

# Discussion Guide

Nova Scotia Children and Family Services  
Act (CFSA) – Engagement

Department of Community Services

## What is the Children and Family Services Act?

The purpose of the Children and Family Services Act (CFSA) is to protect children from harm, promote the integrity of the family, and assure the best interests of children.

The CFSA governs the delivery of services to protect children who have experienced, or are at substantial risk of experiencing, abuse or neglect. This abuse or neglect could be caused by their parent/guardian, or by the failure of their parent/guardian to protect them from that harm. The CFSA applies to all children and families in Nova Scotia, including those living in Indigenous communities.

The CFSA is the foundation for the regulations, policies, and procedures used by the Department of Community Services' Child and Family Wellbeing Program (previously known as Child Welfare or Child, Youth, and Family Supports) and gives the authority to provide a variety of supports and interventions. The range of programs provided to children and families includes:

- prevention services - low intensity programs available to all Nova Scotian families;
- early intervention services - medium intensity services tailored to families requiring more significant support;
- protective services and alternative care arrangements - interventions when a child / youth may need protection from abuse or neglect;
- care and post-care services – support for children / youth when they are unable to remain with their parents or caregivers;
- placement services – supports for those who are caring for children / youth in care, and those receiving care;
- adoption services – supports for children, youth, biological parents, and adoptive parents when planning for permanency or an adoption occurs.

The Department of Community Services recognizes that children and youth need to be surrounded by a community of supportive people and have access to services to meet their unique needs.

All Nova Scotians share the goal of supporting the safety and wellbeing of children and youth in our province. It requires government, service providers, families, and communities to work together. The CFSA can and should support this shared goal.

## Why do we want your feedback?

Legislation requires a review of the CFSA every four years. The next review must be completed, and the report made public, by March 1, 2025.

To prepare for the review, the Department of Community Services (the Department) is seeking feedback from anyone who has experience providing and receiving services outlined in the CFSA, including:

- children, youth, and families;
- 2SLGBTQIA+ communities;
- African Nova Scotian/African descent children, youth, families, communities, and organizations;
- Indigenous children, youth, families, communities, and organizations;
- newcomers to Canada;
- other community organizations and members of the general public.

All feedback will be reviewed by the Department and a report summarizing key themes from the feedback will be shared in a 'What We Heard' report. While the Department will consider all information received, it may not be possible to address all feedback in the 'What We Heard' report.

All information received from the engagements will be shared with the Minister-appointed committee responsible for conducting the comprehensive review of the CFSA.

## How to use this Discussion Guide

The information and questions included in this Discussion Guide are intended as thought-starters to help you form your feedback. You do not have to respond to every question. You may answer as many as are of interest or concern to you.

## How to share your feedback

You can give us your feedback in a few ways:

1. Fill out an online survey
  - Visit the CFSA Engagement website <https://novascotia.ca/children-and-family-services-act-engagement> and follow the directions to complete the survey
2. Attend an in-person or virtual engagement session
  - Visit the CFSA Engagement website <https://novascotia.ca/children-and-family-services-act-engagement> to find a list of engagement sessions along with information about when and where they are happening, and how you can join.
3. Email or mail us your feedback. Your feedback can be in any form that works for you, such as a letter, a drawing, or a voice recording.

- Send emails to: [CFSA@novascotia.ca](mailto:CFSA@novascotia.ca)
- Send physical mail to:

CFSA Engagement  
 Department of Community Services  
 1894 Barrington Street, 5<sup>th</sup> Floor  
 Halifax, NS B3J 2A8

## Notes on providing feedback

- ✓ Send your feedback to us by November 30, 2023
- ✓ Please consider including your connection to Child and Family Wellbeing services to help us understand your comments better.

With respect to Child and Family Wellbeing services under the CFSA, are you:

- someone who is currently seeking or receiving services/supports;
  - someone who has previously sought or received services/supports;
  - a family member of someone who is receiving or has received services/supports;
  - a friend of someone who is receiving or has received services/supports;
  - a parent, guardian, or caregiver, including foster/kinship caregiver, customary caregiver;
  - someone who works in the child, youth, or family services sector;
  - other (please explain)?
- ✓ If you are responding on behalf of an organization, please include the organization name.
  - ✓ Do not include any personal information about yourself or others that would identify you or someone else (also known as personal information<sup>1</sup>). If you choose to share personal information with us, it will only be used in connection with the review of the Children and Family Services Act (CFSA). We follow the rules set out in Nova Scotia's Freedom of Information and Protection of Privacy Act (FOIPOP) when handling personal information.

If you have questions about how your personal information will be handled, contact:

### Manager, Information Services and Privacy

902-424-4127

[CS\\_Privacy@novascotia.ca](mailto:CS_Privacy@novascotia.ca)

Community Services

Barrington Tower, 5<sup>th</sup> Floor

1894 Barrington Street

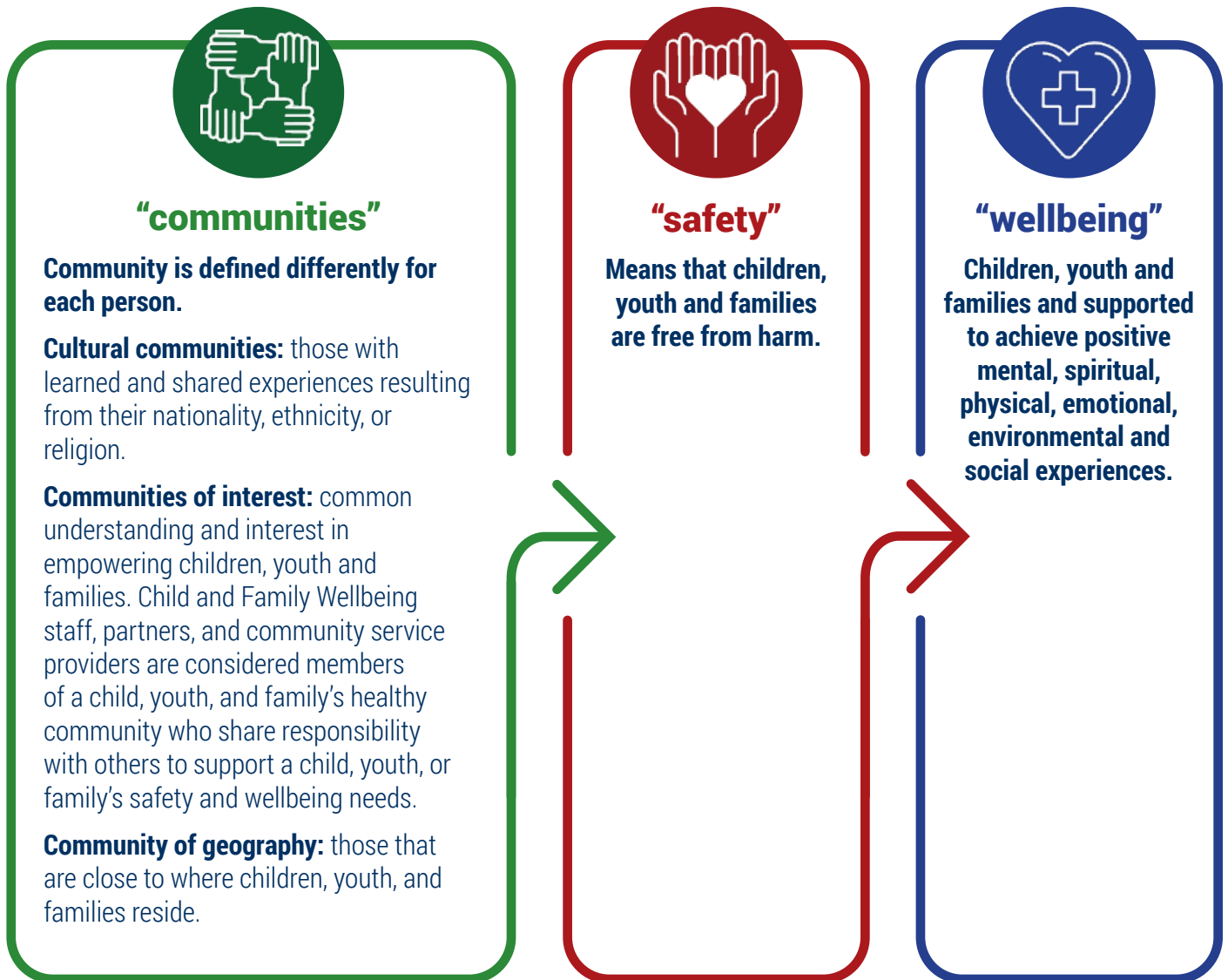
Halifax, Nova Scotia B3J 2A8

<sup>1</sup> Personal Information as defined under Section 3(1)(i) of the Freedom of Information and Protection of Privacy Act, 1993, c.5, s.1.

## Topic Areas and Guiding Questions

The Department has been taking steps to improve and transform the services provided to children, youth, and families. The Department's vision is:

**Communities support the safety and wellbeing of children, youth, and families.**



To support the achievement of this vision through the CFSA, the Department is seeking feedback on the following six topic areas:

**Prevention, Early Intervention and Family Preservation:** understanding how communities can be strengthened to uphold the safety of children and youth and keep families together.

**Child and Youth Rights and Wellbeing:** ensuring children and youth are supported to understand their rights, and their voices and views are promoted to enable their wellbeing and interests.

**Diversity, Equity, and Inclusion:** providing responsive and culturally attentive services that exemplify substantive equity for Nova Scotian families.

**Indigenous Peoples:** improving alignment between An Act respecting First Nation, Inuit, and Métis children, youth, and families (FNIM) and Child and Family Wellbeing's delivery of services.

**Quality Programs and Services:** ensuring that services are being delivered consistently, easy to access, and responsive to the culture, identity, circumstances, needs, and wishes of the child, youth, and family.

**Accountability:** understanding whether programs and services are achieving the intended outcomes for children, youth, and families.

## Topic #1: Prevention, Early Intervention, and Family Preservation

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Community safety and wellbeing shapes the context in which children and families are able to thrive, and each community member has a responsibility to uphold the safety and wellbeing of children and youth. This means communities and community-based service providers are best positioned to provide support through increased focus on preventative and protective factors that strengthen the child, youth, family, and community.

### Considerations for Reflection

The Department wants to build and enhance relationships and work together, as partners, with children, youth, families, and communities to support their safety and wellbeing. The Department has done significant work to increase the availability of prevention-based services, but there continues to be opportunities for improvement, such as:

- providing more opportunities for community-based programs and services so families can access what they need when they need it;
- acknowledging the role communities play in the development of children and youth;
- providing less formal or intrusive interventions that are in the best interest of the family when a report is made.

The Department has been transforming the prevention and early intervention system for the last several years. Achievements to date include:

- investing over \$7.65 million dollars into developing new, and expanding or enhancing existing, programming and supports across the province;
- implementing 76 program enhancements and/or new program sites;
- enabling service providers to expand their footprint and tailor programming to meet the needs of their unique communities.

### Questions

1. What parts of the CFSA should be retained because they are currently working well to promote and/or improve access to prevention, early intervention, and community-based services for children, youth, and families?
2. What changes could be made to the CFSA to promote and/or improve access to prevention, early intervention, and community-based services for children, youth, and families in need of those services?
3. What supports or services are needed that may not currently exist or are not available?
4. How can the community be engaged to strengthen family relationships and support family preservation efforts?

## Topic #2: Child and Youth Rights and Wellbeing

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Children and youth's rights must be upheld when receiving services. This means that all children and youth are supported to understand their rights, and their voices and views are respected and promoted to enable their developmental wellbeing. The CFSA acknowledges that children and youth have the same basic rights and freedoms as adults, including the right to special safeguards that ensure their rights are preserved.

### Considerations for Reflection

There are specific opportunities that can further promote the rights of children and youth within the services that are overseen by the CFSA:

- ensuring service providers, children, youth, and parents or other caregivers understand the rights of children and youth;
- ensuring there is a common understanding of the steps that can be taken if a child or youth's rights are not upheld or respected;
- providing different ways and opportunities for children, youth, and families to give feedback on programs and services;
- creating an environment that allows children and youth to make choices about their own care and to feel supported in exploring and understanding their unique background, culture, race, gender, sexual orientation, and needs.

### Questions

1. What language or content changes to the CFSA would help to improve how the rights of children and youth are defined and upheld?
2. What changes to the CFSA would help services to be more child- and youth-centered?
3. What would help children and youth to have a greater voice in decisions that affect them and their care?
4. What changes to the CFSA would help improve the collection and use of personal information and access to this information, particularly for children and youth?



## Topic #3: Diversity, Equity, and Inclusion

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Children, youth, and families have diverse identities, backgrounds, and experiences with varied access to resources. The Department recognizes the harm caused by colonized child welfare practices. The policies and practices that have historically been in place have had significant and disproportionately negative impacts on children, youth, and families of Indigenous peoples, persons of African Nova Scotian/African descent, other ethnic populations, and persons who identify as 2SLGBTQIA+.

We are working to ensure all services and programs under the CFSA are inclusive and respectful and consider all parts of the child, youth, and family's identity, such as race, culture, (dis)ability, and gender identity.

### Considerations for Reflection

The Department has taken measures to embed anti-racism in its policies and the delivery of services. There continues to be opportunities to make improvements within the CFSA to elevate the voices of communities experiencing marginalization, and to help strengthen and preserve cultural identity by:

- ensuring policies, tools, and practices are anti-racist, and embrace cultural and gender/identity differences;
- ensuring diverse voices, particularly those of the Indigenous, and African Nova Scotian/African descent communities, are included in decision making and the delivery of programs and services;
- increasing equity and culturally attentive practices in services delivered to children, youth, families, and communities.

To support diversity, equity and inclusion, the Department has:

- developed an anti-Black racism strategy;
- developed anti-Black racism policy and principles that guide policy development;
- launched an Africentric Child and Family Wellbeing program to support all social workers when working with children, youth, and families of African descent

### Questions

1. What changes to the CFSA would better enable services to be culturally attentive, trauma-informed, and responsive to the unique needs of communities that are disproportionately impacted by the care system?
2. What changes could be made so that policies, tools, and materials are equity-based, culturally attentive, approachable/accessible (such as being available in multiple languages), and sensitive to issues of individual and systemic biases?
3. What changes could be made that better recognize, value, and respect the different ways of raising children and youth?

## Topic #4: Indigenous Peoples

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The [Truth and Reconciliation Commission](#), the National Inquiry into [Missing and Murdered Indigenous- Women and Girls](#), and [An Act respecting First Nations, Inuit and Métis children, youth and families](#) (FNIM) recognizes the legacy of residential schools and the harm, including intergenerational trauma, caused to Indigenous peoples by colonial policies and practices.

The CFSA applies to all children and families in Nova Scotia, including those living in Indigenous communities. Mi'kmaw Family and Children's Services of Nova Scotia (MFCS) is responsible for delivering children and family services, in alignment with the CFSA, in the 13 Mi'kmaw First Nations communities in Nova Scotia.

### Considerations for Reflection

The CFSA includes provisions, such as those concerning customary care and preserving cultural identity, to support the delivery of services that recognize and protect the heritage, traditions, communities, and concepts of family for Indigenous children, youth, and families. However, there continues to be opportunities to further align the CFSA with the principles outlined in FNIM and improve how services for Indigenous children, youth and families are administered under the CFSA. These include:

- incorporating principles and practices from FNIM into policy (this is ongoing);
- ensuring FNIM and a culturally attentive lens are embedded into every part of the system and the delivery of services;
- increasing access to culturally attentive and trauma-informed supports across the continuum of services;
- maintaining a partnership and collaborative relationship with MFCS, and learning from their experiences.

The Mi'kmaq, through the Kwilmu'kw Maw-klusuaqn Negotiation Office (KMKNO), are developing a child and family services law and working with Canada and Nova Scotia to take on responsibility for the delivery of child and family services for Mi'kmaw children, youth, and families living in Nova Scotia.

### Questions

1. What barriers do Indigenous children, youth, and families face when accessing services?
2. What changes to the CFSA (or its regulations) would better promote access to culturally attentive services for Indigenous children, youth, and families?
3. The CFSA outlines obligations for services to Indigenous children, youth, and families, such as working with bands and communities, and providing access to culturally attentive services that recognize their distinct identities. What changes to the CFSA would help the Department and community-based service providers better meet these obligations?

## Topic #5: Quality Programs and Services

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Quality programs and services support children, youth, and families' wellbeing by being consistent, easy to access, and attentive to culture, identity, circumstances, needs and wishes. This means continuing to improve the quality of services being delivered either directly or through community-based service providers. This includes programs and services such as alternative family care, talking circles, support for youth leaving care/transitioning into adulthood, support for those experiencing sexual exploitation, and support for parties to an adoption.

### Considerations for Reflection

High-quality can mean that the program or service achieves what it was intended to achieve; those who are involved in the program are satisfied with the content or experience in the program; and there is evidence of continuous improvement (e.g. using leading practice models, updating protocols or practices, etc.). There may be opportunities for the CFSA to uphold the standard for delivering high-quality programs and services by:

- identifying ways that programs or services can be improved upon, or delivered more effectively;
- ensuring a minimum standard of service provision is maintained (such as licensing);
- creating a variety of opportunities and mechanisms for feedback, as well as reporting back to the public on progress;
- identifying and addressing barriers that prevent more effective coordination across services, systems, and jurisdictions.

The Department has been transforming the provision of services over the last several years. This includes initiatives such as:

- implementing the Alternative Family Care program to keep children and youth within their communities/families;
- redesigning the foster care system to provide children and youth with stable, family-like environments that are delivered by diverse and caring foster caregivers, and to reduce the administrative burden on caregivers;
- ending birth alerts and identifying prevention-based supports for expectant and new parents;
- revising legislation to open adoption records and allow increased access to information for adopted persons, birth parents, and their families.

### Questions

1. What changes to the CFSA (or its regulations) would improve the delivery of high-quality services that meet the needs of children, youth, and their families?
2. What services are working well and could serve as models for enhancement in the future?
3. What do you see as barriers to effective collaboration across services being delivered to children, youth, and families, under the CFSA?

## Topic #6: Accountability

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It is important to understand if programs and services are achieving the desired outcomes for children, youth, and families, including programs and services that are delivered directly by government or through government-funded community-based service providers. This means enabling greater accountability through oversight, governance, financial performance, data, and outcomes measurement.

### Considerations for Reflection

The Department has a responsibility to ensure it acts with transparency, in the best interest of the public, and has accountability systems in place. There are opportunities within the CFSA that can further support:

- improving the oversight the Department provides to government-funded community-based service providers to deliver services;
- collecting information, completing analyses, and reporting to the public on patterns, trends, and findings, particularly as they relate to the disproportionate representation of communities experiencing marginalization;
- reducing unnecessary administrative reporting that limits capacity to build relationships with children, youth, families, and communities;
- communicating progress around changes being made to improve programs and services delivered by the Department and/or government-funded community-based service providers.

The Department is working to increase transparency and support accountability to children, youth, families, and communities by developing:

- an accountability framework to better understand of how government-funded community-based service providers are achieving outcomes;
- a Practice Framework for Child and Family Wellbeing that will tell children, youth, families, and communities what they should expect when receiving programs and/or services;
- a policy manual that will be available to the public that will guide the work of all Child and Family Wellbeing employees (currently under development).

### Questions

1. What changes can be made to the CFSA to improve compliance with the CFSA and help improve outcomes for children, youth, and families?
2. What changes to the CFSA could improve how data (including identity-based data and feedback from children, youth, and families) is used and collected when services are being provided to children and family?
3. How should government assess the quality of programs and services being delivered to children, youth and families?

## Summary Questions

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1. What aspects of the CFSA are working well?
2. Overall, how can the CFSA be improved to be more effective in protecting children from harm, promoting the integrity of the family, and assuring the best interests of children and youth?
3. What other possible changes to the CFSA, or its regulations, would help the Department and other service providers improve service coordination, experiences and outcomes for children, youth, and families?