obtaining supervisory approval for guardianship services, deciding where to place a child when a move is needed, meeting the child's needs for stability and continuity of relationships with relatives and community members, planning a move for a child

in care and following the necessary steps when a child or youth is lost, missing or runaway.

Documentation missing from the files included: reviewing the rights of children in care with the child and caregiver, information regarding the social worker's relationship and contact with the child including private visits, overall case documentation, preparation for independence, interviewing the child about his/her care experience and providing the caregiver with information on the child and reviewing appropriate discipline standards.

b) Family Service files

As already stated 13 of the 67 open family service files were audited. Many positive aspects were found in the family services files including obtaining supervisory approval for services, obtaining information and making appropriate referrals for service, appropriately involving the aboriginal community in the provision of services and proper transferring of the voluntary service family service file.

Documentation missing from files included: appropriately receiving requests for service, family service plan requirements, support service agreements, overall case documentation and closing of the voluntary family service file.

c) Resource files

As already stated, 5 of the 19 open resource files were audited. The positive aspects in the resource files included: many of the resources were Nation members, many resources were seen as long term placements, supervisory approval was obtained, home studies were completed and the reasons for closing the home were documented on the file.

Documentation missing in the resource files included: complete application and orientation, training offered to and taken by the caregivers, signed agreements, monitoring and reviewing (annual reviews) the family care home, investigation of abuse or neglect and quality of care review.

COMPLIANCE TO THE PROGRAMS AUDITED

Two auditors audited the child service, family service and resource files at Nil/tu,o Child & Family Services. The 'not applicable' scores were not included in the total.

a) Compliance to Child Service File Practice

Five (5) of the 20 open child service files were audited. Overall compliance to the child service standards was **54%**. The files were audited for compliance to the

Aboriginal Operational and Practice Standards and Indicators, C4 Guardianship child service including:

- The quality and adequacy of the plan of care
- The frequency and adequacy of the care plan review
- The level of contact with the child
- Placement stability and deciding when and where to move a child
- The degree of stability and continuity provided to the child while in care
- Informing the child and caregiver of the rights of children in care
- Informing the child and caregiver of appropriate discipline policy
- The level of file documentation.

The following provides a breakdown of the compliance ratings:

1. **Standard 1: Preserving the Identity of the Child in Care and Providing Culturally Appropriate Services (AOPSI Standard 11 Voluntary Services)** – 4 files compliant; 1 file non-compliant.
2. **Standard 2: Development of a Comprehensive Plan of Care (AOPSI Standard 12 Voluntary Services)** - no files applicable.
3. **Standard 3: Monitoring and Reviewing the Child’s Comprehensive Plan of Care (AOPSI Standard 12 Voluntary Services)** - no files applicable.
4. **Standard 4: Supervisory Approval Required for Guardianship Services (AOPSI Standard 4 Guardianship Services)** - 3 files compliant; 2 files non-compliant.
5. **Standard 5: Rights of Children in Care (AOPSI Standard 14 Voluntary Services)** - 1 file compliant; 2 files non-compliant; 2 files not applicable.
6. **Standard 6: Deciding Where to Place the Child (AOPSI Standard 15 Voluntary Services)** – 2 files (100%) compliant; 3 files not applicable.
7. **Standard 7: Meeting the Child’s Need for Stability and Continuity of Relationships (AOPSI Standard 16 Voluntary Services)** – 4 files compliant, 1 file non-compliant.
8. **Standard 8: Social Worker’s Relationship & Contact with a Child in Care (AOPSI Standard 17 Voluntary Services)** – 1 file compliant; 4 files non-compliant.
9. **Standard 9: Providing the Caregiver with Information and Reviewing Appropriate Discipline Standards (AOPSI Standard 18 Voluntary Services)** – 5 (100%) files non-compliant.

10. **Standard 10: Providing Initial and Ongoing Medical and Dental Care for a Child in Care (AOPSI Standard 19 Voluntary Services)** – 2 files compliant; 2 files non-compliant.
11. **Standard 11: Planning a Move for a Child in Care (AOPSI Standard 20 Voluntary Services)** – 1 file (100%) compliant; 4 files not applicable.
12. **Standard 12: Reportable Circumstances (AOPSI Standard 21 Voluntary Services)** – no files applicable.
13. **Standard 13: When a Child or Youth is Missing, Lost or Runaway (AOPSI Standard 22 Voluntary Services)** – 1 file compliant; 4 files not applicable.
14. **Standard 14: Case Documentation for Guardianship Services (AOPSI Standard 14 Guardianship Services)** – 2 files compliant; 3 files non-compliant.
15. **Standard 15: Transferring Continuing Care Files (AOPSI Standard 15 Guardianship Services)** – no files applicable.
16. **Standard 16: Closing Continuing Care Files (AOPSI Standard 16 Guardianship Services)** – no files applicable.
17. **Standard 17: Rescinding a Continuing Custody Order and Returning the Child to the Family Home (AOPSI Standard 17 Guardianship Services)** – no files applicable.
18. **Standard 19: Interviewing the Child about the Care Experience (AOPSI Standard 19 Guardianship Services)** – 1 file (100%) non compliant; 4 files not applicable.
19. **Standard 20: Preparation for Independence (AOPSI Standard 20 Guardianship Services)** – 1 file compliant; 2 files non-compliant; 2 files not applicable.
20. **Standard 21: Responsibilities of the Public Guardian and Trustee (AOPSI Standard 21 Guardianship Services)** - no files applicable.
21. **Standard 24: Guardianship Agency Protocols (AOPSI Standard 24 Guardianship Services)** – 5 files (100%) compliant.

b) Compliance to Family Service File Practice

Thirteen (13) of the 67 open family service files audited. The overall compliance was **53%**. The files were audited for compliance to the Aboriginal Operational and Practice Standards and Indicators, C4 Guardianship family service including:

- Information and referral for service
- Supervisors approval regarding voluntary service
- Family Service Plan and components for support
- Review of Family Service Plan
- Support Service Agreements with families
- Voluntary and Special Needs Agreements
- File Documentation.

The following provides a breakdown of the compliance ratings:

1. **Standards 1: Receiving Requests for Services (AOPSI Standard 1 Voluntary Services)** – 4 files compliant; 9 files non-compliant.
2. **Standard 2: Supervisory Approval Required for Voluntary Services (AOPSI Standard 2 Voluntary Services)** – 8 files compliant; 5 files non-compliant.
3. **Standard 3: Information and Referral for Voluntary Services (AOPSI Standard 3 Voluntary Services)** – 11 files compliant; 2 files non-compliant
4. **Standard 4: Involving the Aboriginal Community in the Provision of Services (AOPSI Standard 4 Voluntary Services)** – 12 files compliant; 1 file non-compliant.
5. **Standard 5: Family Service Plan Requirements and Support Services, Voluntary Care, and Special Needs Agreements (AOPSI Standard 5 Voluntary Services)** – 1 file compliant; 12 files non-compliant.
6. **Standard 6: Support Service Agreements (AOPSI Standard 6 Voluntary Services)** – 1 file compliant; 12 files non-compliant.
7. **Standard 7: Voluntary Care Agreements (AOPSI Standard 7 Voluntary Services)** – no files applicable.
8. **Standard 8: Special Needs Agreements (AOPSI Standard 8 Voluntary Services)** – no files applicable.
9. **Standard 9: Case Documentation for Voluntary Family Service Files (AOPSI Standard 9 Voluntary Services)** – 5 files compliant; 8 files non-compliant.

10. Standard 24: Transferring Voluntary Services Files (AOPSI Standard 24 Voluntary Services) – 4 files compliant; 1 file non-compliant; 8 files not applicable.

11. Standard 26: Closing Voluntary Service Files (AOPSI Standard 26 Voluntary Services) – 1 file compliant; 3 files non-compliant; 9 files not applicable.

12. Standard 27: Voluntary Services Protocols (AOPSI Standard 27 Voluntary Services) – 13 files (100%) compliant.

c) Compliance to Resource File Practice

Five (5) of the 19 open resource files were audited. Overall compliance to the resource standards was **32%**. The files were audited for compliance to the Aboriginal Operational and Practice Standards and Indicators, C4 Guardianship resources including:

- Application and orientation of caregiver
- Homestudy of caregiver
- Training of caregiver
- Signed Agreements with caregiver
- Providing caregiver with written information regarding child
- Monitoring and reviewing homes.

The following provides a breakdown of the compliance ratings:

- 1. Standard 28: Supervisory Approval Required for Family Care Home Services (AOPSI Standard 28 Voluntary Services)** – 5 files (100%) compliant.
- 2. Standard 29: Family Care Homes – Application and Orientation (AOPSI Standard 29 Voluntary Services)** – 4 files non-compliant; 1 file not applicable.
- 3. Standard 30: Home Study (AOPSI Standard 30 Voluntary Services)** – 3 files compliant; 1 file non-compliant; 1 file not applicable.
- 4. Standard 31: Training of Caregivers (AOPSI Standard 31 Voluntary Services)** – 5 files (100%) non-compliant.
- 5. Standard 32: Signed agreement with Caregivers (AOPSI Standard 32 Voluntary Services)** – 1 file compliant; 4 files non-compliant.
- 6. Standard 33: Monitoring and Reviewing the Family Care Home (AOPSI Standard 33 Voluntary Services)** – 5 files (100%) non-compliant.

7. **Standard 34: Investigation of Alleged of Abuse or Neglect in a Family Care Home (AOPSI Standard 34 Voluntary Services)** – 1 file (100%) non-compliant; 4 files not applicable.
8. **Standard 35: Quality of Care Review (AOPSI Standard 35 Voluntary Services)** – 1 file (100%) non-compliant; 4 files not applicable.
9. **Standard 36: Closure of the Family Care Home (AOPSI Standard 36 Voluntary Services)** – 1 file (100%) compliant; 4 files not applicable.

RECOMMENDATIONS:

Present:

Katharina Patterson, Executive Director, NIL/TU,O Child & Family Services
Jennifer Donison, A/Quality Assurance Manager, MCFD Aboriginal Policy & Service Support
Darlene Thoen, Practice Auditor, MCFD Aboriginal Policy & Service Support
Gary Cheney, Practice Auditor, MCFD Aboriginal Policy & Service Support

The following recommendations and responses were developed in consultation with NIL/TU,O Child and Family Services and MCFD Aboriginal Policy and Service Support. The timeframe for completion of the recommendations is three months from the final sign off date.

NIL/TU,O Child & Family Services management will:

Resources:

- 1) Review and remind staff of the requirement to document all training offered to and attended by the caregivers as required in AOPSI Standard 31 Voluntary Services.
- 2) Conduct, on an annual basis, a review of the family care home as required in AOPSI Standard 33 Voluntary Services – monitoring and reviewing of the family care home.
- 3) Review and remind staff of the requirement to complete a written Family Care Home Agreement as required in AOPSI Standard 32 Voluntary Services – signed agreement with Caregivers. The staff will ensure that the agreement is completed and signed with the family care home on an annual basis and that the signed agreement is placed on the family care home file.
- 4) Review and remind staff of the file documentation requirements for investigation of alleged abuse or neglect and quality of care reviews in a

Family Care Home as per AOPSI Standards 34 and 35 Voluntary Services
- investigation of alleged abuse or neglect in a family care home and
quality of care review.

Child Service:

- 1) Review the Rights of Children in Care with the child at least annually and provide documentation that this has occurred as required in AOPSI Standard 14 Voluntary Services– rights of children in care.
- 2) Provide the caregiver with written information on the child and review the appropriate discipline standards as required in AOPSI Standard 18 Voluntary Services.
- 3) Ensure a checklist is located on Child Service files so that social workers know the case documentation requirements of AOPSI Standard 10 Voluntary Services. The checklist will be reviewed with the staff to ensure they are familiar with the contents. The checklist will be signed off by the social workers and supervisor once documentation is completed on each file.

Family Service:

- 1) Ensure a checklist is located on Family Service files so that social workers know the case documentation requirements of AOPSI Standard 9 Voluntary Services. The checklist will be reviewed with the staff to ensure they are familiar with the contents.
- 2) Review with agency staff the need to negotiate and document Family Support Services Agreements under Part 2 of the *CF&CS Act*.
- 3) Review and remind staff of the documentation requirements for family service plans as required in AOPSI Standard 5 Voluntary Services – family service plan requirements for support services, voluntary care, and special needs agreements.
- 4) Randomly select Family Service files on a regular basis to ensure compliance with AOPSI Standard 9 Voluntary Services is met. This will also assist in ensuring that the agency has opened a family service file for an appropriate voluntary services request.

Delegation:

- 1) Ensure that staff providing delegated services have received a letter of delegation from the First Nations Director.