



# Child and Family Wellbeing **Policy Manual**

2025



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# Introduction to Child and Family Wellbeing Policies

**The Nova Scotia Department of Opportunities and Social Development (the Department) has authority to provide a range of services to children, youth, and families. The Department recognizes that children, youth, and families require a community of support and services to meet their unique needs.**

Child and Family Wellbeing (CFW), a division of the Department of Opportunities and Social Development, is a part of the community that is responsible for the safety and wellbeing of children, youth, and families.

CFW team members support and deliver services to children, youth, and families in a variety of different roles. CFW team members deliver services to children, youth, and families under provincial legislation, including but not limited to the *Children and Family Services Act (CFSA)* and *Children and Family Services Regulations (Regulations)*, *Adoption Information Act*, *Intercountry Adoption Act*, *Adoption Records Act*, as well as federal legislation, *An Act respecting First Nations, Inuit, Métis children, youth and families*.

- The purpose of the *CFSA* is to protect children from harm, promote the integrity of the family and assure the best interests of children.
- The purpose of *An Act respecting First Nations, Inuit, Métis children, youth and families* is to affirm the inherent right of self-government, which includes jurisdiction in relation to child and family services, establish national principles towards the provision of child and family services in relation to Indigenous children, and contribute to the implementation of the United Nations Declaration of the Rights of Indigenous Peoples.

With authority delegated by the *CFSA*, Mi'kmaw Family & Children's Services of Nova Scotia (MFCS) provides Child and Family Wellbeing services for Mi'kmaq children, youth, and families living in Mi'kmaq First Nations communities in Nova Scotia.

This document includes the policy statements and requirements that outline the Department's intent with respect to the legislation and support the CFW team in their decision making.

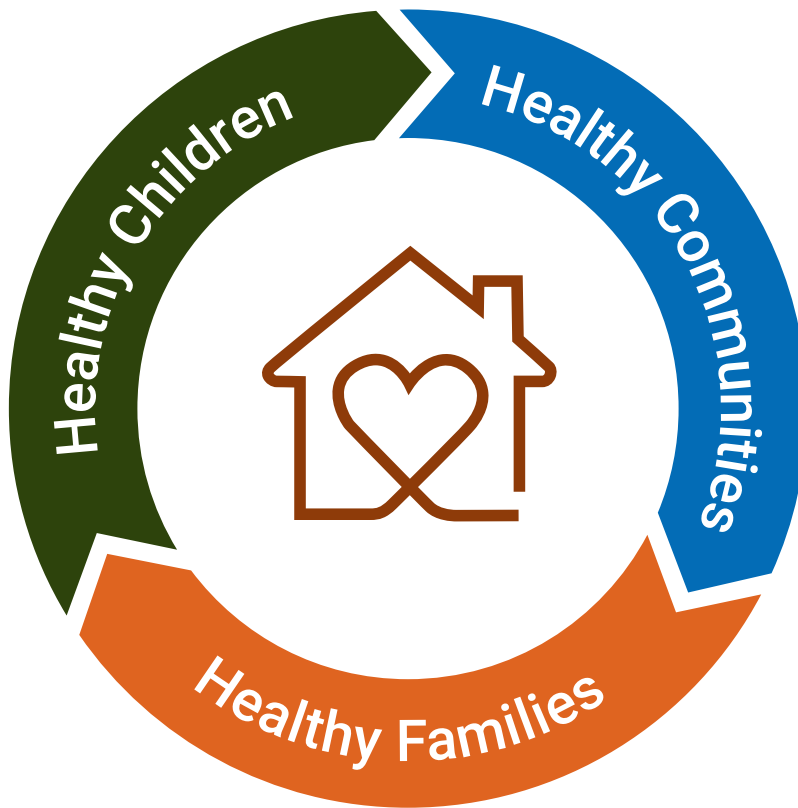
# Guided by a Practice Framework

**The Child and Family Wellbeing (CFW) Practice Framework outlines the approach to practice with children, youth, families, and communities. CFW team members are accountable to center the CFW Practice Framework in their daily work. It includes definitions of the vision, values, guiding principles, and standards for practice to achieve the best outcomes for children, youth, and families.**

The CFW Practice Framework:

- Describes and defines how those who are delivering Child and Family Wellbeing supports or services should plan and respond to the needs of children, youth, and families.
- Recognizes that healthy children, healthy families, and healthy communities are interconnected and that there is an interdependence between all three in ensuring the safety and wellbeing of a child or youth.
- Highlights the safety and wellbeing of a child, youth, family, and community as a shared responsibility and not solely the responsibility of the government or service providers.
- Identifies the importance of trusted relationships and collaborative partnerships with and within the child, youth or family's community which includes Elders and knowledge keepers, spiritual and community leaders, friends, neighbours, schools, health care providers, community partners, and staff.
- Acknowledges that the experiences of children, youth, families, and communities vary depending on an individual's or group's connection to other overlapping social identities, such as race, gender identity and expression, (dis)ability, age, sexual orientation, religion, ethnicity, citizenship, immigration status, income, etc., and how these other social identities interact to increase or decrease barriers, opportunities, and privilege.
- Promotes pro-equity, anti-racist and anti-oppressive principles in practice and engagement with children, youth, families, and communities.

Together these elements of the CFW Practice Framework will enhance access to high quality, culturally safe, and inclusive support to help Nova Scotia's children, youth and families thrive.



# Child and Family Wellbeing Practice Framework

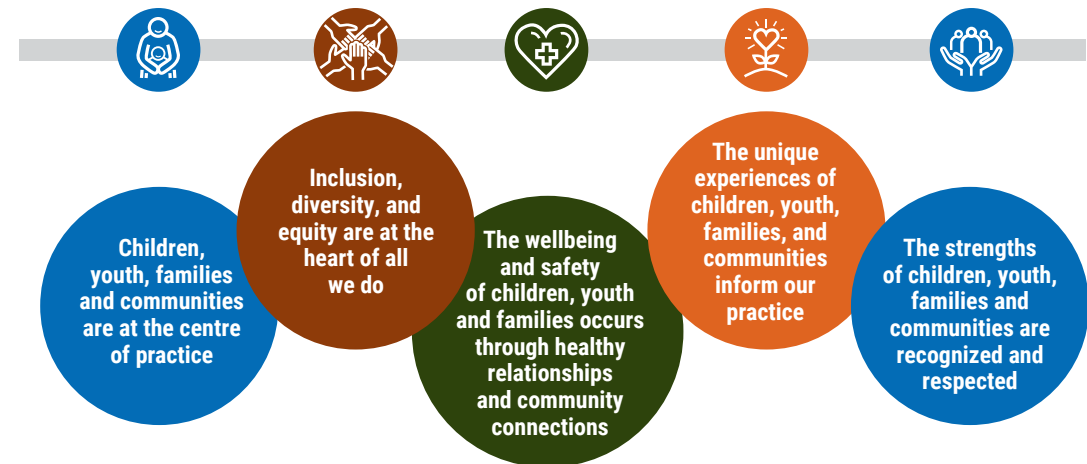
## Vision

*Communities support the **safety** and **well-being** of children, youth, and families*

## Values



## Guiding Principles



## Practice Standards



# Respecting and Responding to Culture and Identity

Nova Scotia is home to many diverse communities. This includes a rich and complex history of the Mi'kmaw communities, Acadian, and African Nova Scotian, and welcoming newcomer families.

In addition, both rural and urban communities across Nova Scotia celebrate their traditions, religious beliefs, and cultural values, as well as their unity and connectedness. This includes those who are part of the 2SLGBTQIA+ community, various ethnic groups, and persons with (dis)abilities.

It is essential for all Child and Family Wellbeing team members to work with children, youth, families and communities with cultural attentiveness and humility. This requires CFW team members to be aware of their own values, biases, and stereotypes, and a commitment to enhancing their cultural attentiveness when providing support to children, youth, and families.

# Program Areas

Child and Family Wellbeing (CFW) recognizes that children, youth, and families have varying needs for services, or for various levels of service over time. Further, CFW understands that services needed to support the safety and wellbeing of children, youth, and families must be holistic, and delivered at the time and place that is most impactful or beneficial for them. As such, these programs and services are provided as determined by the needs, wishes, and circumstances of the child, youth, and/or family.

Pursuant to its mandate under the *CFSA* and the legislation related to adoption, CFW offers services across seven program areas:

- Strengthening Children, Youth, Families, and Communities: Prevention & Early Intervention
- Child Safety and Family Preservation
- Children in Care
- Foster Care
- Child and Youth Caring Programs
- Adoption
- Disclosure Program

All programming is available during regular business hours. Outside of business hours, there is a provincial after-hours response team (PART) that will:

- Receive, assess, and respond to child and youth safety and wellbeing requests, concerns, or needs, which may include a child or youth in need of protective services.
- Support and assist children and youth in care in connecting with community resources.
- Support and consult caregivers of children and youth in care (e.g., foster caregivers, child and youth caring programs).

For children, youth, and families who reside in a Mi'kmaw community in Nova Scotia, after-hours services are provided by Mi'kmaw Family and Children's Services of Nova Scotia (MFCS).

Further details about each of the program areas are provided in the following pages.

## **Strengthening Children, Youth, Families, and Communities: Prevention & Early Intervention**

These services are:

- A broad array of programs and services designed to strengthen children, youth, and families that can be accessed throughout any stage of planning for the safety and wellbeing of a child, youth, or family.
- Intended to engage youth, families, and communities to build resilience, social connections, knowledge and skills, safe and nurturing environments, and concrete supports.
- Located in communities and neighbourhoods across Nova Scotia.

## **Child Safety and Family Preservation**

These services are:

- Focused on the protection of children under the age of 19 from abuse and/or neglect.
- Intended to support parent(s), guardian(s), caregiver(s) in providing care and protection for their children and youth, and to maintain the family unit, whenever possible.
- Focused on promoting the best interests, safety and wellbeing of children and youth.
- Provided when referrals of alleged abuse and/or neglect are received.
- Provided in a least intrusive manner within communities to best meet the safety and wellbeing needs of the child, youth, and families.



## Children in Care

These services are:

- Intended to provide a consistent quality of care to all children and youth who are in the care and custody of the Minister of Opportunities and Social Development, whether on a temporary or permanent basis.
- Focused on protecting the rights of all children and youth and meeting their unique needs while they are in care.
- Provided equitably to all children in care, based on their unique circumstances and care status.
- Inclusive of support and services for children and youth, including those who were formerly in permanent care and those who were supported through Youth Services.

## Foster Care

These services are:

- Focused on providing a temporary, stable, supportive, loving, and nurturing family-like environment to a child or youth in care when the child or youth is not able to remain with their parent or guardian.
- For caregivers who provide kinship, general, specialized and/or medical foster care.
- Provided to guide the recruitment, assessment, training, and support of foster caregivers as part of a child or youth's planning and care team, and community.

## Child and Youth Caring Programs

These services are:

- Accessed when a child or youth's needs are unable to be met in a foster home or when a foster home is not available.
- Provided by child and youth caring program staff 24 hours a day in a group-living, community-based home environment or treatment setting.
- Responsive to the unique needs of children and youth and may include programs such as life skills, educational support, clinical support, social and emotional learning, and/or treatment services.

## Adoption

These services are:

- Intended to support permanency planning for children and youth, including maintaining significant connections.
- Supportive of individuals to understand their options and offer support during decision making in a confidential and non-judgmental way.
- Accessible to children and youth in permanent care and custody, or children who have been placed voluntarily for adoption by their parent(s).
- Intended to provide stability, security, and new permanent family ties when it is in the best interest of the child or youth.
- Provided with recognition of the lifelong impacts to adopted children and adults, birth, and adoptive families.
- Provided for assessment and training purposes, and to provide support for prospective adopting parents.
- Provided to prospective adopting parents seeking to adopt a child or youth from another country, and adoption of a child or youth to another country when it is in the child or youth's best interest.

## Disclosure Program

These services are:

- Intended to support those formerly in the permanent care and custody of the Minister and adopted persons to access information about their birth history, and/or their time in care.
- Intended to assist former children and youth in care, adopted persons, and intercountry adoptees to access support and services such as post care supports, information, and search and reunion support.
- Intended to assist individuals with previous CFW involvement with verification of eligibility for specific grants and community programs, such as tuition waivers.
- Offered to birth parent(s), siblings, and relatives of adopted persons where the adoption was finalized in Nova Scotia.

# Child and Family Wellbeing Team Member Roles

**Child and Family Wellbeing (CFW) team members include a variety of roles such as Social Workers, Supervisors, Family Support Workers, Access Support Workers, Clinicians, Child and Youth Caring staff, Foster Caregivers and community-based support and services. CFW team members also include Executive Directors, Directors, Managers, Coordinators, Specialists, and administrative staff.**

CFW team members provide unique support to children, youth, and families, depending on their roles:

- Individuals who are delegated through legislation to support children, youth, and families, such as Social Workers, Supervisors, and Management team members. etc.
- Individuals who are trained in the delivery of services to children, youth, and families, such as Access Support Workers, Child and Youth Caring staff, Foster Caregivers, etc.
- Individuals who provide administrative support for the delivery of services to children, youth, and families.

All Child and Family Wellbeing (CFW) team members are expected to:

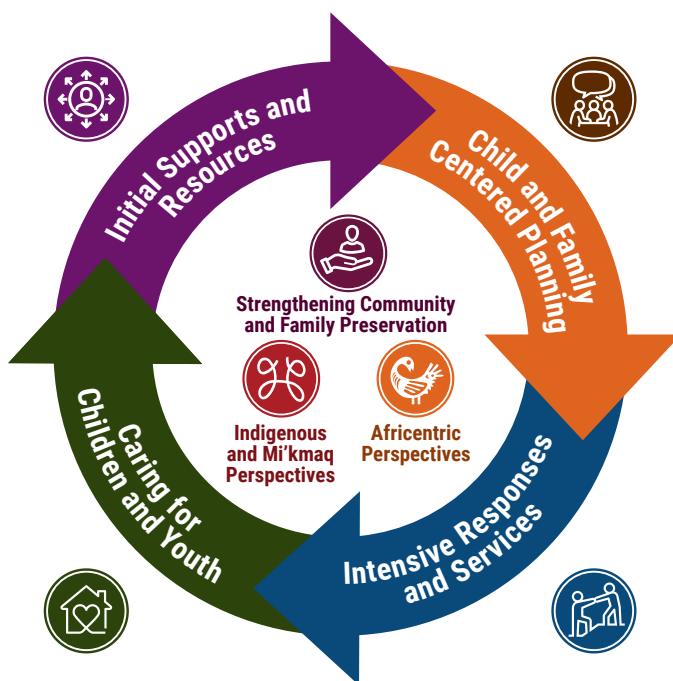
- Adhere to the CFW Practice Framework.
- Design and deliver services in a respectful, trauma-informed, and culturally attentive and responsive manner.
- Ensure the safety and wellbeing of the child or youth, and family and promote community connections that support their safety and wellbeing.
- Collaborate and engage with the child, youth, family, and those significant to them when planning for the child or youth's care.

- Respect and plan with the child, youth, and family to be supported in their religion, language, race, identity, and culture.
- Meet expectations for learning, reflection, and ongoing development to carry out professional duties. This may include formal and informal training opportunities, as well as reflective supervision and consultation.

# How to Read and Use These Policies

This document has been organized to follow the journey of a child, youth, or family, when engaging with Child and Family Wellbeing (CFW) team members. The chapters, sections and subsections have been organized for logical flow and easier access to similar topics.

Each section is focused on a stage in the journey, recognizing that each child, youth, and family's journey is unique and may take its own course, instead of experiencing each stage in a particular order.



## **Strengthening Community and Family Preservation**

How communities enable children, youth and family wellbeing.

## **Indigenous and Mi'kmaq Perspectives**

How we support children, youth, and families who identify as Mi'kmaq or Indigenous.

## **Africentric Perspectives**

How we support children, youth, and families who identify as African Nova Scotia, Black, or of African descent.

## **Initial Supports and Resources**

What we do when children, youth, families, and community reach outan/or come to our attention.

## **Child and Family Centered Planning**

What we do to understand the strengths, needs, and risks for children, youth, and families.

## **Intensive Responses and Services**

What we do to work with children, youth, and families to provide a more intensive response and address their needs and risks

## **Caring for Children and Youth**

How we care for children and youth.

## **Records and Information**

How we document and share information about children, youth, and families.

1. Each policy has a header that identifies the Chapter and Section.
  - a. The chapter refers to the overarching subject matter of the policies grouped in the chapter.
  - b. Section headings refer to more specific content in policies which are grouped by closely related subject matter.
  - c. The Issue Date is the date the policy takes effect.
  - d. The Revision Date is the date a policy is revised, and in the future, will be the easiest way to determine the most current policy is being utilized.
2. **Purpose** – A statement on the position of the Department with respect to the policy topic. A statement of the rule, the position, outcome and/or values that will be addressed.
3. **Application** – Identifies who and what processes the policy is intended to apply to.
4. **Requirements** – Detailed instructions to adhere to the policy and perform the required tasks.
5. **Resources** – Where applicable, includes valuable information that supports the promising and/or leading practice delivery of services to children, youth, and families.

Information about the **legislative source** for policies is located at the beginning of each journey section of the Manual and contains the section of the provincial legislation relevant to the policy, the section of the Regulations, and/or other applicable federal legislation.

# Child and Family Wellbeing Policy Sections



## **Strengthening Communities and Family Preservation**

How communities enable children, youth, and family wellbeing

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## **Indigenous and Mi'kmaq Perspectives**

How we support children, youth, and families who identify as Mi'kmaq or other Indigenous

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## **Africentric Perspectives**

How we support children, youth, and families who identify as African Nova Scotian, Black, or of African descent

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## **Initial Supports and Resources**

What we do when children, youth, families, and communities reach out and/or come to our attention

---



## **Child and Family Centered Planning**

What we do to understand the strengths, needs, and risks for children, youth, and families

---



## **Intensive Responses and Services**

What we do to work with children, youth, and families to provide a more intensive response and address their needs and risks

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## **Caring for Children and Youth**

How we care for children and youth

---



## **Records and Information**

How we document and share information about children, youth, and families

---

# Glossary of Terms and Legislated Timelines

## **Adopting Parent**

A person who is in the process of becoming the adoptive parent of a child or youth who is available for adoption by filing a Notice of Proposed Adoption or who has commenced an application for adoption.

## **Adoption**

The legal adoption of a child pursuant to the *Children and Family Services Act*. For example, a child in the permanent care and custody of the Minister and children who have been voluntarily placed for adoption under Section 68 of the *CFSA*.

## **Adoption Web Exchange (AWES)**

A province-wide service for the exchange of information among agencies, to bring together children in care whose goal is adoption with approved adopting families. AWES provides a means of exchange of information about children available for adoption.

## **Adoptive Parent**

A person named as the legal parent of an adopted child or youth in that child or youth's adoption order.

## **An Act respecting First Nations, Inuit, and Métis children, youth, and families**

Federal legislation establishing national principles for provision of child and family services to Indigenous peoples and affirming the inherent right of self-governance, including jurisdiction over child and family services, of Indigenous peoples in Canada.

## **Band**

A band as defined in the *Indian Act* (Canada) within the Province of Nova Scotia.

## **CAIT**

Consolidated Allegations Investigations Team. The team is responsible for responding to child safety and wellbeing concerns within Foster Homes and Adoption Probation Homes.



## Care

Providing emotional support and physical care to support a child or youth's daily wellbeing needs (CFSA, s. 3(1)(c)).

## Care and Custody

The care and custody of a child pursuant to the CFSA or an order or agreement made pursuant to the CFSA (CFSA, s. 3(1)(d)).

## Care Plan

A plan that is developed with a child or youth and their care planning team, while they are living in a Child and Youth Caring Program, that supports the child or youth's permanency goal that is outlined in their plan of care.

## CFSA

The *Children and Family Services Act*

## Child Abuse Register

The Child Abuse Register is a database containing the names and details of persons who have been found by a Court to have abused children.

## Child and Family Wellbeing

Child and Family Wellbeing (CFW) programs and services include Strengthening Children, Youth, Families, and Communities: Prevention & Early Intervention, Child Safety and Family Preservation, Children in Care, Child and Youth Caring Programs, Foster Care, Adoption and Provincial After-Hours Response Team.

## Child Death

As defined by s. 39A(a) *Fatality Investigations Act*

## Child or Youth

A person under 19 years of age, as defined in s.3(1) of the CFSA. A youth is a child under the CFSA, but for the purpose of this policy manual, refers to a child aged 12-19 years.

## Child or Youth in Care

A child or youth who is in the care and custody of the Minister of Opportunities and Social Development by:

- An agreement made pursuant to the CFSA.
- Being brought into care.
- A court order made pursuant to the CFSA.

## **Child or Youth's Care Planning Team**

This team works collaboratively to develop a plan that supports the holistic needs of the child or youth. The child or youth's care plan team includes the child or youth in care, their parent(s), caregivers, other significant family and community members, service providers and partners, Elders, mentors, and CFW team members.

## **Child or Youth in Need of Protective Services**

A child or youth who meets one or more of the criteria found in Section 22(2) of the *CFSA*.

## **Child Safety and Family Preservation**

Refers to the responses, interventions, and services provided to children, youth, and families, with the intention of preventing and responding to abuse and/or neglect.

## **Child Sexual Exploitation**

A form of child abuse that occurs when children / youth (under the age of 19) are coerced, lured or recruited into trading sexual acts, including pornography, whether the child/youth has given consent or not, in exchange for resources such as food, money, shelter, drugs, protection, transportation, and/or to fulfill emotional needs. A third-party ("pimp", "boyfriend", "trafficker") is often involved and derives benefit from the trade / sale of sexual acts by the child / youth.

## **Citizenship**

As defined by the *Citizenship Act*.

## **Common-Law Relationship**

A relationship between two people who have cohabitated in a marriage-like relationship for a period of at least two years (CFSA s. 3(1)(i)).

## **Community**

With respect to a child or youth, includes all persons who have a meaningful relationship with the child or youth, and where the child or youth is a registered member of a band, includes members of their band (CFSA s. 3(1)(j)).

## **Confidentiality**

The expectation and professional obligation that professionally acquired information is kept private and not shared with third parties unless a person provides informed consent, or a professional or legal obligation exists to share such information without informed consent by the person receiving services.

## **Court**

Means, unless the context otherwise requires, the Nova Scotia Supreme Court (Family Division).

## **Criminal Record Check**

A name-based search of the national repository of criminal convictions and a search of locally held convictions by Municipal Police Agencies or a local Royal Canadian Mounted Police (RCMP) detachment office.

## **Critical Incident**

Any of the following circumstances regarding a child or youth in care living in a CYCP:

- A child dies.
- A child has been or is believed to have been forcefully taken/removed without consent from a facility, school, or the community.
- A child is seriously injured and requires medical attention beyond treatment and immediate release from doctor, clinic or hospital.
- A child resides in a facility where a fire or other disaster has occurred and where the child had to be evacuated from the facility and cannot return to the facility for 24 hours.
- A child makes a suicide attempt.

## **Cultural Connection Plan**

A written plan that offers information and guidance to preserve a child or youth's cultural identity, and connection to their heritage, language, spirituality, customs, and traditions. The Cultural Connection Plan is developed with and for all children and youth in care, parent(s)/caregiver(s), family members, community members significant to the child or youth, Elders, and where the child or youth is Mi'kmaw or Indigenous, the child or youth's band (CFSA s. 3(1)(kb)).

## **Culture**

Shared traits, customs, and beliefs as they apply to a cultural group and may include but are not limited to:

- Race.
- Language.
- Ethnicity.
- Religious and spiritual observance.
- Dress.
- Education.
- Patterns of social and family relationships and attachments.

- Expectations of independence.
- Expectations of behavior and conduct.
- Child-rearing practices.
- Values.
- Ceremonial beliefs.
- Food and diet.
- Appreciation of historical events and background.

### **Customary Adoption**

The practice of transferring the primary on-going responsibility for a Mi'kmaw or other Indigenous child or youth from a current parent or caregiver to a new caregiver according to the traditions, practices and customs of a band or Indigenous community.

### **Customary Care**

The care and supervision of a Mi'kmaw or other Indigenous child or youth by a person who is not the parent, according to the custom of the child or youth's band or Indigenous community (CFSA s. 3(1)(kc)).

### **Department**

The Nova Scotia Department of Opportunities and Social Development.

### **Emotional Abuse**

Acts that seriously interfere with a child or youth's healthy development, emotional functioning and attachment to others such as

- Rejection.
- Isolation, including depriving the child or youth from normal social interaction.
- Deprivation of affection or cognitive stimulation,
- Inappropriate criticism, humiliation or expectations of or threats or accusations toward the child or youth.
- Any other similar acts (CFSA s. 3(1)(la)).

### **Established Relationship**

A meaningful relationship between a child or youth and an adult that is beneficial to them.

### **Family Group Conference**

As defined by the *CFSA*, one or more mediated conferences which may include the child or youth, parent(s)/guardian(s), other family members, caregivers, Elders, community-based service providers and members of the child/youth's community (CFSA s. 3(1)(lb)).

## **Family Plan**

A culturally attentive and responsive plan developed with the family, CFW, and others, that identifies the family-centered goal, objectives, and tasks to assess and measure progress made towards supporting the safety and wellbeing of children and youth and, where applicable, a plan for family time and visitation.

## **Family Violence**

A range of abusive behaviors including threats, coercion, controlling behaviors that cause the victim to fear for their safety or cause financial victimization, physical assault, or sexual assault, any of which occur within relationships based on kinship, intimacy, dependency, or trust. A child or youth may be overtly physically harmed during a family violence incident or indirectly harmed because of exposure to violence in the home. Indirect harm may result from the child seeing or hearing the incident, or being aware of the violence through indirect observations of the violence, such as physical injuries, tension in the home, verbal disagreements, broken objects, etc.

## **FFNS**

Federation of Foster Families of Nova Scotia, which provides for the delivery of support services for foster families in Nova Scotia.

## **FOIPOP**

Freedom of Information and Protection of Privacy Act

## **Foster Caregiver**

A foster caregiver approved by the Department or Mi'kmaw Family and Children's Services of Nova Scotia pursuant to the *Children and Family Services Act*. A foster caregiver is the same as a foster parent as defined by the Act (CFSA s. 3(1)(n)).

## **Foster Caregiver Home**

The home approved by the Department or Mi'kmaw Family and Children's Services of Nova Scotia pursuant to the *Children and Family Services Regulations* as a foster home in which a child is placed by an agency for care, supervision, and any other services the child requires (Regs s. 2(1)).

## **Gender Expression**

Refers to how a person publicly presents their gender. This can include behaviour and outward appearance, such as dress, hair, makeup, body language and voice. A person's chosen name and pronoun(s) are also common ways of expressing gender. Also referred to as "gender presentation."

## **Gender Identity**

Refers to each person's internal and individual experience of gender. It is their sense of being a woman, a man, both, neither, or anywhere along the gender spectrum. A person's gender identity may be the same as or different from the gender typically associated with their sex assigned at birth. For some persons, their gender identity is different from the gender typically associated with their sex assigned at birth; this is often described as *transgender* or simply *trans*. Gender identity is fundamentally different from a person's sexual orientation.

## **Guardian**

See definition for parent (CFSA s. 3(1)(r)).

## **Guardian *ad litem***

A person appointed by the Court to represent the interests of a child or youth who is the subject of a child protection proceeding, in accordance with Section 37 of the *Children and Family Services Act*.

## **Hearing**

A formal proceeding before a court, including a trial.

## **Immigration Status**

Refers to the status under which a child or youth, who was not born in Canada, is in the country, for example as a permanent resident, a temporary resident permit holder (visitor, worker, and student), or as a refugee claimant/asylum seeker.

## **Indigenous Child or Youth**

When referencing *An Act respecting First Nations, Inuit, Métis children, youth and families*, a child or youth who is registered under the *Indian Act* (Canada) and includes a Mi'kmaw child or youth and those who are entitled to be Mi'kmaw and Indigenous (CFSA s. 3(1)(a)).

## **Integrity of the Family**

Enabling a child or youth to remain in, return to, or be placed in the care with the parent, guardian, or kin by providing support and services as a least intrusive means of intervention.

## **Intercountry Adoption**

The adoption of a child or youth from another country.

## **Joint Investigation**

This term refers to investigations of safety and wellbeing concerns undertaken by a team, including the police and the Child and Family Wellbeing social worker, when circumstances require a joint investigation.

## **Jurisdictional CFW Office**

The Child and Family Wellbeing (CFW) office serving the geographical area where the identified child or youth and family receiving services resides.

## **Least Intrusive Measures**

The level of response necessary to support safety and wellbeing needs of a child, youth, or family that provides the least amount of disruption or invasiveness.

## **Mediation**

A service provided by a qualified, unbiased, court appointed person who attempts to resolve matters between a parent/guardian and CFW pursuant to s. 21 of the *Children and Family Services Act*.

## **Minister**

Minister of the Nova Scotia Department of Opportunities and Social Development.

## **Neglect**

The chronic and serious failure to provide to the child or youth:

- Adequate food, clothing or shelter.
- Adequate supervision.
- Affection or cognitive stimulation; or
- Any other similar failure to provide (CFSA s. 3(1)(r)).

## **Non-Identifying Information**

Any information where the disclosure of which, alone or in combination with other information, would not likely reveal the identity of a person.

## **Non-Party Supervision Order**

A Supervision Order granted by the Court, where the child or youth is placed in the care and custody of an individual who is not a Party to the Court proceeding.

## **Notice**

Formal notification of any court hearing under the *CFSA* or of any significant measure under *An Act respecting First Nations, Inuit, and Métis children, youth, and families*.

## **Parent**

An individual who meets the definition of a parent, pursuant to the *CFSA* (CFSA s. 3(1)(r)).

## **Permanency or Overall Goal**

A permanency goal, also known as the overall goal, refers to the desired outcome for children and youth in care that is consistent with the health, safety, wellbeing and best interest of the child or youth. This includes promoting a sense of connection and belonging for the child or youth. Permanency goals can include, but are not limited to, returning to the care of a parent or family member, adoption, placement with extended family, or transition to adulthood.

## **Permanent Care and Custody**

When a child or youth is placed in the permanent care and custody of the Minister, all other parental rights are terminated and the Minister becomes the legal parent of the child or youth.

## **Personal Information**

Any information which alone or in combination with other information would likely reveal the identity of a person. Names, addresses, and details such as specific job titles of a person are examples of personal information.

## **Privacy Breach**

The event of unauthorized access or inappropriate use, disclosure or alteration of personal information.

## **Private Practitioner** (Adoption Home Assessment)

A registered social worker who has been authorized by the Department of Opportunities and Social Development to complete adoption home assessments.

## **Protective Factors**

Identified strengths and supports of the child or youth, and family that promote healthy development, safety and wellbeing and decrease the level of risk to the child or youth. These can include parental resilience, social connections, knowledge of parenting and child development, access to support in times of need, and social and emotional competence of children.

## **Provincial and Territorial Protocol on Children, Youth, and Families Moving Between Provinces and Territories**

A formal agreement signed by the Provinces and Territories which outlines the roles and responsibilities of statutory child and family wellbeing organizations (including government ministries, offices or agencies, boards, and societies) when working together to provide CFW services to children, youth, and families moving between provinces and territories. The protocol is mandatory for all provinces and territories that are signatories.



## Refugee

A person, inside or outside of Canada, who has fled from persecution and is fearful of returning to their home country because they may be harmed.

## Regulations

The *Children and Family Services Regulations* made pursuant to the CFSA.

## Respite

Short-term, overnight care provided to children and youth in care.

## Respite Exclusive Caregivers

Approved, overnight child-care providers who provide respite care to an identified child or youth in care or for a specific foster caregiver only.

## Serious Occurrence

Any of the following circumstances regarding a child or youth in care who is living in a CYCP:

- A child requires significant medical treatment, due to an accident or illness.
- A child is missing less than 24 hours and identified as at imminent risk.
- There has been a Child and Family Wellbeing referral made.
- Any other circumstances occurring, which affects the safety or well-being of a child.

## Sexual Abuse

This is defined as:

- The employment, use, persuasion, inducement, enticement, or coercion of a child or youth to engage in, or assist any other person to engage in, any sexually explicit conduct or simulation of such conduct; or
- The use of a child or youth in, or exposure to, prostitution, pornography, or any unlawful sexual practice (CFSA s. 3(1)(v)).

## Sexual Orientation

Refers to the enduring physical, romantic, and/or emotional attraction to members of the same and/or other genders, including lesbian, gay, bisexual and straight orientations. Sexual orientation is separate from gender identity.

## Significant Measures

Pursuant to *An Act respecting First Nations, Inuit, and Métis children, youth, and families*, significant measures refer to actions affecting Indigenous children and youth. In Nova Scotia, significant measures include taking a child into care, any change in placement for a child in care, safety planning which involves a disruption in the

caregiving of the child, and any court applications initiated requesting placement of the child for adoption, proposing an adoption placement, and consenting to an adoption.

### **Supervision Order**

A court order made pursuant to section 42(1)(b), (c), or (e) of the Children and Family Services Act that places a child or youth in the care and custody of their parent, guardian, or a third party that includes terms and conditions permitting the Department to monitor the placement and enter the child's home. The order usually includes terms and conditions for services and contact with other parents or guardians.

### **Temporary Care and Custody Order**

A court order made pursuant to section 42(1)(d) or (e) of the Children and Family Services Act that places a child or youth in the temporary care and custody of the Minister.

### **Third Party Information**

Any information, such as identity or personal information, that does not have a direct relationship with the individual for whom the information is being collected.

### **Treatment Plan**

A plan that is developed with a child or youth, their care planning team, and the treatment program's interdisciplinary team while the child or youth is living in a long-term treatment or secure treatment program. The treatment plan supports the child or youth's identified treatment goals as well as the child or youth's permanency or overall goal. Treatment goals typically require support of the treatment program's interdisciplinary team that provides onsite support and services to children and youth admitted to the treatment program.

### **Vulnerable Sector Check**

A **vulnerable sector check** is a special type of criminal record check that is required for those who will be supporting, caring for, or working with children and youth from a position of trust or authority.

CFSA Section	Legislated Timeline Referenced in Policy
17(3) Temporary-care agreement	No temporary-care agreement shall be made for a period exceeding six months, but the parties to a temporary-care agreement may extend it for further periods if the total term of the temporary-care agreement, including its extensions, does not exceed an aggregate of twelve months

<b>CFSA Section</b>	<b>Legislated Timeline Referenced in Policy</b>
<b>18(2) Special Needs Agreement</b>	A special-needs agreement made pursuant to this Section shall be made for a period not exceeding one year, but may be extended for further periods each not exceeding one year, with the approval of the Minister
<b>19(2) Services agreement with child 16-18</b>	A services agreement made pursuant to this Section shall be made for a period not exceeding one year, but may be extended for further periods each not exceeding one year, with the approval of the Minister
<b>19A (3) Placement Agreement</b>	A placement agreement made pursuant to this Section shall be made for a period not exceeding one year, but may be extended for further periods each not exceeding one year, with the approval of the Minister
<b>43 (4) Supervision Order</b>	A supervision order may be for a period less than twelve months, but in no case shall a supervision order or orders extend beyond twelve consecutive months of supervision from the date of the initial supervision order, subject to the maximum time limits set out in Section 45.
<b>45(1) &amp; (2) Duration of orders</b>	The duration of a disposition order made pursuant to Section 42 must not exceed three months. Where the court has made an order for temporary care and custody, the total period of disposition orders, including any supervision orders, shall not exceed (a) where the child was under fourteen years of age at the time of the application commencing the proceedings, twelve months. or (b) where the child was fourteen years or more at the time of the application commencing the proceedings, eighteen months.
<b>55(1) Secure Treatment Certificate</b>	Upon the request of an agency, the Minister may issue a secure-treatment certificate for a period of not more than five days in respect of a child in care, if the Minister has reasonable and probable grounds to believe that (a) the child is suffering from an emotional or behavioural disorder; and it is necessary to confine the child in order to remedy or alleviate the disorder.
<b>56(3) Secure Treatment Order</b>	After a hearing, the court may make a secure-treatment order in respect of the child for a period of not more than forty-five days if the court is satisfied that (a) the child is suffering from an emotional or behavioural disorder; and it is necessary to confine the child in order to remedy or alleviate the disorder.

CFSA Section	Legislated Timeline Referenced in Policy
<b>56(4) Secure Treatment Order</b>	<p>Upon the application of the Minister or the agency and after a hearing before the expiry of a secure-treatment order, a secure-treatment order may be renewed in respect of the child, for a period of not more than ninety days in the case of a first or subsequent renewal, if the court is satisfied that (a) the child is suffering from an emotional or behavioural disorder; (b) it is necessary to confine the child in order to remedy or alleviate the disorder; and (d) there is an appropriate plan of treatment for the child.</p>
<b>68(2) Adoption agreement</b>	<p>The term of an adoption agreement shall be for a period not to exceed one year and, in the case of a newborn child, shall not be effective until fifteen days after the birth of the child.</p>



# Strengthening Communities and Family Preservation

How communities enable children, youth, and family wellbeing

Name of Legislation or Regulation	Applicable Sections
<i><b>Children and Family Services Act</b></i>	2: Purpose and paramount consideration 9: Functions of agency 13: Services to promote integrity of family 17: Temporary care agreement 20: Placement considerations 22(2): Child in need of protective services 47A: Cultural Connection Plan 67(1)(f): Interpretation of section 67 to 87 68: Adoption agreement 68A: Placement with specified person 70: Restriction on Placement 70A(1) and (1A): Right to Commence Adoption Proceedings 78: Adoption order 78B: Openness agreement 80: Effect of adoption order
<i><b>Children and Family Services Regulations</b></i>	2(3): Interpretation 6: Services to promote integrity of the family
<i><b>An Act respecting First Nations, Inuit and Métis children, youth and families</b></i>	All



## 1.1 Culturally Attentive and Responsive Practice

### Purpose

Child and Family Wellbeing (CFW) commits to practices that respect and honour the various cultures and backgrounds of children, youth, families, and communities receiving services. A culturally attentive and responsive practice requires continuous reflection upon values, privileges, biases, and stereotypes to effectively provide services to a diverse population of Nova Scotians.

### Application

This policy applies:

- To all CFW team members supporting children, youth, and families.
- To all decision-making and planning processes.

### Requirements

- 1.1 CFW respects and upholds the cultural journey of every child, youth, and family, and recognizes that culture is complex, unique to everyone, and can evolve over time.
- 1.2 Individual religious, linguistic, racial, and cultural considerations are included in all stages of planning and decision-making within the CFW service continuum and in the relationships held with children, youth, families, and communities.
- 1.3 CFW engages with community-based support and services to enhance the experience of children, youth, and families to receive culturally attentive and responsive services.
- 1.4 CFW considers its obligations under the **Children and Family Services Act (CFSA)** to specifically recognize the importance of preserving the cultural identity of a child or youth to help them make a healthy transition from childhood to adulthood.
- 1.5 CFW fulfills its obligations under **An Act respecting First Nations, Inuit, and Métis children, youth and families** to provide culturally attentive and responsive services for Indigenous children, youth, and families.
- 1.6 An Africentric lens and approach is embedded into CFW practices to improve the outcomes for children youth and families who are African Nova Scotian, Black, or of African descent. CFW develops tools and processes to support the development of a plan that attends to the individual identity and cultural needs of every child and youth in care.
- 1.7 Cultural attentiveness is considered a lifelong learning process for all CFW team members, and they are offered and encouraged to participate in relevant learning and development opportunities.



## Resources

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Nova Scotia College of Social Workers Standards of Practice

[nscsw.org/wp-content/uploads/2016/10/NSCSW-Standards-of-Practice-2022.pdf](https://nscsw.org/wp-content/uploads/2016/10/NSCSW-Standards-of-Practice-2022.pdf)

211 Nova Scotia

211 Nova Scotia - 211NS



## 1.2 Reducing Barriers and Increasing Access to Programs and Services

### Purpose

Nova Scotians can benefit from support when caring for children and youth. Child and Family Wellbeing (CFW) supports community-based programs and services to be available and accessible to all children, youth, and families.

### Application

This policy applies:

- To individuals seeking support and services within their communities.
- To community-based service providers and partners providing programs and services to children, youth, and families.
- To all CFW team members supporting children, youth, and families.

### Requirements

- 1.1 Community-based programs and services are person-centered, culturally attentive and responsive, and can be accessed voluntarily by children, youth, and families at any point in time.
- 1.2 Community-based programs and services are intended to support children, youth, and families by strengthening their wellbeing and safety, supporting family preservation, and creating connections and attachment to their communities. This includes geographical, cultural, or other types of communities a child, youth and family may belong to.
- 1.3 Children, youth, and families that experience additional barriers, such as transportation issues, may receive support to access community-based programs and services.

### Resources

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Prevention and Early Intervention Website

[www.novascotia.ca/coms/families/prevention-and-early-intervention](http://www.novascotia.ca/coms/families/prevention-and-early-intervention)





## 1.3 Community-Based Programs and Service Offerings

### Purpose

Children, youth, and families can access a range of community-based programs and services that provide the type and level of support they need to promote family safety and wellbeing. Child and Family Wellbeing (CFW) funds and contracts community-based service providers to deliver CFW designed and developed programs.

### Application

This policy applies:

- To individuals accessing community-based programs and services.
- To community-based service providers and partners providing programs and services to children, youth, and families.

### Requirements

#### 1. Types of Services

- 1.1 Children, youth, and families have diverse strengths, resources, and capacities. CFW connects children, youth, and families to a diverse spectrum of voluntary community-based programs and services that are designed to meet their unique needs.
- 1.2 Programming focuses on addressing issues impacting children, youth, and families including secure attachments, stable relationships, community and social connectedness, and safety and wellbeing.
- 1.3 The programs and services offered through community-based service providers include, but are not limited to:
  - 1.3.1 Community family peer support
  - 1.3.2 Family preservation
  - 1.3.3 Parenting resources and support
  - 1.3.4 Family violence prevention and response
  - 1.3.5 Sexual violence prevention and support
  - 1.3.6 Youth outreach
  - 1.3.7 Out-of-school support
  - 1.3.8 Navigation to access culturally attentive and responsive services.



## 2. Intensity of Services

- 2.1 Not all children, youth, and families require the same intensity of services. CFW funds community-based service providers to deliver tiered programs that are designed to meet the varying needs of children, youth, and families.
  - 1.3.1 Low intensity programs help strengthen family wellbeing and environment (E.g., parenting resources).
  - 1.3.2 Medium intensity programs are tailored to populations of focus (E.g., youth, cultural communities, etc.) based on identified concerns.
  - 1.3.3 High intensity programs focused on those experiencing identified safety and wellbeing concerns (E.g., those experiencing family violence).

## 3. Standards and Guidelines

- 3.1 CFW provides community-based service providers with Standards and Guidelines within their service agreements specifying the types and intensity of services described above.
- 3.2 CFW monitors and adjusts the Standards and Guidelines, as needed.
- 3.3 Community-based service providers are supported by CFW to build a community of practice where they can learn from one another, and support children, youth, families, and communities in navigating and accessing services.

## Resources

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Prevention and Early Intervention Website

[www.novascotia.ca/coms/families/prevention-and-early-intervention](http://www.novascotia.ca/coms/families/prevention-and-early-intervention)



## 1.4 Programs and Support During Pregnancy

### Purpose

Pregnant individuals, expectant parents, and birth parents can access voluntary, culturally attentive and responsive, confidential, and sensitive services and programs that are designed to support the exploration of decisions and planning for their pregnancy and/or child through Child and Family Wellbeing (CFW).

### Application

This policy applies:

- To individuals who are pregnant, expectant parents, birth parents, or others and who wish to access information and/or services to explore options and planning related to their pregnancy and/or child.
- To community-based service providers and partners providing support and services to pregnant persons and birth parents.

### Requirements

#### 1. Family Connections Program

- 1.1 The Family Connections Program offers services and connections to resources which are intended to promote the health and wellbeing of individuals who are pregnant and others who are connected to them.
- 1.2 A pregnant individual who is Mi'kmaw and ordinarily living on reserve may access the Weli-lknmakwemk (Blessings of Life) Program.
- 1.3 A pregnant individual may self-refer to the program or may be referred by someone else with the pregnant person's expressed consent.
- 1.4 As a voluntary program, the participating individual may withdraw at any time.

#### 2. Options Counselling Support

- 2.1 Options counselling is intended for those who may need support when making decisions and planning during pregnancy or exploring adoption.
- 2.2 Options counselling may occur as private sessions, circles of support, or another format that meets the needs of those involved.
- 2.3 Options counselling is confidential, voluntary, and offered without judgment.
- 2.4 When services are initiated by a birth parent or the pregnant individual, and another party wishes to be involved, they will be invited to participate.
- 2.5 There may be circumstances for the pregnant individual or birth parent where identifying the other party poses a risk of harm. Options counselling may be provided to one individual in isolation when it is appropriate to do so.



## Resources

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Options Counselling Referral

[www.novascotia.ca/coms/families/adoption/adoption-options-counselling.html](http://www.novascotia.ca/coms/families/adoption/adoption-options-counselling.html)

Family Connection Referral

[www.novascotia.ca/coms/families/prevention-and-early-intervention/family-connections.html](http://www.novascotia.ca/coms/families/prevention-and-early-intervention/family-connections.html)

Weli-lknmakwemk (Blessings of Life) Program

[mfcs.ca/programs-and-services](http://mfcs.ca/programs-and-services)



## 1.5 Collaboration Within Communities to Support Children, Youth, and Families

### Purpose

Children, youth, and families do best when the programs and services they access work collaboratively to support their needs. Community-based programs and services are part of the community supporting the safety and wellbeing of children, youth, and families and play a vital role in promoting the integrity of the family. Child and Family Wellbeing (CFW) promotes collective and collaborative partnerships with a broad range of services and service providers to advocate and coordinate responses for children, youth, and families.

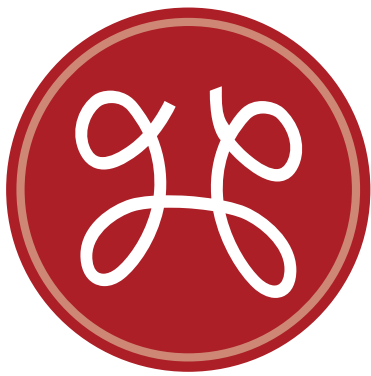
### Application

This policy applies:

- To programs and services within DOSD.
- To programs and services in other Government Departments and organizations.
- To community-based service providers and groups.

### Requirements

- 1.1 CFW team members build their awareness of and collaborative relationships with community-based service providers to effectively support and advocate for a child, youth, or family's needs.
- 1.2 CFW responds and communicates collaboratively within a timeframe that is respectful of the child, youth, and family's needs.
- 1.3 Collaboration is inclusive of across government Departments and systems, across programs with the Department of Opportunities and Social Development, and externally with community-based service providers and groups.
- 1.4 Relational approaches to collaboration are used to create and support opportunities for organizations, service professionals, and CFW to communicate with transparency and share perspectives.
- 1.5 When children, youth, and families transition to and from services, CFW supports individuals to create connections within their community of support.
- 1.6 Consent from the family may be obtained to share personal information for the purposes of collaboration unless consent is not required. Sharing personal information regarding a child, youth, or family adheres to the requirements of CFW's ***Confidentiality and Privacy policy***.



# Indigenous and Mi'kmaq Perspectives

How we support children, youth, and families who identify as Mi'kmaq or other Indigenous

Name of Legislation or Regulation	Applicable Sections
<i>Children and Family Services Act</i>	2: Purpose and paramount consideration 3: Interpretation 5: Delegation of powers, privileges, duties, or functions 9: Functions of agency 12: Representatives 13: Services to promote integrity of family 22(2): Child is in need of protective services 33: Taking into care 36: Parties to proceedings 39: Interim hearing 40: Disposition hearing 42: Disposition order 43: Supervision order 44: Temporary care and custody order 47: Permanent care and custody order 63: Child Abuse Register 68: Adoption agreement 76: Prerequisites to adoption



<b><i>Children and Family Services Regulations</i></b>	2:	Interpretation
	3:	Duties of Minister's Delegate
	5:	Qualifications of representatives
	7:	Services to promote the integrity of the family
	14:	Accounts and records
	51:	Disclosure of information on Child Abuse Register
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<b><i>An Act respecting First Nations, Inuit and Métis children, youth and families</i></b>	All	
<hr/>		
<b><i>Indian Act</i></b>	Department of Aboriginal Affairs and Northern Development	



# Indigenous Principles and Practices

## 2.1 Indigenous Rights, Treaty Rights, and Band Registration

### Purpose

Indigenous children, youth and families are entitled to benefits and rights under the Indian Act, the Treaties, and in accordance with the individual bands' programs and policies. Mi'kmaq children, youth and families involved with Child and Family Wellbeing (CFW), whether served by Mi'kmaw Family and Children's Services of Nova Scotia or the Department, are provided with support to have a full understanding of these rights and entitlements to consider the registration process with their band.

### Application

This policy applies:

- To Mi'kmaq and Indigenous children, youth, and families who reside within or outside a Mi'kmaw community.
- To all CFW team members supporting Mi'kmaq and Indigenous children, youth, and families.

### Requirements

- 1.1 In addition to *An Act respecting First Nations, Inuit and Métis children, youth and families*, Indigenous and Treaty rights inform CFW planning and decision-making for the children, youth, and families they apply to. These rights include, but are not limited to:
  - 1.1.1 Indigenous children and youth have access to the cultural, spiritual, and ceremonial practices of their family and community.
  - 1.1.2 Indigenous children, youth, and families have awareness to their history and the impact this has had on their people and community.
  - 1.1.3 Indigenous children, youth, and families have a right to determine their Mi'kmaw eligibility and ability to register with their band.
- 1.2 When there is a need, CFW supports Indigenous children, youth, and families to explore and understand the benefits, rights, and entitlements they have as a registered member of the Band.





- 1.3 Contact may be made by CFW with the Band's Membership Clerk, Band Council, who may refer to the Band Designate, or with the Office of Indigenous Services Canada to obtain information that can assist the family.
- 1.4 CFW can provide support and guidance for any child or youth in permanent care who is Indigenous/Mi'kmaq or could be eligible for Status to both register under the *Indian Act* and apply for a Status card.

## Resources

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Indigenous Services Canada

[www.canada.ca/en/indigenous-services-canada.html](http://www.canada.ca/en/indigenous-services-canada.html)



## 2.2 Significant Measures and Notifications

### Purpose

When a significant measure is taken involving an Indigenous child or youth, Child and Family Wellbeing (CFW) provides notice to the parent, care provider, as well as the Indigenous Governing Body (IGB) of the child or youth in accordance with *An Act respecting First Nations, Inuit and Métis children, youth and families*.

In accordance with the *Children and Family Services Act (CFSA)*, notification to Mi'kmaw Family and Children's Services of Nova Scotia (MFCS) and to the child or youth's band, if known, is made if the child or youth is Mi'kmaw, or is entitled to be Mi'kmaw, and a significant measure is taken and/or a court application has been initiated and during continued proceedings.

### Application

This policy applies:

- To Mi'kmaq and Indigenous children, youth, and families who reside within or outside a Mi'kmaw community.
- To all CFW team members supporting Mi'kmaq and Indigenous children, youth, and families.

### Requirements

#### 1. Significant Measures

- 1.1 In Nova Scotia, significant measures include bringing an Indigenous child or youth into care, any change in where a child or youth in care is living, safety planning which involves a disruption in the caregiving of the child or youth, and any court applications initiated requesting placement of the child for adoption, proposing an adoption placement, and consenting to an adoption.

#### 2. Notice to Mi'kmaw Family and Children's Services of Nova Scotia

- 2.1 Pursuant to section 36 (3) of the *CFSA*, where a child who is the subject of a proceeding is Mi'kmaw, or is entitled to be a Mi'kmaw child, Mi'kmaw Family and Children's Services of Nova Scotia are provided with notice in the same manner as a party to the proceedings and may, with its consent, be substituted for the agency that commenced the proceeding.



### 3. Notice to a Band

- 3.1 Pursuant to section 36 (4A) of the *CFSA*, when a Mi'kmaw child or youth's band is known, and a court application is initiated, the band is entitled to receive notice of the proceeding as party, may have a designate present at the hearing, may be represented by a lawyer, and may make submissions to the court.
- 3.2 In circumstances where a child or youth has a connection to more than one band, notification is made to the band with the closest connection to the child or youth.
- 3.3 Notice to the band serves four purposes:
  - 3.3.1 Assists in the determination of the child or youth's registration or eligibility for registration as a band member.
  - 3.3.2 Enables CFW to identify resources, services, programs, and training available to a child, youth, or family in the Mi'kmaw community in which they reside or have a significant connection to.
  - 3.3.3 Informs the band of an event so the community can connect and support the child, youth, and/or family impacted.
  - 3.3.4 Enables the right of the band to make representations to the Court.
- 3.4 Notice is served to a member of the Band's Council of Designate, who:
  - 3.4.1 Provides the historical and cultural background of the community and identifies the systemic and structural factors that impact on its members.
  - 3.4.2 Attends Wikimanej Kikmanaq and participates in planning for the child or youth, and family.
  - 3.4.3 Identifies, coordinates, and assists Mi'kmaq children, youth, and families to navigate the resources, services, programs, and training available.
  - 3.4.4 Identifies community Elders and traditionalists within the community.
  - 3.4.5 Identifies cultural activities and events held by, and occurring within, the community.
  - 3.4.6 Identifies potential customary caregivers, kinship and foster caregivers and adoption possibilities.



# Mi'kmaw Family and Children's Services of Nova Scotia (MFCS)

## 2.3 Mi'kmaw Cultural Connection Plan

### Purpose

Child and Family Wellbeing (CFW) develops a ***Cultural Connection Plan*** for Mi'kmaq children and youth that recognizes and preserves their cultural identity and promotes the connection with their Mi'kmaw community, heritage, spirituality, and traditions.

### Application

This policy applies:

- To Mi'kmaq and Indigenous children and youth in care who reside within or outside a Mi'kmaw community.
- To all CFW team members supporting Mi'kmaq and Indigenous children and youth in care, and families.

### Requirements

- 1.1 The development of a Mi'kmaw child or youth's Cultural Connection Plan is completed by CFW with input from the child or youth, their family and community members who are significant in the child, youth, or family's life, and the child or youth's and/or parents' bands and may occur through the ***Wikimanej Kikmanaq*** (Mi'kmaw Family Group Circle Program).
- 1.2 In circumstances where a Mi'kmaw child or youth in care does not reside in their home community, CFW will support the caregiver in seeking activities that can meaningfully connect the child to their family and community, which includes connecting with their language, spirituality, history, celebrations, values, and traditions.



## 2.4 Child and Family Wellbeing Service Provision for Mi'kmaq Children, Youth and Families

### Purpose

Culturally attentive and responsive support and services that preserve and honour the identity, heritage, language, spirituality, and traditions of Mi'kmaq children, youth, and families who reside within and outside of Mi'kmaq communities are made available through Child and Family Wellbeing (CFW), with Mi'kmaw Family and Children's Services of Nova Scotia (MFCS) providing services to children, youth, and families who ordinarily reside on-reserve.

### Application

This policy applies:

- To Mi'kmaq and Indigenous children, youth, and families who reside within or outside a Mi'kmaw community.
- To all CFW team members supporting Mi'kmaq and Indigenous children, youth, and families.

### Requirements

#### 1. Jurisdiction of Service Delivery

- 1.1 Mi'kmaw Family and Children's Services of Nova Scotia (MFCS) provides culturally attentive and responsive Child and Family Wellbeing (CFW) support and services for children, youth, and families who may or may not be Mi'kmaw but who ordinarily reside in Mi'kmaq communities across the province.
- 1.2 MFCS may also provide guidance and consultation to:
  - 1.2.1 Mi'kmaq children, youth, and families who reside outside of Mi'kmaq communities.
  - 1.2.2 Partners and service providers working with Mi'kmaq children, youth, and families.
- 1.3 The Department provides CFW support and services for Mi'kmaq children, youth, and families who ordinarily reside outside of a Mi'kmaw community.
- 1.4 In the circumstance where a Mi'kmaw child, youth, or family is involved with CFW and relocates to live within a Mi'kmaw community, consultation occurs with MFCS to determine whether a transfer to MFCS should take place.
- 1.5 In the circumstance where a Mi'kmaw child, youth, or family is involved with MFCS and temporarily relocates from a Mi'kmaw community, MFCS may continue to provide CFW services.



## 2. Prevention and Early Intervention Services – Weli-lknmakwemk (Blessings of Life Program)

- 2.1 MFCS provides prevention and early intervention services to pregnant individuals through the Weli-lknmakwemk (Blessings of Life Program). An ongoing assessment of needs and involvement in services will be informed by the pregnant individual's desired level of support.
- 2.2 Through involvement with Weli-lknmakwemk, pregnant individuals may be referred for additional Mi'kmaw support, such as **Wikimanej Kikmanaq** (Mi'kmaw Family Group Circle Program).

### Resources

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Indian Act

[laws-lois.justice.gc.ca/eng/acts/i-5/fulltext.html](https://laws-lois.justice.gc.ca/eng/acts/i-5/fulltext.html)

Mi'kmaw Family and Children's Services of Nova Scotia (MFCS)

[mfcs.ca/programs-and-services](https://mfcs.ca/programs-and-services)



## 2.5 Wikimanej Kikmanaq Program (Mi'kmaw Family Group Circle Program)

### Purpose

Traditional Mi'kmaw talking and healing circles through the Wikimanej Kikmanaq program are used by Mi'kmaw Family and Children's Services of Nova Scotia (MFCS) at any stage of involvement to support culturally attentive and responsive planning for Mi'kmaq children, youth, and families.

### Application

This policy applies:

- To Mi'kmaq and Indigenous children, youth, and families who reside within or outside a Mi'kmaw community.
- To all CFW team members with Mi'kmaw Family and Children's Services of Nova Scotia supporting Mi'kmaq and Indigenous children, youth, and families.
- To individuals identified by the child, youth, or family as having meaningful relationships and a role in supporting their wellbeing.

### Requirements

- 1.1 Wikimanej Kikmanaq or a Mi'kmaw Family Group Circle is a voluntary and collaborative process that enables the family to take the lead in identifying and addressing safety and wellbeing concerns of children and youth.
- 1.2 Mi'kmaw Family and Children's Services of Nova Scotia (MFCS) follows a formalized process that outlines the principles and objectives of a Wikimanej Kikmanaq, which includes when it may be held, the roles and responsibilities of participants, Mi'kmaq cultural approaches, and documentation requirements.
- 1.3 Family members identify the participants to include in Wikimanej Kikmanaq, and can be relatives, Elders, community members, services providers, as well as CFW team members.
- 1.4 Any individual involved with the child or youth may call Wikimanej Kikmanaq, which may be a family member, a CFW team member, or Band Designate.
- 1.5 Wikimanej Kikmanaq focuses on the decision-making for the support and services that will best meet the needs and strengthen the family, for where the child or youth may live, transition planning, and permanency planning.
- 1.6 Any decisions made at Wikimanej Kikmanaq require consensus by all of those invited to participate in the circle.



## 2.6 Customary Care

### Purpose

Customary Care is prioritized by Child and Family Wellbeing (CFW) as a care arrangement for Mi'kmaq children and youth, which takes into account the customs and traditions of Indigenous peoples.

### Application

This policy applies:

- To Mi'kmaq and Indigenous children, youth, and families who reside within or outside a Mi'kmaw community.
- To all CFW team members supporting Mi'kmaq and Indigenous children, youth, and families.

### Requirements

- 1.1 A customary care arrangement for a child or youth is explored by CFW as an initial consideration, or can be court-ordered, to support the continuity of family relationships, provide community connection, and preserve the child or youth's heritage, cultural traditions, and cultural identity.
- 1.2 The customary care arrangement is temporary while the parent or guardian works toward having the child or youth return to their care.
- 1.3 When a customary care arrangement includes the relocation of a child or youth, and/or changes to the child's caregiving arrangement, this is considered a significant measure and notice of the change is required under Section 12.1 of *An Act respecting First Nations, Inuit, and Métis children, youth, and families*.
- 1.4 The customary care arrangement may involve the following:
  - 1.4.1 The child or youth's parent(s) or guardian(s).
  - 1.4.2 The caregiver(s) with whom the child or youth resides or will reside.
  - 1.4.3 The CFW team member that provides supervision.
  - 1.4.4 The child or youth, where appropriate (age 12 years or older).
- 1.5 When considered appropriate by the parent(s) or guardian(s) and Mi'kmaw Family Children's Services (MFCS), discussion and planning can occur with any other significant family or community members and the Chief of the Band with whom the child or youth is registered or eligible for membership.
- 1.6 Individuals who are identified as potential customary care providers are required to meet basic program requirements, which includes completing appropriate





background checks and being willing to discuss the results and how the information may pertain to current circumstances.

- 1.7 The customary care provider may be eligible for support through:
  - 1.7.1 The Alternative Family Care program, which includes financial support for the day-to-day care of the child or youth.
  - 1.7.2 The Canada Child Benefit.
  - 1.7.3 Any financial assistance available from the band.



# Africentric Perspectives

**How we support children, youth, and families who identify as African Nova Scotian, Black, or of African descent**

The Child and Family Wellbeing policies and practices that have historically been in place have marginalized many children, youth, and families. These have had significant and disproportionately negative impacts on the children, youth, and families who identify as African Nova Scotian, Black, or of African descent. Moving forward we must acknowledge our history, learn from it, build and enhance relationships, and work together as partners with children, youth, families, and communities to support their safety and wellbeing needs.

Name of Legislation or Regulation	Applicable Sections
<i>Children and Family Services Act</i>	2: Purpose and paramount consideration 3: Interpretation 9: Functions of agency 13: Services to promote integrity of family 20: Placement considerations
<i>Children and Family Services Regulations</i>	6: Services to promote integrity of the family
<i>An Act respecting First Nations, Inuit and Métis children, youth and families</i>	Not Applicable



## 3.1 Africentric Child and Family Wellbeing

### Purpose

Children, youth, families, and communities that are African Nova Scotian, Black or of African descent and involved with Child and Family Wellbeing (CFW) programs and services, can expect culturally attentive and responsive support and services. CFW team members are supported with culturally attentive consultation and guidance through the Africentric Child and Family Wellbeing (ACFW) team.

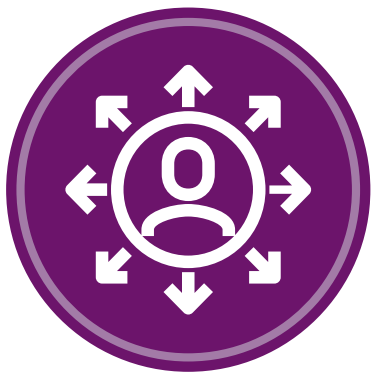
### Application

This policy applies:

- To children, youth, and families who are African Nova Scotian, Black, or of African descent.
- To all CFW team members.

### Requirements

- 1.1 All CFW team members will identify and address unconscious bias and/or anti-Black racism.
- 1.2 The ACFW team provides recommendations to promote the preservation and reunification of children, youth, families, and communities who are African Nova Scotian, Black, or of African descent.
- 1.3 The ACFW team provides support to internal CFW programs and services to enhance cultural attentiveness and provide guidance when supporting and/or caring for children, youth, and families who are African Nova Scotian, Black, or of African descent.
- 1.4 The ACFW team provides consultation when children, youth and families who are African Nova Scotian, Black, or of African descent are receiving CFW services.
- 1.5 Consultation and collaboration with ACFW team is intended to:
  - 1.5.1 Ensure culturally attentive and responsive planning that considers the rights of children, youth and families who are African Nova Scotian, Black, or of African descent, occurs.
  - 1.5.2 Provide resources and connection to community-based programs, that may be of benefit to the child or youth, family, and/or care providers.



# Initial Supports and Resources

What we do when children, youth, families, and community reach out and/or come to our attention

Name of Legislation or Regulation	Applicable Sections
<i><b>Children and Family Services Act</b></i>	<ul style="list-style-type: none"> <li>3(2): Interpretation</li> <li>5: Delegation of powers, privileges, duties, or functions</li> <li>9: Functions of agency</li> <li>12: Representatives</li> <li>12A: Social worker's investigation powers</li> <li>13: Services to promote integrity of family</li> <li>15: Approval of facilities and services</li> <li>16: Ministerial operation of facilities</li> <li>17: Temporary care agreement</li> <li>18: Special needs agreement</li> <li>19: Special needs agreement with child 16-18</li> <li>22(2): Child in need of protective services</li> <li>23: Duty to report</li> <li>24: Duty of professionals and officials to report</li> <li>25: Duty to report third-party abuse</li> <li>26: Order to produce documents for inspection or for access or entry</li> <li>28: Abandoned child</li> <li>29: Run-away child</li> <li>30: Protective intervention order</li> <li>32: Court application by agency</li> <li>33: Taking into care</li> <li>34: Entry and search</li> </ul>



Name of Legislation or Regulation	Applicable Sections
<i>Continued... Children and Family Services Act</i>	35: Return of child 43: Supervision order 62: Abuse defined 63(3): Child Abuse Register 66(3): Confidentiality of information in Child Abuse Register 68: Adoption agreement 68A: Placement with specified person 70A: Right to commence adoption application 72: Right to adopt 91: Assistance by peace officers
<i>Children and Family Services Regulations</i>	3: Duties of Minister's delegate 5: Qualifications of representatives 7: Health care professionals' reporting requirements 13: Evaluation of child-care services, child caring facilities and agencies 14: Accounts and records 32: Foster homes 47: Information to be recorded in Child Abuse Register
<i>An Act respecting First Nations, Inuit and Métis children, youth and families</i>	1: Definitions 4: Minimum Standards 8, 9: Purpose and Principles 10(1): Best interests of Indigenous child 10(2): Primary consideration 12(1): Notice 16: Placement of Indigenous Child - Priority



# Children, Youth, and Families

## 4.1 Reporting Requirements for Safety and Wellbeing Concerns

### Purpose

Reporting a concern about a child, youth or family's safety and wellbeing is a legal responsibility of all Nova Scotians, regardless of whether that information is confidential or privileged.

### Application

This policy applies:

- To all Nova Scotians with information regarding concerns for a child, youth, or family's safety and wellbeing.

### Requirements

- 1.1 A report is required to be made by any Nova Scotian when:
  - 1.1.1 There is concern that a child or youth under the age of 19 is experiencing or is at risk of abuse or neglect, requires medical treatment and a parent or guardian refuses or is unable to provide consent, has been exposed to violence in the home, has been abandoned, or is a child under the age of 12 who has seriously harmed or killed someone.
  - 1.1.2 There is a concern that a child or youth under the age of 16 is experiencing physical harm or sexual or emotional abuse inflicted by someone other than the parent or guardian, or the abuse is caused by the failure of a parent or guardian to supervise and adequately protect the child or youth.
- 1.2 It is the responsibility of CFW to **receive and assess** the safety and wellbeing concerns reported and determine whether any services are required.
- 1.3 Reporting can be done anonymously unless the reporting individual has professional or official responsibilities in working with children or youth.
- 1.4 There are no legal consequences for reporting a genuine concern about the safety and wellbeing of a child or youth.
- 1.5 It is an offence under the *CFSA* for an individual to maliciously report or fail to report a safety and wellbeing concern, and this could result in legal action.
- 1.6 Those with professional or official responsibilities in working with children or youth have a heightened obligation to report a safety and wellbeing concern, even if the



information they have is confidential or privileged. This includes advising of the location of the child or youth if it is known.

- 1.7 If more than one person is aware of the concern, each person is required to report the information they have.
- 1.8 Those with professional or official responsibilities are provided with a letter of acknowledgement indicating whether the concern was accepted for assessment.

## Resources

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Safety First: Child Abuse Definitions, Intervention and Support  
[novascotia.ca/just/prevention/tips\\_child\\_abuse.asp](https://novascotia.ca/just/prevention/tips_child_abuse.asp)

Reporting a Safety and Wellbeing Concern  
8:30am-4:30pm: 1-877-424-1177

Outside of business hours:  
1-866-922-2434



## 4.2 Assessing and Determining the Safety and Wellbeing of Children, Youth, and Families

### Purpose

Supporting the safety and wellbeing of a child, youth, and family, when a concern comes to the attention of Child and Family Wellbeing (CFW), can involve three distinct phases: screening, support/assessment, and ongoing support. How a child, youth or family moves through each phase is unique to the family and their circumstance.

### Application

This policy applies:

- To all children, youth, and families for whom a report of safety and wellbeing concerns has been received.
- To all CFW team members receiving reports of safety and wellbeing concerns of a child, youth, and/or family.

### Requirements

#### 1. General Requirements

- 1.1 When **concerns are first reported** to CFW, an assessment of the safety and wellbeing of a child(ren), youth, and their family, including an assessment of risk of harm, begins and continues throughout CFW involvement.
- 1.2 While assessing the safety and wellbeing concerns, CFW works in collaboration with the child or youth, their family, community members who are significant to the child or youth or family, and community-based service providers.

#### 2. Screening Phase

- 2.1 When a safety and wellbeing concern is reported, the CFW team gathers comprehensive information about the concern .
- 2.2 The information gathered will include (but is not limited to):
  - 2.2.1 Demographic information including race and cultural identity, if known.
  - 2.2.2 Historical information about the child, youth, and family.
  - 2.2.3 Observations and accounts that illustrate a family's strengths and resources.
  - 2.2.4 Information about family's cultural and racial identity.
  - 2.2.5 Information about community members who are significant to the child or youth and family.





- 2.2.6 Details about the safety and wellbeing concern and any immediate safety considerations.
  - 2.2.7 Information about resources and community supports the family can access to maintain their safety and address their identified needs.
- 2.3 Following the review of all information gathered regarding the reported concerns, and pursuant to Sections 13, 22(2), and 63 of the ***Children and Family Services Act*** CFW determines whether there are no further concerns, or whether there is sufficient information to warrant further assessment.
  - 2.3.1 In instances where further assessment is not required, but needs are identified, CFW offers, refers, and/or connects the child, youth, or family to voluntary community-based support and services, such as youth outreach services or parenting resources.
  - 2.3.2 When further assessment is required, the screening phase will determine the timeline for initial response, which can include an investigative process and can range from within 1 hour to 21 days.
  - 2.3.3 CFW will receive and assess all reported current or historical safety and wellbeing concerns of a child or youth from their time in care.
  - 2.3.4 Screening and assessments of safety and wellbeing concerns when a child or youth resides with a foster caregiver or adopting parent during the adoption transition period or in a CYCP, are completed by the Consolidated Allegation Investigation Team (CAIT) to provide a timely and consistent process.
- 3. **Support/Assessment Phase**
  - 3.1 When a potential safety concern has been identified pursuant to the *Children and Family Services Act*, CFW completes an initial in-depth, culturally attentive and responsive, and collaborative assessment of family strengths and needs, including historical experiences of trauma and racism. The outcome of this assessment will inform the approach taken to support the safety and wellbeing of the family pursuant to Section 13 of the *CFSA*
  - 3.2 If an assessment of safety and wellbeing concerns regarding children or youth and families who are African Nova Scotian, Black, or of African descent occurs, the Africentric CFW team will be consulted.
  - 3.3 The CFW team reviews relevant information and records related to the identified concerns and can consult, with or without consent, to seek additional information through an investigative process that will include contact with:
    - 3.3.1 The child or youth in a developmentally appropriate manner.



- 3.3.2 The parent(s) or guardian(s).
- 3.3.3 Other family members.
- 3.3.4 Those who have a relationship with the child or youth and/or family such as: other family members, community members, culturally supportive people, school or daycare personnel, Band designates and/or other professionals who are working with the family in supportive roles.
- 3.4 In some circumstances, a medical examination is required as part of the investigative process to determine any possible health complication or injury resulting from safety and wellbeing concerns.
- 3.5 Following the review of all information gathered during the assessment of the reported concerns and outcome of the investigative process, CFW determines, based on an assessment of risk to the child or youth involved, whether ongoing support is required, and will advise the family of the outcome.
  - 3.5.1 Whether further assessment or ongoing support is required or not, and needs are identified, CFW offers, refers, and connects the child, youth, or family to voluntary community-based support and services, such as youth outreach services, parenting resources, or family preservation program.
- 4. **Ongoing Support Phase**
  - 4.1 Based on an assessment of risk, when ongoing support by CFW is determined to be necessary for the safety and wellbeing of the child or youth, the assessment and services continue with the development of the **family plan**
  - 4.2 Where there are continued safety and wellbeing concerns, ongoing support can be provided voluntarily or, where required, on a **Court-ordered basis**

## Resources

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Prevention and Early Intervention

[www.novascotia.ca/coms/families/prevention-and-early-intervention](http://www.novascotia.ca/coms/families/prevention-and-early-intervention)

Foster Allegation Support Services

[fosterfamilies.ns.ca/foster-parent-support/foster-parent-support-foster-allegation-support-services/](http://fosterfamilies.ns.ca/foster-parent-support/foster-parent-support-foster-allegation-support-services/)



## 4.3 Contact with the Child and Family Wellbeing Team

### Purpose

Children, youth, and their families and caregiver(s) receiving Child and Family Wellbeing (CFW) support and services can expect regular and intentional contact with CFW to build relationships, ensure child and youth safety and wellbeing, make informed decisions, and plan effectively.

### Application

This policy applies:

- To children, youth, and families receiving CFW services.
- To all CFW team members supporting children, youth, and families.

### Requirements

- 1.1 Children, youth, families, and caregivers are provided with a primary Social Worker and will be given the Social Worker's contact information as well as the contact information for the office providing services.
- 1.2 Contact with children, youth, families, and caregivers occurs on a regular basis.
  - 1.2.1 Frequency and timelines of contact can depend on factors such as the specific needs and intensity of needs of the child or youth, family, or caregiver(s) and other support being provided. CFW will review the frequency and timeline of contact with the child, youth, or family and will document these details in the file.
  - 1.2.2 Every attempt is made for all initial meetings with a child or youth, family, or caregiver(s) to take place in-person.
  - 1.2.3 Regular contact can include in-person, phone, videoconference, emails, text, and other forms of messaging.



## 4.4 Making Decisions About the Safety and Wellbeing of Children, Youth, and Families

### Purpose

Decisions about a child, youth, and family's safety and wellbeing are guided by a risk management process and consideration of several factors, as referenced below. These factors guide decisions made by CFW that aim to support family preservation, and the level of CFW support needed to address and reduce risk to children and youth.

### Application

This policy applies:

- To children, youth, and families receiving CFW services.
- To all CFW team members supporting children, youth, and families.

### Requirements

- 1.1 When using the risk management process, it is important to consider the cultural, physical, emotional, health, social, historical, and environmental factors that may be impacting the child, youth, and family.
  - 1.1.1 Assessment of a child, youth, or family's individual protective and risk factors also informs decision making within the risk management process.
  - 1.1.2 This is a collaborative process that involves the child, youth, family, and CFW team.
- 1.2 Assessing safety and wellbeing considers the strengths and needs of the family, as well as the child or youth's chronological and developmental age. This is an ongoing process that accounts for changes in circumstances for a child, youth, or family.
- 1.3 A comprehensive assessment considers many factors, including but not limited to:
  - 1.3.1 The presence of protective factors that support the safety and wellbeing of the child or youth.
  - 1.3.2 Strengths and abilities of parent(s) or caregiver(s) and communities to mitigate any risks to the child or youth.
  - 1.3.3 Access and connection to community support and services to mitigate any risks to the child or youth.
  - 1.3.4 Impact and potential impact of harm to the safety and wellbeing of the child or youth.



- 1.3.5 External and environmental factors promoting or impacting the child or youth's safety and wellbeing.
- 1.3.6 Risk that the child or youth may suffer harm through being removed from, kept away from, returned to, or remain in the care of a parent or guardian.
- 1.4 The outcome of this assessment determines whether the safety and wellbeing concerns are confirmed, not confirmed, or inconclusive.
- 1.5 Throughout the screening, assessment, and ongoing support phases, responses can include:
  - 1.5.1 Referring, connecting, and **facilitating access** of the child, youth or family to voluntary community-based support and services that support their safety and wellbeing.
  - 1.5.2 Requiring ongoing intervention beyond the assessment stage, such as connecting the child, youth, or family to contracted service providers for therapeutic support and services, making an application to initiate a **court proceeding**, or determining whether it is necessary to **bring a child or youth into care**.
- 1.6 **Risk management conferences** are held to support key decision-making within the risk management process.



## 4.5 Alternative Family Care

### Purpose

When a child or youth is unable to safely remain in the home of their parent or caregiver and can be cared for by a family member, other significant person, or a community member, Child and Family Wellbeing (CFW) supports reunification and provides financial assistance for the child or youth's care through the Alternative Family Care program.

### Application

This policy applies:

- To children, youth, and families receiving CFW services.
- To decision-making and planning processes regarding a child or youth's care.
- To family members, significant persons, and/or community members who can provide care for a child or youth.
- To CFW team members supporting children, youth, and families.

### Requirements

#### 1. General Overview

- 1.1 The Alternative Family Care (AFC) Program is to be explored as an initial consideration that may assist in preventing a child or youth from entering the temporary care of the Minister.
- 1.2 The AFC program maintains the child or youth's connection to their family, culture, and community by providing temporary financial support to a caregiver to assist in meeting the child or youth's daily needs.
- 1.3 For Indigenous children, the AFC program recognizes the core principles of *An Act respecting First Nations, Inuit, and Métis children, youth and families* and the need for cultural continuity.
- 1.4 For children or youth who are African Nova Scotian, Black, or of African descent, consultation with the Africentric Child and Family Wellbeing team is required for culturally attentive and responsive guidance and planning.
- 1.5 Referrals may be made with the child, youth, or family to voluntary **community-based support and services**, such as youth outreach services or parenting resources



## 2. **Providing Care Through the Alternative Family Care Program**

- 2.1 CFW supports children and youth, where developmentally appropriate, and parents to identify family members or significant people in the child, youth, or family's life who may be considered to provide care for their child or youth.
- 2.2 Persons identified as potential caregivers need to meet basic program requirements and be willing to provide care on a voluntary basis. Basic program requirements include completing appropriate background checks and being willing to discuss the results and how the information may pertain to current circumstances.
- 2.3 When a caregiver meets the requirements to provide care through the AFC program, an agreement is signed to outline the roles, responsibilities, and terms of the caregiving arrangement.
- 2.4 CFW will provide ongoing support to the child or youth, parents, and AFC caregiver(s) until the child or youth no longer requires this care.
- 2.5 In cases where a child or youth cannot return to the care of their parent(s), CFW will explore care and custody of the child which may or may not include consideration of the AFC caregiver(s).



## 4.6 Responding to the Sexual Exploitation of Children and Youth

### Purpose

The safety and wellbeing of children and youth can be impacted by sexual exploitation, a form of sexual abuse. Child and Family Wellbeing (CFW) uses a collaborative approach to assess and respond to children and youth who are at-risk of, who are being, or who have been sexually exploited. This approach considers the impact of trauma and uses practices to promote harm reduction and healthy relationships.

### Application

This policy applies:

- To children, youth, and families receiving CFW services.
- To all CFW team members supporting children, youth, and families.

### Requirements

- 1.1 CFW team members use assessment tools collaboratively to identify at which stage of exploitation a child or youth is in and to identify key areas of support needed.
- 1.2 Children and youth can experience various stages of sexual exploitation including being at risk of exploitation, currently being exploited, and/or having previously been exploited. CFW supports children and youth regardless of which stage of exploitation they are in.
- 1.3 *An Act respecting First Nations, Inuit and Métis children, youth and families* must be of primary consideration in any planning and service provision for all Indigenous children and families impacted by sexual exploitation.
- 1.4 CFW supports children and youth and their families and/or caregivers to gain knowledge about how to recognize and respond to sexual exploitation.
- 1.5 CFW consults and collaborates with community-based service providers to identify support and services accessible and relevant to the child, youth, and/or family as soon as identified, and at all stages of support.
- 1.6 CFW team members participate in ongoing training opportunities on the impact of sexual exploitation and how to recognize and respond to best support the child, youth and / or family.
- 1.7 CFW team members build awareness of the various ways sexual exploitation can occur and the heightened vulnerability of children and youth in care.





- 1.8 CFW team members participate in training opportunities on harm reduction principles and practices to support the safety and wellbeing of children and youth impacted by sexual exploitation.

### Resources

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An Introduction to the Sexual Exploitation of Youth – Online Training Module  
[nscs.learnridge.com/modules/understanding-the-sexual-exploitation-of-youth-an-introduction/](https://nscs.learnridge.com/modules/understanding-the-sexual-exploitation-of-youth-an-introduction/)

Trafficking and Exploitation Services System  
[www.tessNS.ca](http://www.tessNS.ca)

Canadian Centre for Child Protection  
[www.protectchildren.ca/en/](http://www.protectchildren.ca/en/)



# Prospective Foster Caregivers and Adopting Parents

## 4.7 Recruitment and Retention of Foster Caregivers

### Purpose

Children and youth in care require foster caregivers that can support their needs within their own communities. Child and Family Wellbeing (CFW) is committed to the recruitment and retention of foster caregivers who are reflective of the diverse identities of Nova Scotians to meet the needs of children and youth in care.

### Application

This policy applies:

- To individuals and families who would like to become foster caregivers for children and youth in care.
- To all CFW team members supporting the recruitment and retention of foster caregivers.

### Requirements

- 1.1 An intentional recruitment strategy is developed and reviewed annually by CFW in consultation with those delivering foster caregiver support services and implements recruitment activities to maintain and/or increase the diversity of foster caregivers across the province.
- 1.2 CFW supports foster caregiver retention by providing resources such as peer and mentorship support, offering opportunities for engagement and feedback, connection to community-based resources, and recognizing the services provided by foster caregivers. Financial support is provided to foster caregivers to meet the needs of children and youth in care.

### Resources

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Foster Care Nova Scotia  
[fostercare.novascotia.ca](http://fostercare.novascotia.ca)

FFFNS Website  
[fosterfamilies.ns.ca](http://fosterfamilies.ns.ca)



## 4.8 Foster Care and Adoption Inquiries and Information Sessions

### Purpose

Child and Family Wellbeing (CFW) responds to all foster care and adoption-related inquiries and provides information sessions for potential foster care and adoption applicants.

### Application

This policy applies:

- To individuals and families who would like to become foster caregivers for children and youth in care.
- To individuals and families living in Nova Scotia who would like to adopt a child or youth in permanent care.
- To all CFW team members supporting the recruitment and retention of foster caregivers and prospective adopting parents.
- To all CFW team members responding to adoption-related inquiries.

### Requirements

- 1.1 All foster care and adoption inquiries received through the toll-free provincial phone lines are referred to the appropriate CFW team members or resources. Inquiries can also be received online.
- 1.2 Inquiries and responses may be prioritized based on the nature and urgency of the inquiry.
- 1.3 Potential foster caregivers and adoption applicants who identify as Mi'kmaw may be connected to Mi'kmaw Family and Children's Services of Nova Scotia (MFCS).
- 1.4 All potential foster caregiver and adoption applicants will participate in an information session that will provide basic information regarding children and youth in care, as well as information about the goals and principles of the foster care and adoption programs, roles of foster caregivers and adoptive families, and expectations of CFW.
- 1.5 The initial information sessions may be provided through individual consultation or in a group format.

### Resources

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Toll-Free Foster Care Inquiry Line 1-866-259-7780

Toll-Free Adoption Inquiry Line 1-800-565-1884

Toll-Free Mi'kmaw Family & Children's Services of Nova Scotia (MFCS)  
1-800-263-8686 or 1-800-263-8300



## 4.9 Foster Caregiver Eligibility and Application

### Purpose

For those who wish to become foster caregivers, Child and Family Wellbeing (CFW) has established initial eligibility requirements and an application process.

### Application

This policy applies:

- To individuals and families who would like to become foster caregivers for children and youth in care.
- To all CFW team members assessing the eligibility and applications of prospective foster caregivers.

### Requirements

#### 1. Applicants

- 1.1 Foster caregivers may apply to provide foster care to children or youth to whom they have a connection or relationship (Kinship) and/or to those whom they do not have a connection or relationship (General).
- 1.2 Applications are welcomed from individual(s) who are known to a child or youth in care, those who are identified as part of a child, youth, or parent's natural support system, extended family members, relatives, caregivers, or individual(s) in a child or youth's community who have established and meaningful relationships with the child or youth.
  - 1.2.1 When a child or sibling group is brought into care, the child, youth and/or family may identify individuals with the potential of becoming kinship foster caregivers.
  - 1.2.2 If more than one applicant expresses interest in becoming a kinship foster caregiver, the CFW team, along with the child, youth, and family, determines which applicant may best meet the child or youth's needs.
- 1.3 Applications are encouraged by those with diverse backgrounds and identities. This includes cultural, racial, religious, linguistic diversity, as well as sexual orientation and gender identities.
- 1.4 Applicants may be single, married, or in a common-law relationship. Where two (2) people are in a marriage or common-law relationship and are living together, they must apply as a couple.
- 1.5 Applicants can apply to the [Adoption program](#) at the same time as their application to become foster caregivers.



- 1.6 Foster caregivers can apply to adopt the children or youth to whom they are providing care.

## 2. **Eligibility**

- 2.1 To proceed, all foster caregiver applicant(s):
  - 2.1.1 Are 19 years of age or older.
  - 2.1.2 Are a Canadian citizen or have Permanent Residence status.
  - 2.1.3 Reside in Nova Scotia.
  - 2.1.4 Complete applicable forms.
  - 2.1.5 Complete appropriate background checks and be willing to discuss the results of the background checks and how the information may pertain to current circumstances.
  - 2.1.6 Recognize, respect, and provide attentive support to the child or youth's cultural, racial, linguistic, religious, and spiritual backgrounds, as well as to their sexual orientation, gender identity, and/or any special needs.

## 3. **Application**

- 3.1 The application process is a collaborative process between CFW and the applicant to discuss the common needs of children and youth in care, as well as the applicant's strengths and abilities to meet those needs and support successful outcomes.
- 3.2 The applicant is notified of the outcome of their application, and if approved, of an ***information session prior to training***. Training prepares prospective foster caregivers to care for the specific needs of children and youth who are in care.

## 4. **Re-applying as a Foster Caregiver**

- 4.1 Applicants who have previously been approved foster caregivers in Nova Scotia may be eligible for a streamlined approval process and can contact the 1-800 line or complete the on-line response form on the Foster Care Nova Scotia website.



## 4.10 Adoption Eligibility and Application

### Purpose

For those who wish to pursue adoption of a child or youth in the Minister's care or through a private adoption, Child and Family Wellbeing (CFW) has established initial eligibility requirements and an application process.

### Application

This policy applies:

- To individuals and families living in Nova Scotia who would like to adopt a child or youth in permanent care.
- To individuals and families living in Nova Scotia who would like to adopt a child or youth through a private adoption.
- To all CFW team members assessing the eligibility and applications of prospective adopting parents.

### Requirements

#### 1. Applicants

- 1.1 Applications are welcomed from individuals who are interested in adopting a child or youth in the province of Nova Scotia.
  - 1.1.1 This includes those who are known to a child or youth in care, those who are identified as part of a child, youth, or parent's natural support system, extended family members, relatives, or individual(s) in a child or youth's community who have established and meaningful relationships with the child or youth.
- 1.2 Applications are encouraged by those with diverse backgrounds and identities. This includes cultural, racial, religious, linguistic diversity, as well as sexual orientation and gender identities.
- 1.3 Applicants may be single, married, or in a common-law relationship. Where two (2) people are in a marriage or common-law relationship and are living together, they must apply as a couple.
- 1.4 A parent wishing to make a private adoption plan for their child can identify a specific adopting person(s).
- 1.5 The identified person applying to adopt a specific child / sibling group will be required to complete an application, meet the eligibility requirements, and complete the required assessments and standardized training.



- 1.5.1 In this case, it is the adopting applicant(s) responsibility to hire an approved private practitioner to complete an adoption assessment. CFW supports adopting applicant(s) in connecting with service providers for the purpose of this assessment.
- 1.6 Applicants can apply to the Foster Care program at the same time as their application to become an adoptive parent.
- 2. **Eligibility**
  - 2.1 To proceed, for all types of adoptions, applicant(s):
    - 2.1.1 Are 19 years of age or older.
    - 2.1.2 Are a Canadian citizen or have Permanent Residence status.
    - 2.1.3 Reside in Nova Scotia.
    - 2.1.4 Complete applicable forms.
    - 2.1.5 Complete appropriate background checks and be willing to discuss the results of the background checks and how the information may pertain to current circumstances.
    - 2.1.6 Recognize, respect, and provide attentive support to the child or youth's cultural, racial, linguistic, religious, and spiritual backgrounds, as well as to their sexual orientation, gender identity, and/or any special needs.
- 3. **Application**
  - 3.1 The application process is a collaborative process between CFW and the applicant to discuss the common needs of children and youth in care, as well as the applicant's strengths and abilities to meet those needs and support successful outcomes.
  - 3.2 The applicant is notified of the outcome of their application and if approved, of an information session prior to training. Training prepares prospective parents to care for the specific needs of children and youth who have been in care.
  - 3.3 A variety of factors can impact an applicant's wait time following the completion of an application to adopt. This can be related to the specific needs of the child or youth, the type of adoption, and the willingness of the applicant to adopt a child or youth of a particular age, ability, culture, and/or language, or who is part of a sibling group.
- 4. **Re-applying for Adoption**
  - 4.1 Individuals who have previously adopted a child or youth are required to complete a new application for subsequent adoptions.



- 4.2 Individuals who have previously applied for an adoption and had their application denied are required to address the concerns that caused the application to be denied before reapplying. Individuals who have previously applied for an adoption and withdrew their application can re-apply at any time.





## 4.11 Foster Care and Adoption Assessment

### Purpose

Child and Family Wellbeing (CFW) supports foster caregiver and adoption applicant(s) to explore their capacity for parenting by formally assessing inherent strengths and abilities, as well as the potential risks and suitability of the applicants.

### Application

This policy applies:

- To individuals and families who would like to become foster caregivers for children and youth in care.
- To individuals and families living in Nova Scotia who would like to adopt a child or youth in permanent care.
- To all CFW team members completing foster care and/or adoption assessments.

### Requirements

- 1.1 Assessments are comprehensive, culturally attentive and responsive, and holistic and consider several factors that can provide information about an applicant's capacity and abilities to support children or youth in care. Assessments are completed with foster care or adopting applicants by an assessor approved by CFW.
- 1.2 Assessments are typically completed within four (4) to six (6) months of the date the assessment is initiated. During the assessment process, information is gathered through interviews with the applicant(s), as well as any other family members or individuals living in the home, references, and/or adult children living outside of the home.
- 1.3 Upon completion of the assessment, the decision regarding approval or denial of the application is the responsibility of CFW.
  - 1.3.1 The applicant has the right to withdraw their application prior to approval or denial of their application.
  - 1.3.2 Applicants have a right to appeal a decision.
- 1.4 The applicant will be provided with a copy of the assessment report, regardless of whether the application is approved or denied.
  - 1.4.1 The approval decision will include the number of children, age range, race, culture, religion, language, gender, and special needs that are assessed as a match for the adopting parent(s) and foster caregiver(s).



- 1.5 An assessment is valid for a period of two years after completion. The assessment may be updated if the family has not been providing foster care or has not adopted a child or youth.
  - 1.5.1 It is the responsibility of the family to notify CFW of any significant changes in their circumstances that may impact their assessment.
- 1.6 An approved assessment does not guarantee the adoption of a child or youth. This is determined through an **adoption placement conference** that will ensure the child or youth's needs will be supported by the adopting parent(s).



## 4.12 Training for Foster Caregiver and Adoption Applicants

### Purpose

Child and Family Wellbeing (CFW) provides potential foster caregiver(s) and adopting applicant(s) training that prepares them in making an informed decision about fostering and/or adopting a child or youth in care.

### Application

This policy applies:

- To individuals and families who would like to become foster caregivers for children and youth in care.
- To individuals and families living in Nova Scotia who would like to adopt a child or youth in permanent care.

### Requirements

- 1.1 Standardized training is a requirement for all foster care and adoption applicants.
- 1.2 The training curriculum is intended to recognize the parental skill sets of the potential foster caregiver(s) or adopting parent(s) while preparing them to care for children and youth in the Minister's care. Applicants can be provided with support to participate in training.
- 1.3 If foster caregiver or adoption applicants have already completed an approved training program in another province and provide proof of completion (certificate of completion or confirmation by the child and family services authority), they may be exempt from this requirement.
  - 1.3.1 Adopting applicants who previously adopted or were foster caregivers are not required to complete the training again.
- 1.4 Once training is complete, the foster caregiver and adoption applicants can participate in the foster care and adoption assessment.



# Child and Family Centered Planning

What we do to understand the strengths, needs, and risks for children, youth, and families

Name of Legislation or Regulation	Applicable Sections
<i><b>Children and Family Services Act</b></i>	3: Interpretation
	5: Delegation of powers, privileges, duties, and functions
	8: Agencies
	9: Functions of agency
	10: Inspection of agency
	13: Services to promote integrity of family
	15: Approval of facilities and services
	17: Temporary care agreement
	18: Special needs agreement
	19: Special needs agreement with Child 16 to 18
	20: Placement considerations
	22(2): Child is in need of protective services
	23: Duty to Report
	33: Taking into care
	35: Return of child
	36: Parties to proceeding
	37: Child as party and appointment of guardian
	39: Interim hearing
	40 A-F: Protection hearing
	40A: Purpose of conferencing
	41: Disposition hearing
	42: Disposition order
	43: Supervision order
	44: Temporary care and custody order



Name of Legislation or Regulation	Applicable Sections
<b><i>Continued... Children and Family Services Act</i></b>	47: Permanent care and custody order
	48: Termination of permanent care and custody order
	68: Adoption agreement
	67: Interpretation of sections 67 to 87
	70: Right to commence adoption proceedings
	76: Prerequisites to adoption
	78: Openness agreement
	87: Adoption subsidy
<b><i>Children and Family Services Regulations</i></b>	3: Duties of Minister's Delegate
	4: Prescribed forms
	14: Accounts and records
	15: Approval of child-caring facilities
	19: Facility programming for each child
	21: Written information on the rights and obligations of children in facility
	32: Foster homes
	34: Placement of children in care
<b><i>An Act respecting First Nations, Inuit and Métis children, youth and families</i></b>	41: Fees and disbursements of counsel and guardian <i>ad litem</i>
	2: Rights of Indigenous peoples
	9(1): Principle – best interests of child
	9(2): Principle – cultural continuity
	9(3): Principle – substantive equality
	10(1): Best interests of Indigenous child
	10(2): Primary consideration
	10(3): Factors to be considered
	10(4): Consistency
	11: Effect of services
	12: Notice
	14: Priority to preventative care
	15(1): Reasonable efforts
	16: Placement of Indigenous Child – Priority
	16(3): Family unity
	17: Attachment and emotional ties
	24(1): Conflict – Stronger ties



## 5.1 Gathering Information About a Family

### Purpose

Child and Family Wellbeing (CFW) uses a comprehensive and collaborative information-gathering process to understand a child, youth, and family's experiences, cultural identity, and community connections to inform goal setting and planning.

### Application

This policy applies:

- To children, youth, and families receiving CFW services.
- To all CFW team members supporting children, youth, and families.

### Requirements

#### 1. General Overview

- 1.1 To provide appropriate and supportive services, information is gathered throughout CFW involvement to support the CFW team in understanding the experiences and identity of the child or youth, their family, and their community.
- 1.2 During this process, common themes are identified, such as relationships and key connections, characteristics and behaviour, family history and experiences, and cultural practices, which will inform overall planning and goal setting.
- 1.3 Communication with families is collaborative, person-centered and can be adapted based on linguistic or communication needs.
- 1.4 Information is collected about the social and medical history, race, culture, immigration/citizenship status, religion, language and identity of a child and family to support culturally attentive and responsive planning with children, youth, and families.
  - 1.4.1 Collection of information regarding the child or youth's culture and history is essential as it ensures the principles and national standards for the provision of services for different populations are met, such as Indigenous families, or families who are African Nova Scotian, Black, or of African descent.
- 1.5 Information may be collected and documented in visual format using a variety of tools, which could include the genealogy of the child or youth's family, the family's resources, connections to family, community, and systems, patterns of behaviour, and common experiences across generations.



## 5.2 Planning Meetings, Circles and Conferences

### Purpose

Children, youth, and families are engaged in planning processes using different types of meetings, circles, and conferences. Child and Family Wellbeing (CFW) uses a variety of culturally attentive and responsive approaches to facilitate engagement with children, youth, parent(s), guardian(s), family members and people who are significant to them, community-based service providers, and other CFW team members.

### Application

This policy applies:

- To all children, youth, and families receiving CFW services.
- To all CFW team members supporting children, youth, and families.
- To all CFW team members supporting Mi'kmaq and Indigenous children, youth, and families.

### Requirements

#### 1. **Wikamanej Kikmanaq Program (Family Group Circle)**

- 1.1 Wikamanej Kikmanaq Program can be accessed by those who are involved with Mi'kmaw Family and Children's Services of Nova Scotia (MFCS)
- 1.2 A Family Group Circle is a collaborative process to assist in resolving challenging issues or enlisting family and community members in planning, supporting, and decision-making with the child, youth, and family.
- 1.3 The goal of a Family Group Circle is to strengthen and reconnect familial and community relationships that are needed to support the child or youth, both presently and in the future.
- 1.4 Family Group Circles may include relatives, significant persons, or members of the child, youth, or family's community, such as Elders.
- 1.5 Family Group Circles may be court-ordered or called voluntarily.

#### 2. **Family Planning Circle**

- 2.1 The purpose of a Family Planning Circle is to identify the family's strengths, review assessments or plans, and enhance family capacity, to establish a plan that identifies supportive familial and community relationships and ensures appropriate service provision to achieve the best possible outcome for the child, youth, and their family.



- 2.2 Family Planning Circle typically adopt a collaborative approach, and involve the child or youth and family, caregiver(s) and community members who are significant to the child, youth, or family, community-based service providers, and the CFW team.
  - 2.3 The Africentric Child and Family Wellbeing team provides consultation and guidance when a child or youth is African Nova Scotian, Black, or of African descent.
3. **Risk Management Conference**
  - 3.1 The purpose of the Risk Management Conference is to make informed decisions to address the risk of immediate or future harm to a child or youth.
  - 3.2 The Risk Management Conference is held internally by CFW team members and is based on information gathered from children, youth, families, community members, community-based service providers, and others.
  - 3.3 The Risk Management Conference is a formalized process that uses standardized criteria to support decision-making.
  - 3.4 When a child, youth, or family disagrees with the CFW team's decision, a process is followed to hear and respond to the disagreement.
4. **Permanency and Adoption Planning Meetings and Adoption Placement Conferences**
  - 4.1 A Permanency Planning Meeting supports a child or youth's need for connection, attachment, and belonging and explores what is needed to support the family, child, or youth in achieving an overall goal.
    - 1.4.2 When a child or youth is unable to return to the care of a parent, and a caregiver(s) wishes to pursue guardianship of the child or youth under the Parenting and Support Act, CFW has a professional obligation to ensure caregivers are informed of and have a full awareness of the impact of this decision.
  - 4.2 The first adoption planning meeting occurs after a decision is made to seek Permanent Care and Custody of a child or youth. Adoption planning considers all the child or youth's developmental, familial, racial, spiritual, cultural, and linguistic needs and explores the most suitable adopting families for a child or youth.
  - 4.3 For all children and youth in permanent care, the following will be considered, when selecting an adopting family:
    - 4.3.1 An adult of the same race, cultural, linguistic, or religious heritage as the child or youth.





- 4.3.2 An adult member of the child or youth's family.
    - 4.3.3 Placement with siblings.
    - 4.3.4 For Indigenous children and youth, with an adult who belongs to the same Indigenous group, community, or people as the child or youth.
    - 4.3.5 For Indigenous children and youth, with an adult of another Indigenous group or community.
    - 4.3.6 Other adults who demonstrate an ability to provide cultural connections with the child's race, language, religion, spirituality, and customs.
  - 4.4 An Adoption Placement Conference makes the final determination on an adopting family best suited to support the needs of the child or youth.
5. **Court Conferencing and Mediation**
- 5.1 During a court proceeding under the *Children and Family Services Act*, the court may refer the parties to Conferencing, which may proceed as a family group conference.
  - 5.2 During a court proceeding under the *Children and Family Services Act*, the court may refer the parties to mediation.
  - 5.3 The purpose of Court Conferencing and mediation is to facilitate the timely resolution of the issues in a manner that is consensual and that serves the child or youth's best interests.



## 5.3 Culturally Attentive and Responsive Planning

### Purpose

Children and youth in care are supported to develop cultural pride and identity through ongoing culturally attentive and responsive planning. This includes maintaining connections to their culture, community, and linguistic, spiritual, and religious heritage. Child and Family Wellbeing (CFW) ensures that a Cultural Connection Plan is developed with and for every child or youth in care.

### Application

This policy applies:

- To all children, youth, and families receiving CFW services.
- To all CFW team members supporting children, youth, and families.
- To all decision-making and planning processes.

### Requirements

- 1.1 The Cultural Connection Plan is required by Section 47(a) of the **Children and Family Services Act (CFSA)** and provides information and direction to preserve a child or youth's cultural identity, which considers their age, stage or development, views, and preferences.
- 1.2 Cultural Connection Plans are developed in coordination with any significant persons in the child or youth's life, including the child or youth's band and/or Elders when applicable.
- 1.3 Cultural Connection Plans ensure connections are documented to support the child or youth to participate in their cultural community as well as religious communities or places of worship.
- 1.4 The Cultural Connection Plan for a child or youth for whom there has been an adoption agreement signed pursuant to Section 68 of the *CFSA* is completed prior to the child or youth's placement for adoption.



## 5.4 Developing a Family Plan

### Purpose

In collaboration with the parent(s), child or youth, alternative caregivers, community members who are significant to the family, and community-based service providers, Child and Family Wellbeing (CFW) facilitates the development of a culturally attentive and responsive plan for the family. This plan includes goals aimed at ensuring the safety of the child or youth by building on the family's strengths and skills, relationships, resources, and community connections when there is an assessed need for ongoing support.

### Application

This policy applies:

- To all children, youth, and families receiving CFW services.
- To all CFW team members supporting children, youth, and families.
- To all planning processes with the child, youth, and family.

### Requirements

- 1.1 The child or youth and family-centered goals of the family plan are informed by the child, youth or family and by the family's community.
- 1.2 The Africentric Child and Family Wellbeing team provides consultation and guidance when a child or youth is African Nova Scotian, Black, or of African descent.
- 1.3 The family plan will also consider parenting time and visitation between the child and family, friends, and/or community members who are significant in the child or youth's life when the child or youth is:
  - 1.3.1 In care.
  - 1.3.2 Subject to a non-party Supervision Order.
  - 1.3.3 Being cared for by alternate caregivers.
  - 1.3.4 In a customary care arrangement.
- 1.4 The family plan is developed within 30 days of CFW involvement and reviewed with the family every 90 days thereafter.
- 1.5 The family plan is reviewed and modified when significant changes for the child, youth or family occur, to reflect the family's progress, including their strengths and cultural and community connections, additional support needed, and any new information that is available.



- 1.6 In most circumstances, ongoing planning activities can help to support the family, identify appropriate connections or community-based resources, and assess safety needs.
- 1.7 Ongoing family planning activities may include the following:
  - 1.7.1 Direct and regular contact between the family and CFW.
  - 1.7.2 Conferencing, including family group circles.
  - 1.7.3 CFW offers, refers, and connects the child, youth, or family to voluntary **community-based support and services** or, where appropriate, funds support and services, such as youth outreach services or parenting resources.



## 5.5 Child and Youth Rights

### Purpose

Children and youth receiving services of Child and Family Wellbeing (CFW) are aware of, and have access to, information about their rights and are supported in upholding their rights.

### Application

This policy applies:

- To all children and youth receiving CFW services.
- To all CFW team members supporting children and youth.

### Requirements

- 1.1 Children and youth receiving CFW services are provided with culturally attentive and responsive, age and developmentally appropriate information to understand what to expect from CFW, how to advocate for themselves, and how to seek help from others to advocate on their behalf.
- 1.2 Indigenous children and youth are provided with CFW services, which recognize and honour the right to their language, culture, customs, and traditions, including particular attention to familial and community members for consideration as caregivers, pursuant to *An Act respecting First Nations, Inuit, and Métis children, youth, and families*.
- 1.3 The Africentric Child and Family Wellbeing team provides consultation on the rights for children and youth who are African Nova Scotian, Black, or of African descent.
- 1.4 Children and youth are informed of their rights and provided with supporting resources. These include but are not limited to the right to:
  - 1.4.1 Have their human and charter rights upheld.
  - 1.4.2 Recognize, honour, and participate in cultural customs and traditions.
  - 1.4.3 Family and community connections that are in their best interests.
  - 1.4.4 Have their voice heard in planning for their care.
  - 1.4.5 Have health and wellbeing needs met.
  - 1.4.6 Expression of their sexual orientation and gender identity.
  - 1.4.7 Personal safety.
  - 1.4.8 Privacy.
  - 1.4.9 Legal representation, including *Guardian ad Litem*.



- 1.5 Children and youth have the right to have input into planning for their wellbeing, to express concerns about the CFW services they receive, to have their concerns heard, and to receive a response about how their concerns will be addressed.
- 1.6 Children and youth are supported when making complaints and/or allegations of abuse or neglect.
- 1.7 Complaints and allegations of abuse or neglect are addressed in accordance with the applicable protocols.
- 1.8 Children and youth are provided with contact information for the Office of the Ombudsman, as well as the opportunity to personally reach a representative of the Ombudsman to have their concerns heard.
  - 1.8.1 Contact information for the Office of the Ombudsman is provided to the caregivers of children and youth who, due to age and/or capacity, require additional support in contacting a representative of the Ombudsman to have their concerns heard.

## Resources

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United Nations Convention on the Rights of the Child

[www.unicef.org/child-rights-convention](http://www.unicef.org/child-rights-convention)

Office of the Ombudsman

[ombudsman.novascotia.ca](http://ombudsman.novascotia.ca)



## 5.6 Planning Circles with Children and Youth in Care

### Purpose

Children and youth in care are engaged in a developmentally appropriate planning process to support their goals for safety, wellbeing, development, hopes, and wishes. Child and Family Wellbeing (CFW) develops a culturally attentive and responsive plan of care that is responsive to their needs, identifies the child or youth and family-centered goals and continuously reviews and revises the plan with the child or youth and family.

### Application

This policy applies:

- To all children and youth in care.
- To all CFW team members supporting children and youth in care.
- To all decision-making and planning processes with children and youth in care.

### Requirements

- 1.1 A goal around permanency, also known as the overall goal, for the child or youth is identified within 30 days of the child or youth entering care and is intended to achieve what is in the best interest of the child or youth in the long-term. This can include (but is not limited to): return to parents, family, adoption, or transition to adulthood.
  - 1.1.1 For every child or youth in temporary care, the overall goal is to return to the parent(s).
  - 1.1.2 When a child is unable to return to the parent(s) or family, it is essential to identify alternative plans in collaboration with the child or youth, family, and/or community members.
- 1.2 Planning takes into consideration that while in care, the child or youth's health and wellbeing, educational development, race, culture, language, religion, (dis)ability, gender identity and expression, sexual orientation, relationships, and emotional needs are of primary concern.
  - 1.2.1 For Indigenous children and youth, planning is guided by *An Act respecting First Nations, Inuit, and Métis children, youth and families*. The IGB will be notified and may lead or be engaged as a participant in the planning process.
  - 1.2.2 The Africentric Child and Family Wellbeing team provides consultation and guidance when a child or youth is African Nova Scotian, Black, or of African descent.



- 1.2.3 Referrals will be made for the child or youth to voluntary community-based support and services, such as youth outreach services.
- 1.3 Planning occurs in collaboration with the child or youth, their family, other significant individuals involved in their life, and CFW team members at planning meetings.
  - 1.3.1 Planning includes considerations for contact between the child or youth and their parent(s) or family, and other significant individuals in the child or youth's life.
- 1.4 In advance of planning meetings, the CFW team meets with the child or youth individually, depending on age and developmental ability, to provide them an opportunity to express their personal goals and wishes individually.
- 1.5 The plan of care is developed within 90 days of the child or youth entering care.
  - 1.5.1 The child or youth's plan of care will inform the plan filed as part of an application to the court for protection matters
- 1.6 The plan of care and overall goal are reviewed and modified when significant changes for the child, youth or family occur (E.g., a change in where the child or youth's lives or care status), to reflect strengths and needs of the child or youth. Formal reviews also occur, at minimum, on an annual basis during a planning circle.
  - 1.6.1 Any review that results in a change of the child or youth's overall goal requires full consideration of the child or youth's needs and transition planning to support the child or youth throughout the change.
- 1.7 Copies of the plan of care are provided to the child or youth's parent(s), those who require a copy to support the child or youth's care and wellbeing, and to the child or youth if they are over 12 years of age and if it is developmentally appropriate to do so.
- 1.8 Any person who interferes or attempts to interfere with the placement of a child or youth who is the subject of a court order, or with a CFW team member who is supporting the child or youth, may be subject to legal actions and penalties pursuant to Section 92 of the Children and Family Services Act.





## 5.7 Family Time and Visitation

### Purpose

Children and youth in care have a right to maintain familial and significant relationships and connections to their community when it is determined to meet their needs, and contact is in their best interests. Children and youth under Supervision Orders have a right of access to their non-custodian parent and family members. Child and Family Wellbeing (CFW) considers several factors, as referenced below, when assessing family time and visitation for a child or youth.

### Application

This policy applies:

- To all children and youth in care, their families, significant individuals, and community connections.
- To all CFW team members supporting children, youth, and families.

### Requirements

- 1.1 Family time promotes access between a child or youth and their parent(s), siblings, and/or any other significant individuals identified as part of the reunification plan.
- 1.2 Visitation promotes relationships and connections between extended family members, and other individuals or community members significant to the child or youth.
- 1.3 In collaboration with the child, youth, and family, CFW considers the relationships and connections that are in the best interest of the child or youth and provides support to prioritize the planning of family time and including visits.
- 1.4 Plans for family time and visitation are developed by CFW in collaboration with the family and other significant individuals and reviewed at regular intervals to ensure they accurately reflect the ongoing needs and best interests of the child or youth.
  - 1.4.1 At least one (1) visit for the child with their parent(s) takes place within seven (7) days of the child or youth entering care.
  - 1.4.2 Where family time is not recommended, the parent(s) are provided a rationale for this decision and a plan to move toward family time in the future.
  - 1.4.3 When a matter is before the Court, family time/access requirements may be outlined in the Court Order and can only be modified by the Court.



- 1.5 For Indigenous children and youth, **notification** to the Indigenous Governing Body (IGB) is required.
- 1.6 Family time and visitation is focused on the child or youth's wishes and interests, occurs, where possible, in a location the child or youth is comfortable in, which may be in the community, and is respectful of the child or youth's routines and schedule.
- 1.7 Parent(s) and/or others may recommend a location for visits.
- 1.8 CFW facilitates ongoing communication and collaboration with the child or youth, caregivers, family, and others significant to the child or youth during family time and visitation.
- 1.9 The level of supervision provided to the parent and others for visits and time together corresponds with the assessment of ability to safely meet the needs of the child or youth and is reviewed on an ongoing basis. The level of supervision can include:
  - 1.9.1 Unsupported Family Time or Visitation: does not require the active presence of another adult.
  - 1.9.2 Partially Supported Family Time or Visitation: Drop-in support or supervision by another adult.
  - 1.9.3 Fully Supported Family Time or Visitation: Full supervision by an adult approved by CFW, who is responsible for observing all physical and verbal interactions between a child or youth and the parent(s).
- 1.10 Any person who believes a child or youth was harmed, or placed at risk of harm during a visit, **must report** this information to the CFW team immediately.



## 5.8 Transition Planning with Children and Youth in Care

### Purpose

Children and youth in care are supported through changes in their lives and circumstances, through collaborative transition planning that involves them, their families, caregivers, other significant people in their lives, community members who are directly connected to the child or youth, and Child and Family Wellbeing (CFW).

### Application

This policy applies:

- To all children, youth, and families receiving CFW services.
- To all CFW team members supporting children, youth, and families.
- To decision-making and planning processes related to the child or youth's care.

### Requirements

- 1.1 Transitions for children and youth in care are generally planned processes that involve input from the child or youth, their family, community members who are significant to the child or youth's life, caregivers, and CFW team members.
- 1.2 Where there are changes to a child or youth's circumstances that result in a sudden transition, the CFW team supports the child or youth throughout the change.
  - 1.2.1 Sudden transitions may occur when a child or youth is first brought into care, or it is necessary to quickly change the place where a child or youth in care is living, and this may impact the transition planning process.
- 1.3 Transitions can occur for a variety of reasons, which can include, but is not limited to when a child or youth:
  - 1.3.1 Returns home.
  - 1.3.2 Is adopted.
  - 1.3.3 Moves to a new place, including into their own apartment or home.
  - 1.3.4 Transitions to adulthood.
  - 1.3.5 Experiences other significant changes in their life, such as a change in school, changes in or loss of relationships, and/or change in social worker or other CFW team members.
  - 1.3.6 Experiences other significant events in their life, such as graduations, obtaining a driver's license, first employment, etc.



- 1.4 Transition planning is done in collaboration with the child or youth, their parent(s) or guardian(s), caregiver(s), any other significant individual(s) or community member(s) who have been involved on the planning team.
  - 1.4.1 This can also include consultation with the specialized units within CFW, including the Africentric Child and Family Wellbeing team and/or Prevention and Early Intervention.
  - 1.4.2 For Indigenous children in care, when a change to where the child or youth is living is being considered, notification is provided to the Indigenous Governing Body (IGB), as required in *An Act respecting First Nations, Inuit and Métis children, youth and families*, and can include engagement with the child or youth's IGB in planning for next steps.
- 1.5 Referrals will be made for the child or youth to voluntary **community-based support and services**, such as youth outreach services that are available near their current and future settings, as well as in the event of a sudden transition.
- 1.6 The time and planning required to accomplish a transition is dependent on several factors, including but not limited to the type of transition, the child or youth's ability to cope with the transition, and the child or youth's connection to their community.



## 5.9 Supporting Children and Youth in Care When There is a Change in Where They Live

### Purpose

When there is a change in where children and youth in care live, they are included in transition planning and supported through the transition process. Child and Family Wellbeing (CFW) recognizes the potential impact of these transitions on the overall wellbeing of children, youth, families, and caregivers.

### Application

This policy applies:

- To all children, youth, and families receiving CFW services.
- To all CFW team members supporting children, youth, and families.
- To caregivers supporting children and youth.
- To decision-making and planning processes related to the child or youth's care.

### Requirements

#### 1. General Overview

- 1.1 Transitions to and from living arrangements are generally planned processes that involve input from the child or youth, their family, community members who are significant to the child or youth's life, caregivers, and CFW team members.
- 1.2 Where there are changes to a child or youth's circumstances that result in a sudden transition, the CFW team supports the child or youth throughout the change.
  - 1.2.1 Sudden transitions may occur when a child or youth is first brought into care, or it is necessary to quickly change the place where a child or youth in care is living, and this may impact the transition planning process.
- 1.3 For Indigenous children and youth in care, when a sudden change in where the child or youth is living occurs, ***notification*** is provided to the Indigenous Governing Body (IGB), as required in *An Act respecting First Nations, Inuit and Métis children, youth and families*.

#### 2. When Children and Youth in Care Move

- 2.1 CFW explores living arrangements that best meet the needs, are in the child or youth's community, and, where possible, the wishes of children and



- youth. Information is gathered regarding the child or youth's racial, cultural, spiritual, and gender identity, strengths and needs, their goals and wishes, who is involved in the child or youth's care, and what supports are needed to enhance the child or youth's wellbeing. This information is shared by CFW with the new caregivers.
- 2.2 When a living arrangement is identified, transition planning will begin with the child or youth, their family, community support and services, CFW, and the caregivers.
- 2.2.1 Transition planning involves preparing the child or youth by sharing information about where they will be living, arranging a visit in advance of their move to meet the caregivers and view the space, and establishing the move-in date that aligns with the child or youth's needs.
- 2.3 A child or youth and their family will be provided with the following information:
- 2.3.1 Rights of the child or youth.
- 2.3.2 Program and activities available.
- 2.3.3 Daily routine and expectations.
- 2.3.4 Processes for children and youth and their parent(s) or guardian(s) when they have a concern.
- 2.4 Following a child or youth's move into a new living arrangement, the child or youth's plan of care may be reviewed during circle planning meeting.
- 2.5 A planned move of a child or youth is made when the child or youth has achieved their care plan goals, there is readiness for the transition, or any other relevant factors.
3. **Living Out of Province**
- 3.1 Child and Family Wellbeing (CFW) considers options for where a child or youth in care may live that extend outside of the province when a local arrangement is not available and there is a connection outside of Nova Scotia.
- 3.2 There may be times when the child or youth's needs cannot be met within Nova Scotia and living outside of the province is in the child or youth's best interest. In these cases, CFW adheres to the **Provincial/Territorial Protocol**.



## 5.10 Adoption and Permanency Planning

### Purpose

If a child or youth is unable to return to their birth parent(s) or guardian(s), there is no alternative family plan for the child or youth's care, and there exists an order for permanent care, Child and Family Wellbeing (CFW) provides culturally attentive and responsive planning and support for permanency and adoption.

### Application

This policy applies:

- To children and youth in Permanent Care and Custody.
- To all CFW team members supporting children and youth in care.
- To decision-making and planning processes related to the child or youth's permanency and care.

### Requirements

#### 1. General Overview

- 1.1 A planning meeting is held within 30 days of the decision to pursue any type of permanency plan, including adoption.
- 1.2 CFW may explore placing a child or youth for adoption with a relative or a specified person who has been approved for adoption, or with an approved and waiting adopting family.
- 1.3 Planning meetings, that may include opportunities for family group conferencing or culturally attentive and responsive circles, are used to engage all the relevant individuals and support the child or youth and family throughout the adoption planning process.
- 1.4 Wherever possible, a person who is of the same race, ethnicity, and culture as the child or youth is invited to participate in planning meetings and could be a family or community member who has a connection with the child, caregiver, community-based service provider, or CFW team member.
- 1.5 There may be circumstances where it is in the child or youth's best interest to seek an adoption placement outside of Nova Scotia. This will only be done in consultation with all those supporting the child or youth and, when developmentally appropriate, with the child or youth.
- 1.6 For Indigenous children and youth, planning is guided by *An Act respecting First Nations, Inuit, and Métis children, youth and families*. The IGB will be



notified and may lead or be engaged as a participant in the planning process. Consideration is also given to the participation of members of the child or youth's band.

- 1.7 For Mi'kmaq children or youth, Mi'kmaw Family and Children's Services of Nova Scotia (MFCS) is notified and asked if they wish to participate. If the child or youth is subject to a permanent care order, MFCS is responsible for planning for a child or youth who has or may be eligible for status.
- 1.8 For children and youth who are African Nova Scotian, Black, or of African descent, consultation with the Africentric Child and Family Wellbeing team takes place.





## 5.11 Supporting the Transportation Needs of Children, Youth, and Families

### Purpose

Children, youth, and families receiving Child and Family Wellbeing (CFW) services are provided support for various transportation needs. CFW recognizes that transportation and access to support and services can be a barrier for children, youth, and families and limit their connections.

### Application

This policy applies:

- To all children, youth, and families receiving CFW services.
- To all CFW team members supporting children, youth, and families, including those supporting transportation needs.
- To decision-making and planning processes related to the child or youth's care.

### Requirements

- 1.1 Transportation support can be provided to a child, youth, or family requiring CFW services, either on an ongoing basis or for a single event, including attending appointments that support their safety and wellbeing, accessing community-based support and services, attending parenting time and family visitation, and any other requirements to support the family or child's plan.
- 1.2 Transportation planning considers the type of transportation that best suits the child, youth, or family's particular circumstances, which could include transportation provided by individuals who are available and willing to do so, including extended family members, individuals who are significant to the child or youth, or by foster caregivers.
- 1.3 Transportation decisions align with the Child's Plan of Care, and Family Plan.
- 1.4 The transportation of children and youth adheres to all safety standards according to Nova Scotia law.
- 1.5 Those transporting and supporting the child or youth will communicate relevant information about the child or youth's safety and wellbeing to the parent(s), caregiver(s), and/or CFW team members at the start and conclusion of the transport.



## 5.12 Child or Youth's Journey in Care

### Purpose

In collaboration with the child or youth, family, community members who are significant in the child or youth's life, and caregivers(s), Child and Family Wellbeing (CFW) ensures the child or youth's life events and milestones are preserved during their journey in care. This provides a connection to their identity and history and supports planning for the child or youth's care.

### Application

This policy applies:

- To all children and youth in care.
- To all caregivers supporting children and youth in care.
- To all CFW team members supporting children, youth, and families.
- To decision-making and planning processes related to the child or youth's care.

### Requirements

- 1.1 Documentation or contents of a child or youth's journey while in care is maintained both electronically and within the child or youth's physical file. Contents can include (but is not limited to): identifying documents, stories, photographs, awards, schoolwork, artwork, or keepsakes from cultural experiences or special events, souvenirs, etc., some of which may be contained within a Lifebook for the child or youth.
- 1.2 Collecting and maintaining the contents of the child or youth's journey is the responsibility of both CFW and the caregivers and is done in collaboration with the child or youth.
  - 1.2.1 Caregivers will return all documentation and contents collected in relation to the child or youth's journey to CFW when there is a change to where the child or youth is living.
- 1.3 The collection of contents to preserve the child or youth's journey begins as soon as the child or youth comes into care and moves with the child or youth throughout their time in care.
- 1.4 The CFW team and caregiver(s) share the child or youth's story and experiences with them on an ongoing basis.
- 1.5 All documentation and contents of the child or youth's journey while in care is provided to them when they leave care, or to their parent(s) or guardian(s) in some



cases (E.g., for infants or children of a young age). A summary of the child or youth's time in care is also provided.

- 1.5.1 In the case of adoption, non-identifying contents are shared with adoptive parents.



## 5.13 Identification Documents

### Purpose

Personal identification documents are essential for meeting a child or youth's cultural, educational, medical, recreational, and employment needs. Children and youth receiving services of Child and Family Wellbeing (CFW) are supported to obtain the identification documents needed to have their needs met and participate in their community.

### Application

This policy applies:

- To all children and youth receiving CFW services.
- To all CFW team members supporting children, youth, and families.

### Requirements

#### 1. General Overview

- 1.1 Children and youth receiving services can be supported to obtain their birth certificate, Social Insurance Number (SIN), apply for Registered Status under the *Indian Act* and obtain a status card for children who are First Nations, and obtain a minimum of one (1) additional form of government issued photo ID, depending on their care status.
- 1.2 When appropriate, children and youth maintain possession of their own identification documentation and a copy is stored with CFW. When a youth transitions to adulthood, CFW will ensure they have the appropriate identification documentation.

#### 2. Birth Certificate

- 2.1 Every child born in Nova Scotia must be registered with Nova Scotia Vital Statistics within 30 days of birth. Birth parents whose child comes into care at birth are supported by CFW to complete the birth registration.
- 2.2 CFW contacts Vital Statistics to obtain an original birth certificate when a child or youth enters permanent care.
- 2.3 A long form birth certificate is required to apply for a status card for children who are First Nations, a passport, and school registration, as well as for court-related and adoption purposes.



### 3. **Social Insurance Number (SIN)**

- 3.1 CFW obtains a SIN for all children and youth in permanent care.
- 3.2 Children and youth aged 12 years and older in permanent care who do not yet have a SIN are provided with assistance to complete the application process.
- 3.3 Children under the age of 12 will have this application submitted on their behalf by CFW.
- 3.4 In the event a child or youth is placed for adoption, a new SIN will be issued to them to replace their current SIN.

### 4. **Status Card**

- 4.1 CFW supports the exploration of a child, youth, or family's entitlement of registered status under the *Indian Act* and provides assistance to parents to register and obtain a status card for a child or youth in temporary care.
  - 4.1.1 CFW supports the application for registration for a child or youth in permanent care and custody.
- 4.2 Registered children and youth have certain benefits and rights to programs and services, such as education, tax exemptions, and non-insured health services.
- 4.3 A status card provides Registered identification and includes the registration number and band affiliation number.

### 5. **Provincial Health Card**

- 5.1 CFW can support a child or youth to obtain a Nova Scotia Health Card (MSI) or apply on their behalf, when needed.

## **Resources**

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Birth Certificate

[beta.novascotia.ca/apply-birth-certificate](https://beta.novascotia.ca/apply-birth-certificate)

Social Insurance Number (SIN)

[www.canada.ca/en/employment-social-development/services/sin/apply.html](https://www.canada.ca/en/employment-social-development/services/sin/apply.html)

Registration and Status Card under the Indian Act

[www.sac-isc.gc.ca/eng/1100100032374/1572457769548](https://www.sac-isc.gc.ca/eng/1100100032374/1572457769548)

Nova Scotia Health Card (MSI)

[novascotia.ca/dhw/msi/](https://novascotia.ca/dhw/msi/)



## 5.14 Immigration and Citizenship

### Purpose

When a child or youth or family moves to Nova Scotia from another country and becomes involved with Child and Family Wellbeing (CFW), CFW supports their immigration and citizenship needs.

### Application

This policy applies:

- To all newcomer children, youth, and families receiving CFW services.
- To all CFW team members supporting newcomer children, youth, and families.

### Requirements

- 1.1 The child or youth's pre-migration, migration and post-migration journey is a central consideration as CFW navigates and plans with the child, youth, or family.
- 1.2 Consideration will be given to immigration status and citizenship for all children and youth in care.
- 1.3 Additional consideration is given to the safety and wellbeing needs of children or youth who are seeking asylum, particularly if they are unaccompanied minors.
- 1.4 The specific rights, obligations, and protections associated with the different residency and citizenship statuses are a foundational consideration as CFW engages in planning activities.
- 1.5 Immigration status and citizenship needs are reviewed by CFW at regular intervals on an ongoing basis.
- 1.6 Given the complexity and urgency of immigration and citizenship needs and the processes involved, CFW responds and provides support as early as possible once the needs have been identified.
- 1.7 Immigration status and citizenship must be sought and clearly understood for every child or youth in care immediately upon entering care. Having a clear understanding of immigration and citizenship needs will help determine what support may be offered. The Child Welfare Immigration Centre of Excellence (CWICE) will be consulted as a resource to support immigration and citizenship needs.
- 1.8 Individual circumstances of the child or youth in care are explored by CFW to clarify the pathway to residency or citizenship that is in their best interest, aligning with their plan of care, which may include applying for Canadian citizenship.



- 1.9 For every child or youth in permanent care and custody, when it is determined to be in their best interest, Canadian citizenship will be pursued. Consideration will be given to the benefits and potential liabilities associated with a change in immigration status and citizenship.
- 1.10 CFW collaborates closely with agencies, legal experts, and community organizations that have expertise in responding to immigration, citizenship, and settlement matters of child or youth and families and can use non-identifying information.

## Resources

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Child Welfare Immigration Centre of Excellence (CWICE)

[www.cwice.ca](http://www.cwice.ca)

How to Request and Apply for Proof of Permanent Residence on Behalf of a Child

[www.canada.ca/en/immigration-refugees-citizenship/services/application/application-forms-guides/guide-5445-applying-permanent-resident-card-card-first-application-replacement-renewal-change-gender-identifier.html](http://www.canada.ca/en/immigration-refugees-citizenship/services/application/application-forms-guides/guide-5445-applying-permanent-resident-card-card-first-application-replacement-renewal-change-gender-identifier.html)

Citizenship Eligibility

[www.canada.ca/en/immigration-refugees-citizenship/services/canadian-citizenship/become-canadian-citizen/eligibility.html](http://www.canada.ca/en/immigration-refugees-citizenship/services/canadian-citizenship/become-canadian-citizen/eligibility.html)

Verification of Status

[www.canada.ca/en/immigration-refugees-citizenship/services/application/application-forms-guides/guide-5545-application-verification-status-vos-replacement-immigration-document.html](http://www.canada.ca/en/immigration-refugees-citizenship/services/application/application-forms-guides/guide-5545-application-verification-status-vos-replacement-immigration-document.html)

Case-Specific Enquiry Form

[secure.cic.gc.ca/ClientContact/en/Application/Form/70](http://secure.cic.gc.ca/ClientContact/en/Application/Form/70)

Indigenous Services Canada

[www.canada.ca/en/indigenous-services-canada.html](http://www.canada.ca/en/indigenous-services-canada.html)



## 5.15 Contracting with Service Providers

### Purpose

When a community-based or public service is not available to meet the holistic and/or specific needs of a child, youth, or family, Child and Family Wellbeing (CFW) may contract with an external service provider.

### Application

This policy applies:

- To all CFW team members supporting children, youth, and families.
- To contracted service providers and partners providing programs and services to children, youth, and families.

### Requirements

- 1.1 Children, youth, and families are supported by CFW to explore all community-based and public services and options.
- 1.2 The identified cultural, linguistic, spiritual, religious or other diverse needs of the child or youth or family will be prioritized when selecting a contracted service provider.
- 1.3 CFW will contract with providers who specialize in cultural mentoring, traditional healing, faith-based services, and services provided by Elders, when appropriate or when needed, to support the individual and diverse needs of children, youth, and families.
- 1.4 Contracted service providers who are licensed professionals must be in good standing with their licensing body.
- 1.5 All non-licensed contracted service providers are required, upon request, to produce relevant background checks that have been completed within the last six (6) months, which can include:
  - 1.5.1 Child Abuse Register Check
  - 1.5.2 Criminal Records Check
  - 1.5.3 Vulnerable Sector Check
  - 1.5.4 Driver's Abstract
- 1.6 Contract duration is aligned with the individual needs and focuses on the goals agreed upon with the child, youth, or family and CFW.
- 1.7 Contracted services are intended to be time-limited, goal focused and reviewed on an ongoing basis.





## 5.16 Financial Stabilization Payments

### Purpose

When a child or youth is in care under a care agreement or is in temporary care and custody, Child and Family Wellbeing (CFW) can provide financial support to the parent or guardian to lessen potential financial hardship associated with the loss of the Canada Child Benefit or Child Disability Benefit

### Application

This policy applies:

- To parents and guardians of children and youth in care under a temporary care agreement, special needs agreement, or in temporary care and custody.
- To all CFW team members supporting children, youth, and families.

### Requirements

- 1.1 When a child or youth is in care under a care agreement or is in temporary care and custody, CFW is authorized by federal law, the [Children's Special Allowances Act](#), to apply for the Children's Special Allowance (CSA). The Canada Revenue Agency becomes aware of this change internally and stops the parent or guardian's Canada Child Benefit or Child Disability Benefit.
- 1.2 CFW provides a monthly financial stabilization payment to compensate for the loss of the Canada Child Benefit and Child Disability Benefit.
- 1.3 When a child or youth returns to their parent or guardian's care, the receipt of the CSA by CFW is cancelled which allows the parent or guardian to re-apply and resume receipt of the CSA. The financial stabilization payments continue for a period of three (3) additional months.
- 1.4 If another caregiver is identified and the child or youth leaves temporary care and custody or the care agreement is ended, the CSA is cancelled and the financial stabilization payments to the parent or guardian will end.
- 1.5 If a child or youth enters permanent care and custody, the financial stabilization payment will continue for one (1) additional month.



## 5.17 Transfers and Courtesy Supervision Within the Province

### Purpose

If the circumstances of a child, youth, or family change or a conflict of interest arises during their involvement with Child and Family Wellbeing (CFW), another CFW team member and/or office may be asked to support the child, youth, or family, or a request for courtesy supervision may occur. CFW provides family-centered support when there is a change in the CFW team member and/or office supporting the child or youth, and family.

A change in circumstances can occur if the child, youth, or family moves to another region within Nova Scotia or there is a transfer of a legal proceeding by the court.

### Application

This policy applies:

- To children, youth, and families receiving CFW services.
- To CFW team members supporting children, youth, and families.
- To all decision-making and planning processes impacted by a change in CFW team members and/or office.

### Requirements

#### 1. Transfers

- 1.1 Transfers are coordinated between the CFW office currently supporting the child or youth and family and the new jurisdictional CFW office to maintain quality service and minimize disruption for the child, youth, and family as much as possible.
- 1.2 When transfers involve Indigenous children, youth, or families, the relevant Indigenous Governing Body (IGB) may also be involved in the coordination of the transfer. Consideration will also be given to whether the child or youth are considered to have provincial or federal settlement (the differentiation of a child or youth in care who is in receipt of provincial or federal funding).
- 1.3 When transfers involve children, youth, and families who are African Nova Scotian, Black, or of African descent, consultation will occur with the Africentric Child and Family Wellbeing team.
- 1.4 When a child, youth, or family moves to another province or territory, the **Provincial / Territorial Protocol** will apply.



## 2. **Courtesy Supervision**

- 2.1 When a child, youth, and/or family temporarily moves to a different region of the province, another CFW office may provide support and services, also known as courtesy supervision, on behalf of the CFW office involved with the family. A transfer of the file is not required when courtesy supervision occurs and the original CFW office retains responsibility for the file.



## 5.18 Provincial / Territorial Protocol

### Purpose

When a child, youth, or family is involved with Child and Family Wellbeing (CFW) and moves between provinces and territories, the *Provincial/Territorial Protocol on Children, Youth and Families Moving Between Provinces and Territories* is used to outline the roles and responsibilities of each province or territory.

### Application

This policy applies:

- To CFW team members addressing and responding to activities that may occur between provinces and territories related to the relocation of children, youth, and families.
- To decision-making and planning processes related to the relocation of a child, youth, or family to or from another province or territory during their involvement with Child and Family Wellbeing.

### Requirements

- 1.1 The Provincial/Territorial Protocol outlines the following:
  - 1.1.1 Coordinating services, including information sharing and case management.
  - 1.1.2 Determining financial responsibilities.
  - 1.1.3 Resolving conflicts or disputes.
- 1.2 Provinces or territories can submit a request through the interprovincial protocol for the following:
  - 1.2.1 Interprovincial Request for Services
  - 1.2.2 Interprovincial Child Protection Alert
  - 1.2.3 Interprovincial Placement Agreement

### Resources

Interprovincial Desk – *For requesting and submitting IP Request Forms and Alerts*  
[Nscw-interprovincialdesk@novascotia.ca](mailto:Nscw-interprovincialdesk@novascotia.ca)

Interprovincial Request for Services Forms

English: [www.extranetccsmtl.ca/fileadmin/CIUSSS/DirectionsCliniques/ProtectionJeunesse/OutilsDirection/Protocole\\_Interprovincial/Interprovincial\\_Request\\_for\\_Services\\_rev\\_Feb\\_2023\\_EN.pdf](http://www.extranetccsmtl.ca/fileadmin/CIUSSS/DirectionsCliniques/ProtectionJeunesse/OutilsDirection/Protocole_Interprovincial/Interprovincial_Request_for_Services_rev_Feb_2023_EN.pdf)



French: [www.extranetccsmtl.ca/fileadmin/CIUSSS/DirectionsCliniques/ProtectionJeunesse/OutilsDirection/Protocole\\_Interprovincial/Formulaire\\_Demande\\_de\\_services\\_interprovinciaux\\_rev\\_Feb\\_2023\\_FR.pdf](http://www.extranetccsmtl.ca/fileadmin/CIUSSS/DirectionsCliniques/ProtectionJeunesse/OutilsDirection/Protocole_Interprovincial/Formulaire_Demande_de_services_interprovinciaux_rev_Feb_2023_FR.pdf)

Interprovincial Child Protection Alert

[www.extranetccsmtl.ca/fileadmin/CIUSSS/DirectionsCliniques/ProtectionJeunesse/OutilsDirection/Protocole\\_Interprovincial/Interprovincial\\_CP\\_Alert\\_rev\\_Feb\\_2023\\_EN.pdf](http://www.extranetccsmtl.ca/fileadmin/CIUSSS/DirectionsCliniques/ProtectionJeunesse/OutilsDirection/Protocole_Interprovincial/Interprovincial_CP_Alert_rev_Feb_2023_EN.pdf)

Interprovincial Placement Agreement

[www.extranetccsmtl.ca/fileadmin/CIUSSS/DirectionsCliniques/ProtectionJeunesse/OutilsDirection/Protocole\\_Interprovincial/IPPA\\_Form\\_rev\\_Feb\\_2023\\_EN.pdf](http://www.extranetccsmtl.ca/fileadmin/CIUSSS/DirectionsCliniques/ProtectionJeunesse/OutilsDirection/Protocole_Interprovincial/IPPA_Form_rev_Feb_2023_EN.pdf)



## 5.19 When You Disagree with a Child and Family Wellbeing (CFW) Decision

### Purpose

Children, youth, and families have a right to express their perspective when they disagree with a matter or decision made by CFW that impacts them. Child and Family Wellbeing (CFW) is committed to using a respectful, culturally attentive and responsive, and restorative process to hear and respond to disagreements that may arise when working with children, youth, and families.

### Application

This policy applies:

- To children, youth, and families receiving services from Child and Family Wellbeing.
- To all CFW team members supporting children, youth, and families.

### Requirements

#### 1. General Overview

- 1.1 If at any point during the process to respond to a disagreement, the individual with the disagreement is satisfied with the outcome, the matter will be considered resolved and no further action is required.
- 1.2 If at any point during the process to respond to a disagreement a Court makes a decision which resolves the disagreement, no further action is required.
- 1.3 The individual with the disagreement is encouraged to attempt to resolve the issue with the CFW team member directly involved.
- 1.4 If no satisfactory resolution is reached, CFW will determine, in consultation with the individual involved, how to proceed with addressing the disagreement, which may include consultation with other team members and escalating the disagreement for further review and response.
- 1.5 The individual with the disagreement may also contact the Office of the Ombudsman.



# Intensive Responses and Services

What we do to work with children, youth, and families to provide a more intensive response and address their needs and risks.

Name of Legislation or Regulation	Applicable Sections
<b><i>Children and Family Services Act</i></b>	2: Purpose and paramount consideration
	3: Interpretation
	4: Supervision of Act and right of Minister to appear in court
	5: Delegation of powers, privilege, duties, or functions
	9: Functions of agency
	10: Inspection of agency
	13: Services to promote integrity of family
	12: Representatives
	14: Duty to provide services to child
	17: Voluntary Care Agreement
	18: Special Needs Agreement
	19: Special Needs Agreement with Child 16 to 18
	20: Placement considerations
	22(2): Child is in need of protective services
	23: Duty to report
	24: Duty of professionals and officials to report
	25: Duty to report third party abuse
	26(2): Order to produce documents for inspection or for access or entry
	29: Run-away child
	30: Protective intervention order
	32: Supervision order
	33: Taking into care
	34: Entry and search



Name of Legislation or Regulation	Applicable Sections
<b><i>Continued... Children and Family Services Act</i></b>	35: Return of child 36: Parties to proceeding 37: Child as party and appointment of guardian 39: Interim hearing 40: Protection hearing 41: Disposition hearing 42: Disposition order
	54: Interpretation of Sections 55-59 55: Secure-treatment certificate 56: Secure-treatment order 57: Review of secure-treatment order 58: Duty of court and appeal 59: Effect of secure-treatment certificate or order 60: Leave of absence or transfer from secure-treatment facility 60A: Authority of secure-treatment certificate or order 91: Assistance by peace officer
	3: Duties of Minister's Delegate 6: Qualifications of representatives 4: Prescribed forms 14: Accounts and records 21: Records and information about child maintained by facility 32: Foster homes 34: Placement of children in care 35: Special needs and services for special needs agreements 38: Financial contribution of parent or guardian 39: Maximum maintenance court may order payable 41: Fees and disbursement of counsel or guardian <i>ad litem</i> 43: Definitions for secure-treatment facilities 44: Service of secure-treatment certificate 45: Consent of Minister to placement in secure-treatment facility 46: Leave of absence from secure-treatment facility
<b><i>An Act respecting First Nations, Inuit and Métis children, youth and families</i></b>	3: Principle – substantive equality 9(1): Principle – best interests of child 9(2): Principle – cultural continuity 10(1): Best interests of Indigenous child 10(2): Primary consideration 10(3): Factors to be considered 12(1): Notice 15(1): Reasonable efforts 16: Placement of Indigenous Child – Priority 17: Attachment and emotional ties





## 6.1 Youth Services and Care Agreements

### Purpose

Families and youth can voluntarily request support from Child and Family Wellbeing (CFW) to maintain the safety and wellbeing of their children and/or themselves. A parent or guardian, and/or a youth requesting voluntary support may sign an agreement with CFW that outlines the rights, responsibilities, and services each party will provide.

### Application

This policy applies:

- To youth, parents, and guardians requesting voluntary CFW support and services.
- To parents and guardians seeking to temporarily transfer care of their child or youth to CFW.
- To expectant parents and birth parents who have chosen to place their child for adoption and caregiving arrangements are required.
- To CFW team members supporting children, youth, and families.

### Requirements

1. When the child or youth is Indigenous, ***notice is given*** to the child or youth's Indigenous Governing Body (IGB), in accordance with *An Act respecting First Nations, Inuit and Métis children, youth and families* as a significant measure.
2. **Temporary Care Agreements**
  - 2.1 A Temporary Care Agreement is a voluntary arrangement that has no Court involvement and can be considered when the parent is temporarily unable to care adequately for the child or youth who is under the age of 16. This agreement is made under section 17 of the *Children and Family Services Act*.
  - 2.2 The following criteria also needs to be met to enter into a Temporary Care Agreement:
    - 2.2.1 Care in the child or youth's home or with another person, such as alternative family care or customary care, is not appropriate or is unavailable.
    - 2.2.2 There is an agreed-upon plan for the child or youth to maintain contact with their parent(s), guardian(s), family, community, and community members who are significant in the child or youth's life.
    - 2.2.3 There is an appropriate place for the child or youth to live that is likely to benefit them.



- 2.2.4 The goal is for the child or youth to return to the care of their parent following the term of the agreement.
    - 2.2.5 There is a commitment to working toward resolving the circumstances that have been identified.
  - 2.3 A parent or guardian has the right to seek legal advice prior to entering into an agreement.
  - 2.4 The child or youth is in the care and custody of the Minister when a temporary care agreement is in place.
  - 2.5 A Temporary Care Agreement is signed for a period in alignment with the requested needs of the parent(s) or guardian(s) and legislated timelines. In some cases, agreements may be extended, if needed, in accordance with subsection 17(3) of the *Children and Family Services Act*.
    - 2.5.1 Parent(s) or guardian(s) have the right to request to enter and end a temporary care agreement.
    - 2.5.2 CFW may end a temporary care agreement if the parent or guardian is not engaging in services.
  - 2.6 CFW may pursue a court application should a parent or guardian choose to end the agreement and there are safety and wellbeing concerns that CFW has determined place the child or youth in need of protective services.
  - 2.7 CFW seeks consent from the parent, guardian, or youth over the age of 16 for access to any necessary reports or documentation regarding the needs of the child or youth, which can include medical consent for treatment.
  - 2.8 When a Temporary Care Agreement is in place beyond 30 days and is intended to be ongoing, CFW applies for the Canada Child Benefit from the Canada Revenue Agency and the parent or guardian does not receive these funds until the child is returned to their care.
  - 2.9 The parent or guardian is eligible to receive the **Financial Stabilization Payment**.
3. **Voluntary Placement of a Child in Care for the Purpose of Adoption**
- 3.1 An Adoption Agreement may also be put in place when birth parents choose adoption for their child and caregiving arrangements are required prior to the adoption. This agreement can be made under section 68 of the *Children and Family Services Act*.



#### 4. Special Needs Agreement

- 4.1 A Special Needs Agreement is a voluntary arrangement that has no Court involvement and can be considered when the parent or guardian is unable to provide services the child or youth requires to meet their special needs. This agreement can be made under section 18 of the *Children and Family Services Act* when the following are met:
- 4.1.1 A child or youth meets any of the following:
- a. The child or youth has been diagnosed with a mild or moderate intellectual disability by a licensed health care professional within the last two (2) years and has significant behaviours that put themselves and others at risk.
  - b. The child or youth has been diagnosed with a severe or profound intellectual disability by a licensed health care professional within the last two (2) years.
  - c. The child or youth has a significant physical disability with ongoing functional limitations that seriously limits their ability to engage with age-appropriate activities of daily living, as determined by a licensed health care professional.
- 4.1.2 Support provided under a Special Needs Agreement can include services provided to the child or youth in their home.
- 4.1.3 Support provided under a Special Needs Agreement can also include care in a Child and Youth Caring Program. There is an agreed-upon plan for the child or youth to maintain contact with their parent(s), guardian(s), family, community, and community members who are significant in the child or youth's life.
- 4.1.4 A child or youth placed pursuant to a Special Needs Agreement must be eligible for services through the Disability Support Program.
- 4.2 Prior to entering into a Special Needs Agreement, CFW will confirm:
- 4.2.1 The child or youth's eligibility for services and the appropriateness of providing services in a Child and Youth Caring Program based on the assessed special needs and the parent(s) or guardian(s)'s capacity to care for the child or youth at home.
  - 4.2.2 The availability of services, including an appropriate Child and Youth Caring Program.
  - 4.2.3 There is an appropriate place for the child or youth to live or approved caregiver available.



- 4.2.4 The child or youth is expected to return to the care of their parent following the term of the agreement.
    - 4.2.5 There is a commitment to working toward resolving the circumstances that have been identified.
  - 4.3 A Special Needs Agreement can be signed for a period in alignment with the requested needs of the parent(s) or guardian(s) and legislated timelines. In some cases, agreements may be extended, if needed, in accordance with subsection 18(2) of the *Children and Family Services Act*.
  - 4.4 A parent or guardian has the right to seek legal advice prior to entering into an agreement.
5. **Youth Services Agreement**
- 5.1 When a youth between 16 and 18 years of age is in need of protective services and needs support to ensure their safety, stability, and wellbeing, an agreement under Section 19 of *CFSA* is considered.
  - 5.2 Youth have the right to seek legal advice prior to entering into an agreement and are encouraged to do so.
  - 5.3 Both CFW and the youth have commitments they are responsible for when entering into this type of agreement. CFW will engage with the youth to recognize their strengths and individual needs and to develop a unique plan.
  - 5.4 Support provided under a Youth Services Agreement can include services provided to the youth in their home.
  - 5.5 Support provided under a Youth Services Agreement can also include assistance to meet housing needs care. There is an agreed-upon plan for the youth to maintain contact with their parent(s), guardian(s), family, community, and community members who are significant in the youth's life.
  - 5.6 A Youth Services Agreement can be signed for a period in alignment with the requested needs of the youth, and with legislated timelines in section 19 of the *Children and Family Services Act*.



## 6.2 Police Assistance in Child and Family Wellbeing (CFW) Matters

### Purpose

To maintain the safety of children, youth, families, and Child and Family Wellbeing (CFW) team members, CFW will work with police in a variety of complex and sensitive circumstances.

### Application

This policy applies:

- To children, youth, and families receiving CFW services.
- To CFW team members supporting children, youth, and families.

### Requirements

- 1.1 While CFW and the police work collaboratively, the role of the police is separate and distinct from the role of the CFW team.
- 1.2 CFW will balance the safety needs of those involved with the impact of police presence on children, youth, and families prior to considering requests for police presence.
- 1.3 When a child, youth, or family is unable to maintain their own safety or the safety of others, or has committed a criminal offense, police may be involved.
- 1.4 Circumstances where police assistance may also be sought can include:
  - 1.4.1 Obtaining information related to reported concerns of a child or youth's safety and wellbeing, or risk of harm.
  - 1.4.2 Conducting a joint investigation/assessment of safety and wellbeing concerns.
  - 1.4.3 Enforcing a court order.
  - 1.4.4 Bringing a child or youth into the Minister's care and custody.



## 6.3 Applications to the Court for Protection Matters

### Purpose

When all other less intrusive measures have been considered and there continues to be an assessed risk to a child or youth's safety and the child or youth continues to be in need of protective services, Child and Family Wellbeing (CFW) can make an application to the Court to initiate a legal proceeding.

### Application

This policy applies:

- To all CFW team members supporting children, youth, and families.
- To decision-making and planning processes related to the safety and wellbeing of children and youth.

### Requirements

#### 1. General Overview

- 1.1 A Court application is started when a child or youth has been brought into care and custody.
- 1.2 A Court application may be appropriate when:
  - 1.2.1 There is evidence that the child or youth is in need of protective services, which is outlined in detail in Section 22 of the *Children and Family Services Act*.
  - 1.2.2 CFW has assessed via a risk management conference that there is sufficient evidence to support the application in court.
  - 1.2.3 It is in the child or youth's best interest to make a Court application.
- 1.3 CFW works with legal counsel to file evidence in support of the application that includes information gathered during interactions with the child or youth, parent(s) or guardian(s), family, caregivers, service providers, and others, when making the Court application, so that the Court is able to make a finding on the basis of the evidence that a child or youth is in need of protection and grant a Court order. Disclosure of CFW case recordings or other file documents will also be provided to the parties of the proceeding.
- 1.4 The Court will make orders during a court hearing that includes its findings on whether the child or youth is in need of protective services based on the evidence filed in the proceeding. Court orders may dismiss a matter or continue a matter with terms and conditions concerning where the child or youth will live, contact with parents or guardians, and services or other support for the child, youth, and family.



- 1.5 When a court application is being made, CFW provides notice to the band and/or Indigenous Governing Body (IGB) of the child or youth or of those who are Indigenous or entitled to be Mi'kmaw in accordance with *An Act respecting First Nations, Inuit and Métis children, youth and families*.

## 2. Other Court Applications

- 2.1 CFW can make a variety of other court applications pursuant to the *Children and Family Services Act* when it is required to support the child or youth's safety and wellbeing and it is in the child or youth's best interests. These include, but are not limited to:
  - Access or Entry (CFSA, Section 26(2))
  - Locate and Detain (CFSA, Section 29)
  - Protective Intervention Orders (CFSA, Section 30)
  - Entry and Search (Section 34)
  - Termination of Permanent Care and Custody (CFSA, Section 48)
  - Child Abuse Register (CFSA, Section 63)

## 3. Representation and Rights in Court

- 3.1 The CFW team encourages parents, guardians, and youth aged 16 years and older involved in a court proceeding to seek legal counsel for representation and guidance regarding their rights and navigating the court process.
  - 3.1.1 CFW will support youth in connecting with legal counsel.
- 3.2 The Minister of Opportunities and Social Development, through CFW, will provide children and youth who are 12 years of age or more with notice of the proceeding.
- 3.3 A Guardian *ad litem* may be appointed for the child by the Court in accordance with Section 37 of the *Children and Family Services Act*.
  - 3.3.1 CFW will connect with those who act as Guardians *ad litem* to inquire about their availability for appointment in a proceeding.
- 3.4 The Minister of Opportunities and Social Development is represented by legal counsel in all court matters pursuant to the CFSA. Legal counsel is contacted when the decision is made to start an application, or a child has been brought into care and the appropriate court documents are prepared and filed in support of the application.
- 3.5 In some circumstances, where available and appropriate, mediation services can be made available for a child, youth or family prior to or during a Court proceeding, which CFW may provide financial support for.



## Resources

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Going to Court Workbook

[www.courts.ns.ca/sites/default/files/courts/Family%20Division/Going\\_to\\_Court\\_Workbook\\_18\\_07.pdf](http://www.courts.ns.ca/sites/default/files/courts/Family%20Division/Going_to_Court_Workbook_18_07.pdf)

What you need to know when Child Protection takes your children into care

[ChildProtectionBooklet\\_EN\\_09\\_17.pdf \(courts.ns.ca\)](http://www.courts.ns.ca/sites/default/files/courts/Family%20Division/ChildProtectionBooklet_EN_09_17.pdf)





## 6.4 Bringing a Child or Youth into Care and Custody

### Purpose

When all other less intrusive measures have been considered, and there are reasonable and probable grounds to believe the child or youth is in need of protective services, and their health and safety cannot be protected adequately otherwise than by bringing the child or youth into care, Child and Family Wellbeing (CFW) follows the legal process to bring the child or youth into the Minister's care.

### Application

This policy applies:

- To children, youth, and families receiving CFW services.
- To all CFW team members supporting children, youth, and families.
- To all CFW team members supporting Mi'kmaq and Indigenous children, youth, and families.
- To decision-making and planning processes when a child or youth is brought into the Minister's care.

### Requirements

- 1.1 A child or youth can be brought into temporary care either before or after an application has been made to the Court, depending on the circumstance.
- 1.2 Once a decision has been made to bring a child or youth into care, a family-focused and child-centered approach is used to determine who should be present, how this should occur, where it should occur, and when it will take place to ensure the safety of all involved.
- 1.3 ***Culturally attentive and responsive planning*** is required to meet the immediate needs of all children, youth, and families when a child or youth is brought into temporary care.
- 1.4 At the time the child or youth is brought into care, the parent or guardian, or other person who is providing care to the child or youth, are served with a Notice of Taking into Care.
- 1.5 When the child or youth is Indigenous, ***notice is given*** to the child or youth's Indigenous Governing Body (IGB), in accordance with *An Act respecting First Nations, Inuit and Métis children, youth and families* as a significant measure.
- 1.6 Prior to the initial court appearance, where there has been a new development or change that eliminates or significantly reduces the risk to the child or youth's safety and wellbeing, CFW may return the child or youth to the parent, or another



identified caregiver. In this case, CFW notifies legal counsel and provides instruction to either withdraw or revise the Court application, depending on the specific circumstances.

## Resources

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Going to Court Workbook

[www.courts.ns.ca/sites/default/files/courts/Family%20Division/Going\\_to\\_Court\\_Workbook\\_18\\_07.pdf](http://www.courts.ns.ca/sites/default/files/courts/Family%20Division/Going_to_Court_Workbook_18_07.pdf)

What you need to know when Child Protection takes your children into care

[www.nsfamilylaw.ca/sites/default/files/editor-uploads/child\\_protection\\_booklet\\_eng\\_2017\\_web%20ENG.pdf](http://www.nsfamilylaw.ca/sites/default/files/editor-uploads/child_protection_booklet_eng_2017_web%20ENG.pdf)



## 6.5 Secure Treatment Program

### Purpose

A child or youth in care who has complex behavioural and emotional challenges and who requires specialized treatment, can be admitted to the Secure Treatment program in accordance with legislative requirements in the *Children and Family Services Act (CFSA)*. In the Secure Treatment program, Child and Family Wellbeing (CFW) supports the planning for the care of the child or youth and completes ongoing reviews of treatment progress.

### Application

This policy applies:

- To children and youth in the care of the Minister of Opportunities and Social Development.
- To all CFW team members supporting children, youth, and families.
- To all CFW team members supporting Mi'kmaq and Indigenous children, youth, and families.
- To decision-making and planning processes related to the child or youth's care.

### Requirements

- 1.1 Secure Treatment provides the most intensive intervention, when required, to meet the needs of the child or youth and support their successful outcomes when other interventions have been attempted but unsuccessful.
- 1.2 Section 55 of the *CFSA* outlines the legislative requirements to issue a secure treatment certificate for a child or youth's admission into a secure treatment program for a period of up to five (5) working days.
- 1.3 A Court application for a secure treatment order is made in accordance with Section 56 of the *CFSA* and, if granted, the child or youth will remain in the program for the duration of the secure treatment order and may be reviewed or renewed.
- 1.4 Secure treatment is available for children or youth 12 to 18 years of age in the care and custody of the Minister who meet the legislative criteria listed in the *CFSA*.
- 1.5 Secure treatment develops an individual treatment plan in alignment with the child or youth's holistic needs that identifies stabilization, assessment, and treatment services. These services can include medical services, psychological services, psychiatric services, social and emotional educational programs, classroom education, and transition planning to support the child or youth.



- 1.6 For children or youth who are in temporary care, parents or guardians are notified of the Court application and may make application to be added as a party to the legal proceedings.
- 1.7 When children or youth are Indigenous, notice is provided to the Indigenous Governing Body as per *An Act respecting First Nations, Inuit and Métis children, youth and families*.
- 1.8 Section 59 of the *CFSA* provides a right to appeal the Secure Treatment Order.

## Resources

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Wood Street Campus Secure Treatment  
[novascotia.ca/coms/families/SecureCare.html](https://novascotia.ca/coms/families/SecureCare.html)



## 6.6 Reporting and Responding to Critical Incidents and Serious Occurrences Impacting Children and Youth in Care

### Purpose

Children and youth in care have the right to safety and wellbeing in the places where they live.

Ensuring the safety and wellbeing of children and youth requires Child and Family Wellbeing (CFW) to report, track and respond to critical incidents and serious occurrences, which may include an assessment of any reported safety and wellbeing concerns.

### Application

This policy applies:

- To CFW team members supporting children and youth in care.
- To CFW team members supporting caregivers of children and youth in care.
- To all caregivers of children and youth in care.

### Requirements

#### 1. Reporting and Tracking Serious Occurrences and Critical Incident

##### 1.1 Child and Youth Caring Programs

- 1.1.1 CYCP team members will submit written Serious Occurrence Reports and Critical Incident Reports to CFW within 72 hours and will document information regarding the serious occurrence and/or critical incident in the child or youth's records.
- 1.1.2 Serious Occurrence Reports and Critical Incident Reports are tracked by the CYCP to ensure adherence to policy and procedural requirements, and to identify trends and strategies to reduce or prevent serious occurrences and critical incidents. This may include the identification of any developmental and training needs as well as an evaluation of the effectiveness of services provided by the CYCP.
- 1.1.3 The CYCP will submit tracking information regarding Serious Occurrence Reports and Critical Incident Reports to CFW monthly.



## 1.2 Foster Caregivers

- 1.2.1 Foster caregivers will report serious occurrences and critical incidents to CFW and HUB homes within their Constellation immediately.
- 1.2.2 CFW team members will document all relevant information regarding serious occurrences and/or critical incidents in the child or youth's file.
- 1.2.3 HUB homes will document serious occurrences and/or critical incidents using the monthly Hub Home Reporting form.

## 1.3 Adopting Parents

- 1.3.1 During the adoption transition period, the adopting parent will verbally report serious occurrences and critical incidents to CFW in a timely manner.
- 1.3.2 CFW team members will document all relevant information regarding the serious occurrence and/or critical incident in the child or youth's adoption transition file.

## 2. Responding to Serious Occurrences and Critical Incidents

- 2.1 Upon receipt of a Serious Occurrence Report or Critical Incident Report, CFW will provide a written acknowledgment of the report.
  - 2.1.1 CFW will notify the parent(s) or guardian(s) of children and youth in care under a Temporary Care Agreement or an order for temporary care and custody of the serious occurrence or critical incident.
- 2.2 CFW reviews all Serious Occurrence Reports and Critical Incident Reports to **determine the need for assessment** of any safety and wellbeing concerns of the child or youth.
- 2.3 CFW tracks and reviews all Serious Occurrence Reports and Critical Incident Reports to monitor for trends leading to or impacting the circumstances of the child or youth and to identify any necessary follow up, including areas requiring additional support.
- 2.4 CFW submits quarterly reports outlining the review and analysis of the Serious Occurrence Reports and Critical Incident Reports.
- 2.5 CFW team members, including CYCP team members and/or the child or youth's caregivers, will review the child or youth's Plan of Care and/or CYCP Care Plan in consideration of any identified trends and revise the plan to best support the child or youth's ongoing safety and wellbeing. This may include consideration of where the child or youth is living and whether a transition is in their best interest.

## Resources

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## 6.7 Review Processes to Enhance Child and Family Wellbeing Policies, Programs, and Practices

### Purpose

Children, youth, and families who are receiving Child and Family Wellbeing services can expect quality services that are aligned with their individual needs. To ensure and maintain this high level of service, Child and Family Wellbeing (CFW) engages in review processes to enhance policies, programs, and practices.

### Application

This policy applies:

- To all CFW team members supporting children, youth, and families.
- To records created and/or maintained by CFW regarding the programs and services provided to children, youth, families, and communities.

### Requirements

- 1.1 Reviews can be initiated in a variety of circumstances and can be led by various CFW team members.
- 1.2 The review process is critical for reflection, learning, growth, and accountability.
- 1.3 Any review of information gathered about children, youth, and families receiving CFW services will focus on the individuals directly involved and will include them, where possible and appropriate.
- 1.4 When a review occurs, CFW team members will be notified of what is taking place, what they can expect, and how they may be included in the review.
- 1.5 The outcome of a review will be communicated to CFW team members involved, and with other partners as may be appropriate to promote shared learning and collaboration.
- 1.6 The outcome of a review may result in recommendations for development and training needs, CFW program development and enhancement, policy review and revision, and practice enhancements.



## 6.8 Responding to the Serious Injury or Death of a Child or Youth

### Purpose

When a child or youth who is receiving Child and Family Wellbeing (CFW) services is seriously injured or dies, CFW responds to ensure the family is supported. CFW also participates in review processes to understand what circumstances contributed to the injury or death and identify steps to prevent such incidents in the future. CFW ensures that team members are supported through the review process.

### Application

This policy applies:

- To all CFW team members supporting children, youth, and families when there has been a serious injury or death of a child or youth.

### Requirements

#### 1. General Overview

- 1.1 When a child or youth who is receiving CFW services is seriously injured or dies, necessary steps will be determined, including consideration of a Serious Injury or Death Review and who will be involved.
- 1.2 Pursuant to the ***Fatality Investigations Act***, there is a legal obligation to report the death of a child or youth who is receiving or has recently received CFW services to a medical examiner or an investigator if the death occurred:
  - 1.2.1 As a result of violence, accident, or suicide.
  - 1.2.2 Unexpectedly when the child or youth was in good health.
  - 1.2.3 Where the child or youth was not under the care of a physician.
  - 1.2.4 Where the cause of death is undetermined.
  - 1.2.5 As the result of improper or suspected negligent treatment by a person.
- 1.3 The recommendations from a Serious Injury or Death Review may include changes to current policy and processes, support the development of future policy, inform future practice and training needs, enhance collaborative approaches to child and family safety and are intended to prevent future harm to other children and youth.





## 2. Provincial Child Death Review and Domestic Violence Death Review Committees

2.1 The provincial Child Death Review Committee and the Domestic Violence Death Review Committee have been established pursuant to the *Fatality Investigations Act* and are led by the Department of Justice, with participation from other applicable Departments and partners, including the Department of Opportunities and Social Development (DOSD).

2.1.1 The Child Death Review Committee and Domestic Violence Death Committee may be engaged to review the death of a child or youth if the death occurred under circumstances identified above and meets the definition of a 'child death' pursuant to the *Fatalities Investigations Act*.

2.2 The recommendations from the reviews completed by the Child Death Review Committee and the Domestic Violence Death Review Committee may include changes to provincial policies and practices and are intended to prevent future deaths of other children, youth, and family members.

### Resources

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Fatality Investigations Act

*[Fatality Investigations Act \(nslegislature.ca\)](https://www.nslegislature.ca)*

Death Review Committee Regulations

*[Death Review Committee Regulations - Fatality Investigations Act \(Nova Scotia\)](#)*



# Caring for Children and Youth

How we care for children and youth

Name of Legislation or Regulation	Applicable Sections
<i><b>Children and Family Services Act</b></i>	2: Purpose and paramount consideration
	3: Interpretation
	5: Delegation of powers, privilege, duties or functions
	8: Agencies
	9: Functions of agency
	13: Services to promote integrity of family
	15: Approval of facilities and services
	16: Ministerial operation of facilities
	17: Temporary care agreement
	18: Special needs agreement
	15: Approval of facilities and services
	20: Placement considerations
	22(2): Child is in need of protective services
	23: Duty to report
	24: Duty of professionals and officials to report
	25: Duty to report third-party abuse
	26: Order to produce documents for inspection or for access or entry
	27: Detention of child by peace officer
	28: Abandoned child
	29: Run-away child
	33: Taking into care
	36: Parties to proceeding
	37: Child as party and appointment of guardian
	39: Interim order
	42: Disposition order
	43: Supervision order
	44: Temporary care and custody order



Name of Legislation or Regulation	Applicable Sections
<b><i>Continued... Children and Family Services Act</i></b>	47: Permanent care and custody order 52: Maintenance order for support of child 61: Refusal to consent to medical treatment 68: Placement with a specified person 68A: Adoption agreement 69: Notice to Minister of placement for adoption 70: Restriction on placement 70A: Right to commence adoption proceedings 71: Certificate to take child outside province 76: Prerequisites to adoption 78: Adoption order 78A: Custom Adoption 78B: Openness agreement 80: Effect of adoption order 85: Copies of documents, sealed packet and certificate of adoption 87: Adoption subsidy 88: Transfer of subsidy 91: Assistance by peace officer 92: Offences and penalties
<b><i>Children and Family Services Regulations</i></b>	2: Interpretation 2(1): Definitions 3: Duties of Minister's Delegate 4: Prescribed forms 10: Application for approval to operate child-caring facility 11: Policies established for services, facilities and agencies 13: Evaluation of child-care services, child-caring facilities and agencies 14: Accounts and records 15: Approval of child-caring facilities 16: Child-caring facility licenses 18: Facility staff 19: Chief Administrative Officer of facility 20: Facility programming for each child 21: Written information on the rights and obligations of children in facility 22: Records and information about child maintained at facility 23: Fire safety at facility 24: Emergency evacuation plan for facility 25: Facility physical requirements 26: Standards and procedures for therapeutic quiet rooms in child-caring facilities 27: Standards and procedures for physical restraint at child-caring facility 28: Food requirements 29: Children's medications



Name of Legislation or Regulation	Applicable Sections
<b><i>Continued... Children and Family Services Regulations</i></b>	30: Facility inspection 31: Concerns and complaints about facility to Director of Placement Services 32: Foster homes 34: Placement of children in care 42: Payment of costs for Mi'kmaq child with provincial settlement 38: Financial contribution of parent or guardian 40: Health care professionals' reporting requirements 41: Fees and disbursements of counsel and guardian <i>ad litem</i> 55: In loco parentis 56: Parent signature on adoption agreement witnessed 57: Signature of Minister or agency on adoption agreement 58: Notice of termination of adoption agreement 59: Notice of proposed adoption 60: Minister to notify court of adoption for Mi'kmaq child 61: Notice of placement for adoption
<b><i>An Act respecting First Nations, Inuit and Métis children, youth and families</i></b>	2: Rights of Indigenous peoples 8: Purpose 9(1): Principle – best interests of child 9(2): Principle – cultural continuity 9(3): Principle – substantive equality 10(1): Best interests of Indigenous child 10(2): Primary consideration 11: Effect of services 12(1): Notice 12(2): Personal information 14: Priority to preventative care 15: Socio-economic conditions 15.1: Reasonable efforts 16: Placement of Indigenous Child – Priority 16(3): Family unity 17: Attachment and emotional ties 18: Affirmation 20: Notice 22: Conflict – federal laws 23: Application to Indigenous children - exception
<b><i>Freedom of Information &amp; Protection of Privacy Act</i></b>	24(4): Treatment of personal information
<b><i>Adoption Records Act</i></b>	<a href="https://www.legislation.ca/sites/default/files/legc/statutes/adoption%20records.pdf">nslegislature.ca/sites/default/files/legc/statutes/adoption%20records.pdf</a>



## 7.1 Supporting Children and Youth Where They Live

### Purpose

A child or youth's safety and wellbeing needs are best met when living in a safe environment with nurturing caregivers. When a child or youth is in the Minister's care, Child and Family Wellbeing (CFW) identifies a place for them to live that will best meet the child or youth's needs.

### Application

This policy applies:

- To children and youth in care.
- To all CFW team members supporting children and youth in care.
- To all caregivers of supporting children and youth in care.
- To decision-making and planning processes related to a child or youth in care.

### Requirements

#### 1. Care Considerations

- 1.1 When a child or youth cannot live at home, with family, or with a community member, CFW explores a range of approved and licensed places to live to identify the setting that best meets the needs of the child or youth.
  - 1.1.1 The range of places to live includes foster care, child and youth caring programs, and treatment programs.
  - 1.1.2 The child or youth's gender identity and sexual orientation are supported.
  - 1.1.3 The child or youth's abilities and needs are supported.
  - 1.1.4 All efforts are made to find a place to live that includes family and/or community and considers the child or youth's race, religion, faith, language, culture, or heritage.
- 1.2 Wherever possible, sibling groups live together, in proximity, or in the same foster care constellation to allow frequent contact.
- 1.3 The Africentric Child and Family Wellbeing team provides consultation and guidance when a child or youth is African Nova Scotian, Black, or of African descent.
- 1.4 For Indigenous children, notification and engagement with the child or youth's Indigenous Governing Body (IGB) will occur.



- 1.5 Referrals will be made to support the child or youth's care plan, including **community-based support and services**, such as youth outreach services.

## 2. **Care Responsibilities**

- 2.1 In the event a child or youth is not living in a community that is reflective of their identity, heritage, or culture, CFW provides support and resources to the caregiver(s) to facilitate cultural connection and preservation for the child or youth.
- 2.2 CFW ensures the rights of the child or youth are respected and upheld where they are living. In particular:
  - 2.2.1 The child or youth's confidentiality is maintained.
  - 2.2.2 The child or youth's safety is supported.
  - 2.2.3 The child or youth is addressed by their preferred name and pronouns and are supported in their gender identity and expression.
  - 2.2.4 The child or youth is supported to express concerns about how they are treated by other children, youth, caregivers, and service providers.
- 2.3 While a child or youth is in care, it is the collective responsibility of the caregiver(s) and CFW team to provide the child or youth with quality care and maintain the child or youth's wellbeing. To do this, the CFW team:
  - 2.3.1 Identifies the child or youth's needs and provides support to the caregiver(s) to meet those needs.
  - 2.3.2 Provides information to and maintains contact with the caregiver(s).
  - 2.3.3 Meets with the child or youth privately to allow them the freedom to share any feedback or discuss sensitive issues.
  - 2.3.4 Meets with the caregiver(s) privately to discuss whether they can adequately support the needs of the child or youth.
  - 2.3.5 Ensures where the child or youth is living meets their needs through ongoing reviews.
  - 2.3.6 Includes the child or youth, family, and caregiver(s) in case planning meetings, circles, or conferences (as appropriate).
  - 2.3.7 Develops plans for maintaining the safety and wellbeing of the child or youth.
  - 2.3.8 Plans for and supports contact and visitation with family or other significant individuals in the child or youth's life.



## 7.2 Health and Wellbeing Services for Children and Youth in Care

### Purpose

Children and youth in care have access to and receive appropriate medical and dental care and treatment. Children and youth's overall health and wellbeing needs are supported by Child and Family Wellbeing (CFW) through access to a variety of holistic health services and treatments.

### Application

This policy applies:

- To children and youth in care.
- To all CFW team members supporting children and youth in care.
- To all caregivers of supporting children and youth in care.
- To decision-making and planning processes related to a child or youth in care.

### Requirements

#### 1. Consent for Health and Wellbeing Services

- 1.1 CFW collaborates with medical professionals in their assessment of a child or youth's capacity to consent to medical treatment.
- 1.2 When the parent(s) or guardian(s) of a child or youth have entered into a Temporary Care Agreement or a Special Needs Agreement with CFW, they may retain their right to consent to medical and dental care and treatment for the child or youth, or they may empower CFW to consent to medical treatment, depending on the terms of the Agreement.
- 1.3 Where an Order for Temporary Care and Custody is made, CFW has the right to consent and arrange any necessary medical and dental treatment for the child or youth, unless the order includes a term that the parent(s) or guardian(s) retain the right to give or refuse consent.
- 1.4 CFW has the right to consent to health care and arrange necessary medical and dental treatment for children and youth when a child is in permanent care and custody. CFW will make every effort to collaborate with the parent(s) or guardian(s) in health planning for the child or youth to address any medical needs.
- 1.5 When the child or youth is in an adoption home, but the adoption has not yet been finalized, CFW considers the wishes of the adopting parents when determining consent to medical treatment.



- 1.6 Medical designation outlines the authority and responsibilities of caregivers to provide and receive health information of a child or youth in care and to provide consent to a specific level of medical care. These responsibilities will vary based on the legal status of the child or youth and may change as the child or youth's health needs change.

## 2. **Guidelines for Health and Wellness Services**

- 2.1 CFW will arrange for children and youth to receive an initial assessment by a healthcare professional of their health, medical, and dental needs upon entering care, and to receive ongoing examinations and health care, as needed.
- 2.2 Planning for children and youth in care will involve collection and ongoing review of their health information and medical history and their family's medical history. Upon entering care, consultation with the child or youth, parent(s), guardian(s) or family, medical and health care professionals and service providers connected to the family will occur.
- 2.3 CFW will be responsible for costs associated with the child or youth's health care and medical treatment needs.
  - 2.3.1 In the event the child or youth is in care by a Temporary Care Agreement or is in temporary care and custody, the parent(s) or guardian(s)'s private insurance will be explored first.

## 3. **Medication Administration**

- 3.1 Children and youth have safe and monitored access to their prescribed, over the counter, or cultural or traditional medication(s).
- 3.2 Caregivers will securely store medication for children and youth.
- 3.3 Medications are administered to the child or youth as directed.

## 4. **Hospitalizations**

- 4.1 When a child or youth in temporary care and custody is hospitalized, every effort will be made to contact the parent(s) or guardian(s) to review information, consider their concerns or requests, and to collaborate on planning for the child or youth when they are discharged from the hospital.
  - 4.1.1 Communication with the parent(s) or guardian(s) will be considered for children and youth in permanent care and custody.
- 4.2 In the event a child or youth requires hospitalization for medical treatment, CFW will provide support to the child and the child's caregiver(s) for the duration of the hospital admission.





- 4.3 Consultation occurs between the child or youth, family, caregiver(s), medical professionals, and CFW to determine who will be present in the hospital with the child or youth. This includes consideration of who can safely support the child or youth.
- 4.4 Only relevant health information about the child or youth will be shared with those caring for the child or youth in the hospital to ensure optimal care and to preserve the privacy of the child or youth.
- 5. **Medical Recommendations – Medical Goals of Care**
  - 5.1 For children or youth in care with serious illness, medical complexities and life limiting conditions, consideration for their medical goals of care (GOC) will occur as a collaborative process between CFW, the child or youth and family, caregivers, spiritual leaders as identified, and the child or youth's medical team.
  - 5.2 Collaboration in medical GOC planning is important for a child or youth with medical complexities who lacks decision making capacity.
    - 5.2.1 CFW has the authority to make decisions about and consent to medical recommendations, including medical GOC, when it is in the best interests of children and youth in permanent care and custody.
  - 5.3 Medical GOC planning will consider levels of intervention related to a child or youth's ongoing care, quality of life, overall wellbeing, their diagnosis, condition and approach to acute medical crisis.
    - 5.3.1 Levels of intervention can vary and should a child or youth's medical condition or illness worsen, the medical GOC may shift from curative to palliative care, or to new interventions aimed at prolonging life.
    - 5.3.2 Consideration will be given to whether the child or youth's condition is progressive, episodic, or fluctuating, as well as their emotional and social needs.



## 7.3 Supporting the Learning Needs of Children and Youth in Care

### Purpose

Children and youth are supported through collaborative planning between Child and Family Wellbeing (CFW), the child or youth and family, caregivers, and the educational system to identify and provide academic, behavioural, social, emotional, or cultural support that aligns with the child or youth's individual learning needs.

### Application

This policy applies:

- To children and youth in care.
- To all CFW team members supporting children and youth in care.
- To all caregivers of supporting children and youth in care.
- To decision-making and planning processes related to a child or youth in care.

### Requirements

#### 1. General Overview

- 1.1 Every effort will be made to minimize disruption and reduce barriers to a child or youth's school attendance when the child or youth enters care.
- 1.2 Educational goals will be identified in ***planning for the child or youth's care***, including any additional supports or accommodations that may be required.
  - 1.2.1 When a school or community-based service is not able to meet the educational needs of a child or youth, CFW ***may contract*** an external service provider for services such as tutoring or assessment.
- 1.3 As appropriate, children and youth will lead the identification of their needs and development of their goals, in consultation with parent(s) or guardian(s), caregiver(s), teachers and school support staff, and any applicable community-based support and services. These goals will be reviewed regularly as part of the child or youth's plan of care.

#### 2. Specialized Education

- 2.1 CFW will support children and youth with different learning needs and abilities, and their caregivers, to navigate eligibility requirements for specialized education support and funding.



- 2.2 When a child or youth's learning needs require specialized programming and services accessible through specialized education private schools, Child and Family Wellbeing will support children and youth in care, and their caregivers, to navigate the eligibility requirements for the **Tuition Support Program** (TSP) with the Department of Education and Early Childhood Development (DEECD).
3. **Post-secondary Education**
  - 3.1 Youth in permanent care and custody will receive financial support for the educational costs associated with pursuing post-secondary programs or careers that align with the youth's educational goals and planning.
  - 3.2 CFW will work collaboratively with the youth to determine the level of financial support needed to support living and other related expenses based on the youth's specific circumstances.
  - 3.3 CFW will pay tuition and other fees directly to the educational institution and will provide funding to the youth to pay for books, supplies, and other related expenses.
  - 3.4 When a youth is continuing an educational program beyond their 19th birthday, they can access ongoing support through a **Post-Care and Custody Agreement**.



## 7.4 Supporting Children's and Youth's Development

### Purpose

Children and youth are provided opportunities to participate in activities of interest, cultural activities, customs, and traditions and a variety of programs that are developmentally aligned with their needs and abilities to support learning, skill building, and their overall goals and wishes.

### Application

This policy applies:

- To children and youth in care.
- To all CFW team members supporting children and youth in care.
- To all caregivers of supporting children and youth in care.
- To decision-making and planning processes related to a child or youth in care.

### Requirements

- 1.1 Children and youth will be engaged to learn about and explore their identity and be supported to participate in developmentally appropriate programming and activities related to their cultural, racial, linguistic, religious, and spiritual heritage, and gender identity.
  - 1.1.1 A child or youth's Cultural Connection Plan provides guidance to support their cultural identity by identifying significant family and community relationships, activities or events, and opportunities for the child or youth to participate in their customs and traditions.
  - 1.1.2 Children and youth who are or may be Mi'kmaq will have the opportunity to receive support from their Band Council, Elders, godparents, and community members who are significant in their lives.
- 1.2 Referrals will be made to support the child or youth's care plan and to promote connections with their communities, including **community-based support and services**, such as youth outreach services.
- 1.3 CFW takes into consideration the experience the child or youth already has, the equipment needed, skill level of the child or youth, and the necessary training and resources needed to participate in activities.



## 7.5 Travelling Out-of-Province with a Child or Youth in Care

### Purpose

Children and youth in care are supported to travel with their caregiver(s) or other approved individuals. When planning for travel for children and youth in care, Child and Family Wellbeing (CFW) considers the purpose of travel, location, those involved, safety, and modes of transportation.

### Application

This policy applies:

- To children and youth in care.
- To all CFW team members supporting children and youth in care.
- To all caregivers of supporting children and youth in care.
- To decision-making and planning processes related to a child or youth in care.

### Requirements

- 1.1 When travel is being considered, there is consultation between the child, youth, caregivers and, where appropriate, parent(s) or guardian(s), to discuss the travel plans.
  - 1.1.1 Additional planning and consideration are given by CFW when a child or youth is traveling without an approved adult.
- 1.2 Some travel arrangements require specific approval, including:
  - 1.2.1 For children and youth in temporary and permanent care and custody, written approval is required from CFW when travelling outside of Nova Scotia or Canada.
  - 1.2.2 For children and youth in temporary care agreements or temporary care and custody, written approval is required from the child or youth's parent(s) when travelling outside of Nova Scotia or Canada.
- 1.3 Children and youth residing in Cumberland County do not require specific approval to travel to New Brunswick to access activities of daily living that are not available within their communities.
- 1.4 CFW will confirm the caregiver and child or youth has obtained all the necessary travel documents and insurance to travel.
- 1.5 For a child or youth who is not a Canadian citizen and is travelling outside of Canada, CFW consults with Child Welfare Immigration Centre of Excellence to ensure ability to travel and safe re-entry into Canada.



## 7.6 Missing or Unapproved Absence of a Child or Youth in Care

### Purpose

In circumstances where a child or youth in care is absent from where they live without approval, or is missing, Child and Family Wellbeing (CFW) supports an urgent and coordinated response.

### Application

This policy applies:

- To children and youth in care.
- To all CFW team members supporting children and youth in care.
- To all caregivers of supporting children and youth in care.
- To Child and Youth Caring Program team members where a child or youth resides.
- To decision-making and planning processes related to a child or youth in care.

### Requirements

#### 1. Notification of the Child or Youth's Absence

- 1.1 Upon a child or youth's whereabouts becoming unknown, caregivers or program staff are to notify CFW.
  - 1.1.1 Specific timing of notification takes into consideration the vulnerabilities related to the child or youth's age, circumstances, risks, and needs, but at the latest, within 12 hours.
  - 1.1.2 Notification will be made directly with a daytime or after-hours CFW team member.
- 1.2 CFW's response to the child or youth's unapproved absence will consider the imminent safety and wellbeing concerns.
  - 1.2.1 Depending on the circumstances, for example, the age or developmental stage of the child or youth, and the imminent safety and wellbeing concerns, the unapproved absence may be reported immediately to the police. Otherwise, if a child or youth remains absent for 24 hours and their whereabouts continues to be unknown, CFW will report the child or youth's absence to the police.



1.2.2 CFW may consider seeking a court order to locate and detain a child or youth, pursuant to Section 29 of the ***Children and Family Services Act***. This order authorizes police to detain a child or youth and then to bring the child or youth to a location specified in the Court order.

1.3 The CFW team notifies the parent or guardian of the child or youth's unapproved absence when the child or youth is in care under a temporary care agreement or a temporary care and custody order.

## 2. **Return of the Child or Youth**

2.1 Upon a child or youth's return, they are welcomed back by their caregiver(s) or program staff and their immediate needs (i.e. safety, hygiene, dietary, medical, etc.) are supported.

2.2 Upon a child or youth's return, caregiver(s) will engage in a conversation with them to understand the circumstances leading to the absence and what is needed to support the child or youth where they live.

2.3 CFW will notify the parent or guardian of the child or youth's return when the child or youth is in care under a temporary care agreement or a temporary care and custody order.



## 7.7 Supporting Youth During Pregnancy or as a New Parent

### Purpose

Youth are provided support and guidance from during pregnancy or as a new parent when receiving Child and Family Wellbeing (CFW) services.

### Application

This policy applies:

- To youth in care.
- To youth who are receiving support and services under a Youth Services Agreement.
- To CFW team members supporting youth.
- To decision-making and planning processes related to a child or youth in care.

### Requirements

- 1.1 If a youth in care under a care agreement or in temporary care and custody, and is pregnant, CFW will work with the youth to determine how much information and level of involvement they wish their parent(s) or guardian(s) to have during the youth's pregnancy.
  - 1.1.1 Consent from the youth is required to share information about the youth's pregnancy.
- 1.2 A planning circle is arranged with the youth, caregiver(s), their parent(s) (where appropriate), any relevant family members and/or other individuals identified by the youth, to update the child's plan of care, and support their identified needs and wishes.
- 1.3 With the youth's consent, CFW explores all supports to assist the youth in considering options, which can include a referral to:
  - 1.3.1 The Family Connections Program
  - 1.3.2 Options Counselling
  - 1.3.3 For Mi'kmaq youth, the Weli-lknmakwemk (Blessings of Life) Program
  - 1.3.4 Public Health
  - 1.3.5 Family Resource Centers
  - 1.3.6 The Health Association for African Canadians (HAAC)
  - 1.3.7 Other supports to promote connection to the community





- 1.4 In cases where either birth parent is African Nova Scotian, Black, or of African descent, the Africentric CFW Team will be consulted.

## Resources

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### Options Counselling Referral

[www.novascotia.ca/coms/families/adoption/adoption-options-counselling.html#:~:text=Options%20counselling%20is%20free%2C%20confidential%2C%20voluntary%20and%20offered,contact%20the%20Nova%20Scotia%20Adoption%20Line%20at%201-866-259-7780](http://www.novascotia.ca/coms/families/adoption/adoption-options-counselling.html#:~:text=Options%20counselling%20is%20free%2C%20confidential%2C%20voluntary%20and%20offered,contact%20the%20Nova%20Scotia%20Adoption%20Line%20at%201-866-259-7780)

### Family Connection Referral

[www.novascotia.ca/coms/families/prevention-and-early-intervention/family-connections.html](http://www.novascotia.ca/coms/families/prevention-and-early-intervention/family-connections.html)

### Weli-lknmakwemk (Blessings of Life) Program

[mfcs.ca/programs-and-services](http://mfcs.ca/programs-and-services)



## 7.8 Inheritances and Other Financial Entitlements of Children and Youth in Care

### Purpose

When children and youth in care are made aware of any inheritances and financial entitlements, they are provided support to understand and manage them by Child and Family Wellbeing (CFW).

### Application

This policy applies:

- To children and youth in care.
- To CFW team members supporting children and youth in care.
- To decision-making and planning processes related to a child or youth in care.

### Requirements

- 1.1 CFW follows a process to ensure any money received by a child or youth from an inheritance or settlement is held in trust for the child or youth until they reach the age of majority.
  - 1.1.1 Children and youth are supported to access services to understand their financial entitlements, including access to legal and financial advice.
- 1.2 CFW consults the office of the public trustee when a guardian has not been appointed for the child or youth's inheritance or settlement.
- 1.3 In the event of death or disability of a parent, a child or youth in care may be entitled to receive the parent's Canada Pension Plan benefits and as such, CFW consults with Service Canada on the potential entitlement.



## 7.9 Supporting Children and Youth Involved in Court Matters

### Purpose

Children and youth involved in any type of Court matter have specific rights and obligations. Child and Family Wellbeing (CFW) provides support to connect children and youth to legal counsel, so they have representation in Court.

### Application

This policy applies:

- To children and youth in care.
- To CFW team members supporting children and youth in care.

### Requirements

- 1.1 A child or youth in permanent care and custody, and involved in a civil matter or lawsuit, receives support from CFW to obtain their own legal counsel and representation.
- 1.2 A child or youth in permanent care and custody who is charged with a criminal offense, whether the matter is under the **Youth Criminal Justice Act**, or they are charged as an adult, must obtain their own legal counsel and representation. The child or youth is supported by CFW to connect with and/or apply for legal aid.
- 1.3 A child or youth in care will be accompanied in court by a CFW team member.
- 1.4 A child or youth in permanent care and custody who has been charged with a criminal offense and appears before a judge may have an opportunity to ask an individual to provide surety (or bond).
- 1.5 The CFW team is unable to provide any form of surety for children or youth involved with CFW.



## 7.10 Participation in Research

### Purpose

Children and youth in care under a care agreement, or in temporary care and custody or permanent care and custody can participate in research when it is in their best interest, the process meets the ethical criteria for research, and consent has been provided. Child and Family Wellbeing (CFW) reviews all research requests in consideration of full privacy, ethical, and legal requirements.

### Application

This policy applies:

- To children and youth in care.
- To children and youth who are receiving CFW services.
- To CFW team members supporting children and youth in care.

### Requirements

- 1.1 If the child or youth is in care under a care agreement or a temporary care and custody order, or is not in care but receiving CFW services, the consent of the parent is required.
- 1.2 Consent from CFW is also required for any child or youth in temporary care and custody or permanent care and custody unless they are considered a mature minor. CFW will review the ethical requirements and considerations of the research prior to providing consent for children and youth up to the age of 16.
  - 1.2.1 Consent from the individual participating in research is also required if they are 12 years of age or older.
- 1.3 Mature minors, between the ages of 16 and 19 years, provide their own consent to participate in research.
- 1.4 If the child or youth does not have the functional or intellectual ability to provide consent, this may be provided by CFW or the parent. Consent will only be provided upon confirmation that participation in the research project will not result in harm to the child, the research project aligns with the best interests of the child, and the necessary steps have been taken to obtain consent from the parent where applicable.
- 1.5 If it becomes known that a child or youth in care is involved in a research project without the appropriate consent given, the child or youth's participation will cease, and any applicable persons will be notified.
- 1.6 Additional consent may be required as advised by the research project.



## Resources

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Requests for Information Under FOIPOP

**[IAPServices@novascotia.ca](mailto:IAPServices@novascotia.ca)**

IAP Services Unit,

Department of Internal Services

5161 George Street, Floor 11

Halifax, NS B3J 2Y1



## 7.11 Transitional Supports to Adulthood Following Care and Youth Services

### Purpose

Youth are supported to be safe and connected to healthy families and communities as they journey into adulthood. Child and Family Wellbeing (CFW) provides youth with access to community-based, educational, and financial support to thrive beyond the age of majority.

### Application

This policy applies:

- To youth whose permanent care and custody order ends at age 19 or 21.
- To youth supported under a Youth Services Agreement and who lived outside of their parent or guardian's home when they reached the age of 19.
- To CFW team members supporting youth who are preparing to transition to adulthood from CFW care and supports.
- To decision-making and planning processes related to youth in care and Youth Services.

### Requirements

#### 1. Post-Care and Custody Agreements for Education

- 1.1 Youth who were in permanent care and custody can access educational support through Post-Care and Custody Agreements.
  - 1.1.1 Support to complete secondary (i.e., high school) and post-secondary education is available up to the age of 25.
- 1.2 Youth will receive financial support for the educational costs associated with pursuing post-secondary programs or careers that align with the youth's educational goals and planning, including living expenses.
- 1.3 Planning for and accessing educational support will begin while a youth is in care and continue to be available as youth transition from care. This support is also available to those whose care ended when they reached the age of majority, should they choose to return to CFW to pursue their education later, up to the age of 25.
- 1.4 CFW will support care experienced Indigenous youth wishing to pursue post-secondary education in obtaining information about supports available through their band and/or Indigenous Services Canada (**Post-Majority Support Services (PMSS)**).



- 1.5 CFW will support youth with (dis)abilities in obtaining information about eligibility requirements and support available to them.

## 2. **Path Program**

- 2.1 Youth who reach the age of majority while involved with CFW may be eligible to receive financial and community-based support provided they meet one of the following criteria:
  - 2.1.1 Youth whose permanent care and custody order ends at age 19 or 21.
  - 2.1.2 Youth supported under a Youth Services Agreement and who lived outside of their parent or guardian's home when they reached the age of 19.
- 2.2 Those who were formerly supported by Mi'kmaw Family and Children's Services of Nova Scotia will contact MFCS directly to discuss their potential enrollment for Post-majority support services (**PMSS**) for First Nations youth and young adults.
- 2.3 Support is available from age 19 up to the day before their 25<sup>th</sup> birthday.
  - 2.3.1 While youth are not required to access the Path Program when they reach the age of majority, the Path Program will remain available to youth up to their 25<sup>th</sup> birthday. Participants who opt to enroll later will be entered into the program at the rate for which they qualify at the time of their enrollment.
- 2.4 Youth will be required to sign an agreement to access Path financial support, which includes:
  - 2.4.1 A referral will be made to Family Service Nova Scotia, who facilitate the Youth Outreach Plus Program.
  - 2.4.2 Participants aged 19 and 20 will check in with Youth Outreach Plus every three (3) months; participants aged 21 – 24 will check in every six (6) months
  - 2.4.3 Youth are not required to participate in ongoing youth outreach services to receive financial support.
- 2.5 While youth are participating in the Path Program, they will remain eligible for programming and support through Employment Support and Income Assistance (ESIA), and/or the Disability Support Program (DSP).
- 2.6 CFW will work with the youth to explore and consider their unique situation to understand eligibility for other provincial and community-based programs and services.



### 3. Eligibility Verification

#### 3.1 Tuition Waivers Offered by Post-Secondary Educational Institutions

3.1.1 There are specific external educational programs that children and youth who were previously in care are eligible to access, and their time and type of involvement with CFW may need to be verified to confirm eligibility.

3.2 Requests for eligibility verification for other programs such as grants and bursaries may be sought through the **Disclosure Program**.

### 4. Referrals to Community Supports

4.1 All youth, including those who are not eligible for the above programs, will be supported through connections and referrals to community-based support and services as needed.

### 5. Information Disclosure

5.1 Youth seeking information from their records are supported by CFW, as outlined in **Information Disclosure to Children and Youth Who Were Previously in Care**, and **Information Disclosure to Parties to an Adoption**.

### Resources

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Indigenous Services Canada

**[www.canada.ca/en/indigenous-services-canada.html](http://www.canada.ca/en/indigenous-services-canada.html)**

Disclosure Program

902-424-2755

1-833-424-2755

Email: **[disclosureprogram@novascotia.ca](mailto:disclosureprogram@novascotia.ca)**

Website: **[beta.novascotia.ca/programs-and-services/disclosure-program](http://beta.novascotia.ca/programs-and-services/disclosure-program)**

Prevention and Early Intervention Website

**[www.novascotia.ca/coms/families/prevention-and-early-intervention](http://www.novascotia.ca/coms/families/prevention-and-early-intervention)**





# Foster Care

## 7.12 Delivery of Foster Care

### Purpose

Children and youth living with foster caregivers are supported by an extended family environment within a community that enables foster caregivers to build support networks with peers who are part of their community. Child and Family Wellbeing (CFW) follows the MOCKINGBIRD FAMILY™ approach to foster care.

### Application

This policy applies:

- Children and youth in care.
- To foster caregivers providing care to children and youth in care of the Department or Mi'kmaw Family and Children's Services of Nova Scotia.
- To CFW team members supporting foster caregivers and children and youth in care.

### Requirements

- 1.1 The MOCKINGBIRD FAMILY™ approach focuses on community-based caregiving and creating networks of support. This is achieved through a constellation approach with Hub Homes and Satellite Homes, in which all approved foster caregivers participate.
  - 1.1.1 A constellation is a network of foster caregivers that includes one Hub Home, and six to ten Satellite Homes.
  - 1.1.2 The Hub Home is central to the constellation and provides supportive services to all Satellite Homes that are within their constellation. Their responsibilities include providing planned and unplanned respite for Satellite Homes, planning gatherings, coordinating training, engaging with the CFW and submitting monthly reports. A full list of responsibilities can be found in the Hub Home and Constellation Guidelines.
  - 1.1.3 Satellite Homes are a member of the constellation that provides foster or kinship care to a child or youth in care. Their responsibilities include communicating regularly with the Hub Home; attending gatherings when possible; and providing relevant statistical information for monthly reporting. A full list of responsibilities can be found in the Hub Home and Constellation Guidelines.

### Resources

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The Mockingbird Society

***Mockingbird Family™*** ([mockingbirdsociety.org](https://mockingbirdsociety.org))



## 7.13 Type of Care Provided by Foster Caregivers

### Purpose

Children and youth in care are provided safe, stable, child-centered homes by appropriately matching a child or youth with foster caregivers. Child and Family Wellbeing (CFW) uses a process of screening and assessment to determine the type of care that a foster caregiver(s) has the ability, skills, and interest in providing.

### Application

This policy applies:

- To foster caregivers providing care to children and youth in care of the Department or Mi'kmaw Family and Children's Services of Nova Scotia.
- To CFW team members supporting foster caregivers.

### Requirements

#### 1. Type of Care that Foster Caregivers Provide

- 1.1 Foster caregivers live throughout the province and offer their homes to provide stability and care for children and youth in care. There may be a variety of homes that are tailored to or align with the type and level of a child or youth's needs. These types include:
  - 1.1.1 **General Foster Caregivers** – Foster caregivers are not related to the child or youth in care. These foster caregivers have been recruited, assessed, and approved to provide safe care to children and youth.
  - 1.1.2 **Specialized Foster Caregivers** – Foster caregivers have developed specialized skills and are committed to meeting the range of a child or youth's needs, behaviours, and circumstances, that require a special level of support and care.
  - 1.1.3 **Medical Foster Caregivers** – Foster caregivers have developed unique skills and knowledge and are committed to providing care for children or youth with significant physical or medical needs.
  - 1.1.4 **Kinship Foster Caregivers** – Foster caregivers are related to or have an established relationship or a community connection with the child or youth.
  - 1.1.5 **Respite Foster Caregivers** – Respite foster caregivers provide care when a child or youth's primary foster caregivers requires a short term pause from providing care and/or a child or youth requires a brief break from the foster caregiver home on a planned or unplanned overnight



basis with an approved foster family. Respite foster caregivers can care for a particular child or youth or for any child or youth in care.

- 1.1.6 **Emergency Receiving Foster Caregivers** – Foster caregivers who have agreed to support a child or youth who is in immediate need of care on a short term or urgent basis until a foster caregiver home is identified to best support the child or youth's ongoing needs.

## 2. **Determining the Type of Care that Foster Caregivers Provide**

- 2.1 Approved foster caregivers are assigned a type of care they are qualified to, and interested in, providing – kinship, general, specialized, or medical.
- 2.2 There are many considerations when matching children and youth with foster caregivers, including culture, background, identity, attachment to community, and skillsets of the foster caregivers.
- 2.3 While foster caregivers may be able to provide more advanced types of care, they may be matched with a child or youth who requires general care.
- 2.4 To respond to the unique, specialized, or medical needs of children and youth in care, CFW will encourage and support foster caregivers to seek and obtain specialized training to do so.

## **Resources**

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Foster Care – Types of Care [\*Foster care Nova Scotia\*](#)



## 7.14 Financial Support for Foster Caregivers

### Purpose

Children and youth's needs are supported through funding provided to foster caregivers by Child and Family Wellbeing (CFW). Funding provided to support the needs of children and youth depends upon the number of children and youth in the home and the type of care required to meet their needs.

### Application

This policy applies:

- To foster caregivers providing care to children and youth in care.
- To CFW team members supporting foster caregivers.

### Requirements

- 1.1 The financial support for foster caregivers supports them in planning and caring for children and youth in their home.
  - 1.1.1 The block funding amount covers routine costs associated with providing care to a child or youth.
- 1.2 Payments are provided in advance on a bi-weekly basis. The financial support received by a foster caregiver is determined by:
  - 1.2.1 The level of needs for the child or youth, not the type of care that a foster caregiver is able to provide.
  - 1.2.2 The number of children or youth being cared for by the foster caregiver.
- 1.3 Reimbursement for respite occurs retroactively at a rate that is reflective of the child or youth's level of needs.
- 1.4 Extraordinary circumstances may arise where additional costs fall outside of the block funding amount provided. These circumstances are assessed by CFW based on the child or youth's specific needs and the amount of funding already in place.
- 1.5 Foster caregivers that are designated as a Hub Home receive funding once per month based on the number of Satellite Homes in their constellation. This is intended to support events, gatherings, meetings, and training.



## 7.15 Respite Support for Foster Caregivers

### Purpose

When children, youth, and/or foster caregivers require a break from providing care, they are supported by Child and Family Wellbeing (CFW) to access respite, whether it is planned or unplanned.

### Application

This policy applies:

- To foster caregivers providing care to children and youth in care.
- To CFW team members supporting foster caregivers.

### Requirements

1. Foster caregivers are supported to explore access to the following types of respite caregivers:
  - 1.1 Another satellite home or hub home in their constellation, when possible.
  - 1.2 Respite exclusive caregivers who have been proactively identified by the foster caregiver(s) and/or children and youth in their care. These are adults among the friends, neighbours, or family of the foster caregivers who can care for the children or youth.
    - 1.2.1 CFW works with potential respite exclusive caregiver(s) to ensure appropriate background checks and assessments are completed prior to respite being provided.



## 7.16 Ongoing Supports for Foster Caregivers

### Purpose

Foster caregivers are offered access to a variety of support and resources from Child and Family Wellbeing (CFW) and through the Federation of Foster Families of Nova Scotia (FFFNS).

### Application

This policy applies:

- To foster caregivers providing care to children and youth in care.
- To CFW team members supporting foster caregivers.

### Requirements

#### 1. **Foster Outreach and Therapeutic Services (FOTS) and Mawi-Apoqmatultijik Anko'taqatite'wk Program (MAK)**

1.1 Foster caregivers can benefit from either the FOTS or MAK programs.

1.1.1 FOTS is accessible to foster caregivers providing services on behalf of the Department. These services may include training and educational workshops, information sessions and support groups, in home one-on-one support to foster caregivers and children or youth in care.

1.1.2 MAK is accessible to foster caregivers providing services on behalf of Mi'kmaw Family and Children's Services of Nova Scotia. This service includes Family Group Conferencing to identify any necessary supports.

#### 2. **Federation of Foster Families of Nova Scotia (FFFNS)**

2.1 The FFFNS is an organization that is funded by the Department to act as and provide foster caregivers with a unified voice to address issues that affect them as a group.

2.2 Foster caregivers receive support or training, among other resources, through the FFFNS. In addition, FFFNS supports foster caregivers should there be allegations of abuse or neglect in the foster home.

#### 3. **Community-based Support and Services**

3.1 Foster caregivers can be supported by CFW to access a variety of community-based support and services across the province for both themselves and the children or youth in their care.



## Resources

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Federation of Foster Families of Nova Scotia

[fosterfamilies.ns.ca](http://fosterfamilies.ns.ca)

MAK

[mfcs.ca/programs-and-services/](http://mfcs.ca/programs-and-services/)

Prevention & Early Intervention

[www.novascotia.ca/coms/families/prevention-and-early-intervention](http://www.novascotia.ca/coms/families/prevention-and-early-intervention)



## 7.17 Rights and Responsibilities of Foster Caregivers

### Purpose

Foster caregivers have a unique perspective as the daily care provider within the child or youth's care planning team, and have rights, responsibilities, and obligations to the children and youth in their care.

### Application

This policy applies:

- To foster caregivers providing care to children and youth in care.
- To CFW team members supporting children and youth in care.
- To CFW team members supporting foster caregivers.

### Requirements

- 1.1 Foster caregivers have the responsibility to build safe, secure and supportive relationships with children and youth in their care and to respect and encourage them to feel positive about their families, race, culture, and identity.
- 1.2 Foster caregivers are responsible for providing a consistent, loving, and nurturing home and a positive, non-punitive response to child or youth behaviour. All children and youth in care require a caring, trauma-informed, and individualized approach to supporting their needs.
  - 1.2.1 Foster caregivers are offered support and access to resources and information about approaches to caring for children and youth in their care.
- 1.3 The foster caregiver is a valued and respected member of the child or youth's care planning team, and their perspective is considered as part of ongoing planning for the child or youth.
- 1.4 Foster caregivers have a responsibility to maintain and provide information to the child or youth's care planning team regarding the children or youth in their care. All information and documentation are returned to CFW when the child or youth leaves the foster home.
  - 1.4.1 This includes gathering and preserving information that documents the child or youth's journey which can include pictures, stories or memories, artwork, and special keepsakes.
- 1.5 Foster caregivers are supported by the child or youth's care planning team to develop household rules and routines to maintain a child or youth's safety and wellbeing. This enables clear communication between the foster caregivers and the child or youth around expectations while living in the home.





- 1.6 Foster caregivers support the child or youth's ongoing connection and contact with parent(s), siblings, and other family and community members who are significant to the child or youth.
- 1.7 Foster caregivers are responsible for providing or arranging transportation for the child or youth in their care.
- 1.8 In some circumstances, foster caregivers can sign documents that require a parent or guardian signature. CFW will confirm what documents the foster caregiver may sign, a child or youth may sign themselves, and/or the parent or guardian of a child or youth in temporary care remains the signatory.
- 1.9 Foster caregivers work collaboratively with CFW to support and enable successful transitions of the children or youth living in their home.
- 1.10 Foster caregivers will complete initial and ongoing training that supports development of the five (5) necessary competencies to be responsive to the needs of the children and youth in their care. These competencies include:
  - 1.10.1 Protecting and nurturing children.
  - 1.10.2 Meeting children's developmental needs and addressing developmental delays.
  - 1.10.3 Supporting relationships between children and their families.
  - 1.10.4 Connecting children to safe, nurturing relationships intended to last a lifetime.
  - 1.10.5 Working as a member of a professional team.
- 1.11 Foster caregivers will complete an agreement with CFW outlining rights and responsibilities, as well as expectations for respecting confidentiality and discipline of children and youth in care.



## 7.18 Insurance Coverage for Foster Caregivers

### Purpose

Child and Family Wellbeing (CFW) provides limited property and personal injury insurance to foster caregivers to cover specific circumstances that may arise when caring for a child or youth in their care.

### Application

This policy applies:

- To foster caregivers providing care to children and youth in care.
- To CFW team members supporting foster caregivers.

### Requirements

- 1.1 This insurance is in addition to insurance that would be acquired by an individual under typical circumstances.
- 1.2 All approved foster caregivers may be eligible for two types of insurance coverage from the Department, administered via Service Nova Scotia:
  - 1.2.1 Property damage coverage for damage caused by children or youth in care. The program does not cover accumulated loss or damage that has occurred over a long period of time and does not cover general wear and tear.
  - 1.2.2 Personal injury coverage to help offset the costs of lost wages or medical expenses when a foster caregiver suffers an injury while they are providing care to a child or youth. This coverage is provided by a private third-party insurance provider and is available to foster caregivers under the age of 65. Limited coverage is available for foster parents between 65 and 85 years of age.

### Resources

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Self-Funded Insurance Program

[fosterfamilies.ns.ca/foster-parent-support/self-funded-insurance-program](https://fosterfamilies.ns.ca/foster-parent-support/self-funded-insurance-program)



## 7.19 Foster Caregiver Reviews

### Purpose

Foster caregiver reviews support and strengthen the development of their skills in providing safe, stable, and child and youth-centered care, and includes the identification of their strengths, as well as opportunities for growth and development in their roles.

### Application

This policy applies:

- To foster caregivers providing care to children and youth in care.
- To CFW team members supporting foster caregivers.
- To CFW team members supporting children and youth in care.

### Requirements

- 1.1 Foster caregivers and the CFW team are required to participate in a collaborative review through a culturally attentive and responsive approach to support foster caregivers.
- 1.2 Reviews are conducted at a variety of points in time:
  - 1.2.1 Six months following the first child or youth entering a foster home.
  - 1.2.2 After six months without a child or youth in the home.
  - 1.2.3 Annually to confirm ongoing approval of foster caregivers
  - 1.2.4 Following an assessment of safety and wellbeing concerns, or
  - 1.2.5 Upon request by either the foster caregiver or CFW.
- 1.3 Children and youth in care are supported to share their experiences to inform support, planning, and review with foster caregivers.
- 1.4 Upon completion, foster caregivers are provided with a signed copy of the review, which identifies agreed-upon strengths, areas for improvement, and goals for the future.



## 7.20 Foster Caregiver on Hold

### Purpose

A foster caregiver's ability to provide care to children and youth may be placed on hold for various reasons at the foster caregiver's request or as determined by Child and Family Wellbeing (CFW).

### Application

This policy applies:

- To foster caregivers providing care to children and youth in care.
- To CFW team members supporting children and youth in care.
- To CFW team members supporting foster caregivers.

### Requirements

- 1.1 The safety and wellbeing of the children and youth living in a foster home is central to planning when a foster caregiver is placed on hold.
- 1.2 Foster caregivers may request to be put on hold at any time. Requests may be made because of personal circumstances that impact the foster caregiver's ability to care for children or youth living in the foster home.
- 1.3 CFW may determine that a foster caregiver be placed on hold if there are extenuating circumstances that impact the foster caregiver's ability to care for children and youth living in the home.
- 1.4 CFW may require a foster caregiver to be placed on hold when child or youth safety and wellbeing concerns have been reported and an assessment of the concerns by the Consolidated Allegations Investigations Team (CAIT) is required.



## 7.21 Ending the Foster Caregiver Relationship with Child and Family Wellbeing

### Purpose

Foster caregivers may choose, for a variety of reasons, to no longer care for children and youth. Child and Family Wellbeing (CFW) may also decide to no longer support the continuation of the foster caregivers providing care for children and youth.

### Application

This policy applies:

- To foster caregivers providing care to children and youth in care.
- To CFW team members supporting children and youth in care.
- TO CFW team members supporting foster caregivers.

### Requirements

- 1.1 The safety and wellbeing of the children and youth living in the foster home is central to planning when a home is closed.
- 1.2 Foster caregivers may request to stop providing care to children and youth at any time.
- 1.3 The CFW team may end the foster caregiver relationship if there are confirmed concerns regarding the ability of the foster caregivers to meet the competencies to maintain the safety and wellbeing of children or youth living in the home.
- 1.4 When the foster caregiver relationship ends with CFW, the former foster caregivers will return all information and documentation regarding the child or youth to CFW.
- 1.5 When the foster caregiver relationship ends with CFW, the former foster caregivers will be asked to participate in a voluntary exit interview to capture feedback on their experiences that can provide information to CFW.



# Child and Youth Caring Programs

Child and Youth Caring Programs (CYCPs) are available throughout the province and are operated, approved, and licensed under the *Children and Family Services Act*. CYCPs may be government or non-government for-profit or non-profit programs.

The Child and Youth Caring Program types include:

- **Semi-Independent Living** – is a living environment with partial support where youth over the age of 16 years can interact fully with community life and develop skills necessary for independent adulthood.
- **Community Child and Youth Caring Programs** – are for children and youth whose needs are not met in a family-based setting. Through these programs, children and youth can access a variety of flexible programming that enables trials of independence, as well as periods of structure, as they build upon their strengths and resilience.
- **Long-term Treatment Program** – is a licensed treatment program providing structured and supportive onsite therapeutic services through individualized, culturally attentive and responsive approaches and programs, group programming, and community connections to support the identified needs of children and youth. This program may integrate medical, psychological or psychiatric services as identified in the child or youth's treatment plan.
- **Secure Treatment Program** – is a licensed short-term, involuntary treatment program for children and youth in care who require crisis stabilization, assessment, and treatment in a secure environment. Onsite intensive therapeutic services are provided to respond to complex behavioural, social, and emotional needs and support the child or youth's successful transition to the community. This program may integrate medical, psychological or psychiatric services as identified in the child or youth's treatment plan.



## 7.22 Activities, Programs, and Learning at Child and Youth Caring Programs

### Purpose

Children and youth living in a Child and Youth Caring Program (CYCP) are provided opportunities to participate in activities of interest, cultural activities, customs, and traditions and a variety of programs that are developmentally aligned with their needs and abilities to support learning, skill building, and their overall goals and wishes.

### Application

This policy applies:

- To children and youth in care who live in a Child and Youth Caring Program.
- To CYCP team members providing support and daily care to children and youth.
- To CFW team members supporting children and youth in care.

### Requirements

#### 1. Participation in Community-Based Activities

- 1.1 Children and youth are encouraged and supported to seek out and participate in community-based activities and support or services that align with their personal interests and support their overall wellbeing.
- 1.2 Children and youth will be engaged to learn about and explore their identity and be supported to participate in developmentally appropriate programming and activities related to their cultural, racial, linguistic, religious, and spiritual heritage, and gender identity.
  - 1.2.1 A child or youth's Cultural Connection Plan provides guidance to support their cultural identity by recognizing significant family and community relationships, activities or events, and opportunities for the child or youth to participate in their customs and traditions.
  - 1.2.2 Children and youth who are African Nova Scotian, Black, or of African descent or who are or may be Indigenous will have the opportunity to receive support from Elders, godparents, community members who are significant in their lives, and their Band Council.

#### 2. Programs in CYCPs

- 2.1 Children and youth will access a variety of approved programs that are tailored to meet their needs and goals, as determined through consultation with the child or youth, the CYCP, and the child or youth's care planning team.



- 2.2 Developmentally appropriate programming is offered through a variety of means, such as individual or group work, educational workshops, field trips, and community engagement.
    - 2.2.1 CYCPs will plan and deliver a range of activities that the children and youth can participate in. A schedule of these events and activities will be developed with input from the child or youth.
  - 2.3 Programs are designed to support the developmental, physical, social, emotional, spiritual, and cultural needs of children and youth with a particular focus on learning and skill development.
  - 2.4 Children and youth are supported to learn about diversity and the practices, customs, traditions, and ceremonies of their own culture and the culture of others.
3. **Education Program**
- 3.1 Some children and youth may attend education programs in the CYCP, and they will remain registered with the community-based school within the location of the CYCP.
    - 3.1.1 The education program is developed based on the curriculum outcomes set by the Department of Education and Early Childhood Development (DEECD) to support the child or youth's individual learning needs.
    - 3.1.2 Consultation occurs with the child or youth, and family, CFW, and DEECD to determine and plan for the child or youth's readiness to transition to a community-based school.





## 7.23 Living Accommodations in Child and Youth Caring Programs

### Purpose

Children and youth living in Child and Youth Caring Programs (CYCP) are provided with safe, warm, clean, culturally attentive and responsive, and comfortable living accommodations that support their daily needs and care.

### Application

This policy applies:

- To CYCPs providing living accommodations to children and youth in care.
- To CYCP team members providing support and daily care to children and youth.

### Requirements

#### 1. Living Areas

- 1.1 Children and youth living in CYCPs have access to comfortable, safe, and accessible living areas where they can gather to interact with their peers and CYCP team members.
- 1.2 Children and youth have appropriate washroom facilities within the CYCP.
  - 1.2.1 While washroom facilities may be shared with other children and youth, the CYCP will ensure the privacy of each child or youth when doing so.
- 1.3 All licensed CYCPs are smoke-free environments that comply with the Smoke-Free Places Act.

#### 2. Child and Youth Bedrooms

- 2.1 Children and youth are provided with an individual bedroom that meets the following requirements:
  - 2.1.1 Bedrooms will have a minimum area of 6.55 square meters of floor space.
  - 2.1.2 A window with adequate window coverings.
  - 2.1.3 Their own bed and mattress.
  - 2.1.4 Furniture and storage space for clothing and personal belongings.
- 2.2 If a child or youth requests to share a bedroom with a sibling and there is adequate space to support a shared bedroom, consultation with Child and Family Wellbeing (CFW) will occur to discuss any circumstances that may limit a shared bedroom arrangement.



### 3. **Laundry**

- 3.1 CYCPs will provide children and youth access to onsite laundry facilities and will support children and youth in learning how to launder their clothing appropriately and safely in accordance with their age and stage of development and abilities.
- 3.2 CYCP team members will launder a child and youth's clothing if there are circumstances preventing the child or youth from doing so.

### 4. **Outdoor Recreation Space**

- 4.1 Children and youth have access to a safe and monitored outdoor recreation space that is accessible for diverse needs and abilities.



## 7.24 Nutrition in Child and Youth Caring Programs

### Purpose

Children and youth living in a Child and Youth Caring Program (CYCP) have their nutritional, cultural, faith-based, and educational needs recognized and met in the planning, preparing, and serving of food. Child and Family Wellbeing (CFW) ensures the specific and unique needs and preferences of children and youth are met.

### Application

This policy applies:

- To children and youth in care who live in a Child and Youth Caring Program.
- To CYCP team members providing support and daily care to children and youth.

### Requirements

1. Child and Family Wellbeing (CFW) will ensure
2. **Food Access and Nutritional Content**
  - 2.1 Children and youth are asked for their input when determining the meals and snacks provided in the CYCP, which includes identifying their food preferences. Meals and snacks are prepared in accordance with Canada's Food Guide.
  - 2.2 Children and youth are provided with breakfast, lunch, and supper as well as daily snacks, that align with their nutritional needs and meet any special dietary and faith-based or cultural needs.
3. **Food Hygiene**
  - 3.1 CYCP team members who prepare food are certified in an approved food handler training course and adhere to safe food handling standards.
  - 3.2 Food storage and preparation will meet dietary and faith-based or cultural needs.
4. **Supporting Cultural Expressions and Customs Through Food**
  - 4.1 Children and youth are supported to explore their cultural connections with food and to learn about and share their own customs with others.
5. **Life Skill Development**
  - 5.1 Children and youth may have opportunities to learn about safe cooking practices through life skill development with CYCP team members.



## 7.25 Privacy in Child and Youth Caring Programs

### Purpose

Children and youth living in Child and Youth Caring Programs (CYCP) have a right to privacy and are provided with spaces for private activities, communication, and conversations.

### Application

This policy applies:

- To children and youth in care who live in a Child and Youth Caring Program.
- To individuals connected to children and youth living in a Child and Youth Caring Program.
- To CYCP team members providing support and daily care to children and youth.
- To CFW team members supporting children and youth in care.

### Requirements

#### 1. Private Communication

1.1 Children and youth work in collaboration with Child and Family Wellbeing (CFW) to identify family and community members who are significant in their lives, with whom they will have ongoing contact (e.g., phone, virtual, in-person contact).

1.1.1 At times, ***contact or certain types of contact*** with an individual may be restricted if CFW determines it is not in the child or youth's best interests.

1.2 Children and youth have a right to communicate freely with and be provided with a private space in which to speak with or visit individuals who work with and support the child or youth.

#### 2. Personal Correspondence

2.1 Children and youth can send and receive personal correspondence that is not read, examined, or censored by another person. If safety and wellbeing concerns, for example risk to the child or youth's emotional or physical safety, become known, the CYCP will notify CFW. CFW will review the identified concerns and determine appropriate action based on the concerns and the child or youth's best interests.

#### 3. Personal Searches

3.1 A personal search of the child or youth is completed without physical contact and may include the use of an electronic search device (e.g. search wand). Children and youth remain fully dressed during the personal search.



- 3.2 Information regarding personal search procedures is reviewed with the child or youth upon moving into a CYCP.
- 3.3 With a child or youth's cooperation and informed consent, personal searches may occur when there are safety and wellbeing concerns, for example when there is strong suspicion the child or youth is in possession of a weapon, illicit substances, or an object that can be used to self-harm. Personal searches are carried out safely and respectfully.
- 3.4 All personal searches are documented, including the rationale for completing the search.

#### 4. **Room Searches**

- 4.1 Room searches are completed when there is strong suspicion of the presence of weapons, illicit substances or objects that can be used to self-harm.
- 4.2 Personal items, such as diaries, photos, and journals, will not be examined by CYCP team members during a room search.
- 4.3 Consent is not required however the child or youth can choose to be present or not present during the room search.

#### 5. **Video Surveillance**

- 5.1 Video surveillance is used at CYCPs to monitor the entrances and exits of the CYCP, to identify visitors to the CYCP, and to monitor activity within the common and public spaces of the CYCP to ensure the safety and wellbeing of children, youth, and CYCP team members. Video surveillance is not used in private spaces such as bedrooms and bathrooms.
- 5.2 All CYCP team members will adhere to privacy policies and provisions of other statutes (e.g., FOIPOP, PIPEDA, etc.).
  - 5.2.1 CYCPs are required to have video surveillance policy that outlines when video surveillance will occur, what locations will be under video surveillance, who can access and view the video surveillance, and under what circumstances video surveillance be shared.
- 5.3 Signage will be posted to notify children, youth, visitors, and community members of the use of video surveillance at the CYCP.
- 5.4 Video obtained from surveillance is not retained or shared unless it is required during an assessment of safety and wellbeing concerns or as evidence in a criminal matter.



## 7.26 Complaint Procedures at Child and Youth Caring Programs

### Purpose

Children and youth have a right to make a complaint and to receive a response to a complaint about the Child and Youth Caring Program (CYCP) in which they live.

### Application

This policy applies:

- To children and youth in care who live in a Child and Youth Caring Program.
- To CYCP team members providing support and daily care to children and youth.
- To CFW team members supporting children and youth in care.

### Requirements

- 1.1 CYCPs have an established procedure to receive, review, and respond to complaints received from children or youth regarding the CYCP.
  - 1.1.1 Information regarding the complaint procedures will be shared upon the child or youth moving into the CYCP.
- 1.2 Complaint procedures will include an appeal process that is implemented when the initial response to the complaint is not satisfactory to the child or youth, in a manner that respects their privacy and confidentiality.
- 1.3 CYCPs will notify CFW of the child or youth's complaint and the response provided to the child or youth.
- 1.4 If a child or youth wishes to submit a complaint regarding their care, they will be supported when contacting the ***Office of the Ombudsman***, Youth Services, in a manner that respects their privacy and confidentiality.



## 7.27 Creating Safety in Child and Youth Caring Programs

### Purpose

Supporting the safe, healthy emotional regulation of children and youth in Child and Youth Caring Programs (CYCP) requires the use of a range of supports, interventions and techniques that consider their developmental level, impact of trauma, and other contributing factors.

### Application

This policy applies:

- To CYCP team members providing support and daily care to children and youth.
- To CFW team members supporting children and youth in care.

### Requirements

- 1.1 All CYCPs take the steps necessary to support emotional regulation proactively and in the least intrusive manner possible.
- 1.2 When all other interventions, such as verbal de-escalation, have been unsuccessful, physical restraint may be used to minimize harm to the child or youth, other children or youth, and employees, in accordance with Section 27 of the **Children and Family Services Regulations** concerning physical restraint.
- 1.3 If a child or youth is in a licensed treatment program, a therapeutic quiet room may only be used in circumstances where less-intrusive measures have been attempted and the child or youth is demonstrating behaviours that pose a serious or imminent risk to the safety of themselves or others, and in accordance with Section 26 the **Children and Family Services Regulations**.
  - 1.3.1 All licensed treatment programs must have policies and procedures guiding the use of a therapeutic quiet room.
- 1.4 Following the use of any intervention, a child-centered restorative approach will be used to help the child or youth understand why an intervention was utilized, that will focus on the supportive relationships between the child or youth, other children or youth in the CYCP, and CYCP team members.
- 1.5 In cases where a child or youth feels their rights have been violated in relation to interventions, they will be supported to discuss the complaint in accordance with the CYCP's complaint procedures, with CFW team members, and/or with the **Office of the Ombudsman**.



## 7.28 Receiving Money on Behalf of a Child or Youth in Child and Youth Caring Programs

### Purpose

Children and youth living in a Child and Youth Caring Program (CYCP) may receive money from family, others who are significant to them, or from Child and Family Wellbeing (CFW). When necessary, the CYCP will receive and maintain the funds safely and securely on behalf of the child or youth.

### Application

This policy applies:

- To children and youth in care.
- To CYCP team members providing support and daily care to children and youth.
- To CFW team members supporting children, youth, and families.

### Requirements

- 1.1 A record of money received on behalf of a child or youth will be maintained by the CYCP. This money will be held in trust for the child or youth in a secure location.
- 1.2 Children and youth can access their funds upon their request, unless otherwise arranged by Child and Family Wellbeing (CFW). The CYCP will ensure children and youth are made aware of any alternate arrangements for receiving their funds.
- 1.3 Upon transitioning from the CYCP, any remaining funds belonging to the child or youth will be provided to them. There may be consultation with CFW to determine how the child or youth will receive their funds.





## 7.29 Governance of Child and Youth Caring Programs

### Purpose

Children and youth in the care and custody of the Minister may be cared for in Child and Youth Caring Programs (CYCP). Child and Youth Caring Programs can be government operated or not-for-profit organizations and comply with federal and provincial regulations, provincial policies, and operational requirements outlined in the *Children and Family Services Act (CFSA)*.

### Application

This policy applies:

- To all licensed Child and Youth Caring Programs, including treatment programs, providing support and daily care to children and youth.

### Requirements

- 1.1 CYCPs are required to develop an Operating Manual that outlines the expectations for the delivery of programs and services as approved by CFW.
- 1.2 The required processes and procedures include, but are not limited to:
  - 1.2.1 Purpose, programs, and services offered at the CYCP
  - 1.2.2 Code of conduct for staff
  - 1.2.3 Confidentiality
  - 1.2.4 Reporting allegations of child abuse / complaints procedures
  - 1.2.5 Critical incident procedures
  - 1.2.6 Vehicles and transporting children
  - 1.2.7 CYCP governance and reporting structures
- 1.3 All CYCPs are required to obtain and maintain a license to operate
- 1.4 The license will identify the age of children and youth the CYCP can provide care to, as well as the maximum number of children and youth who can reside in the CYCP.
- 1.5 Licensing inspections confirm adherence to the *Children and Family Services Act*, and that the CYCP is maintaining an environment that promotes the safety and wellbeing of children and youth. These inspections will occur at a minimum, twice during a 12-month period, one of which will be unannounced.
  - 1.5.1 If the inspections identify non-compliance issues or concerns, these will be documented. The CYCP will undergo a monitoring inspection within a specified period to confirm the issues or concerns have been addressed.



- 1.6 Concerns about the physical space / facility in which a CYCP operates may result in an investigation and/or additional monitoring inspections.
- 1.7 Children and youth who live in Child and Youth Caring Programs (CYCPs) are cared for by a team of qualified individuals who support their development, safety, and wellbeing 24 hours a day, 7 days a week.
  - 1.7.1 CYCPs ensure a minimum ratio of one employee supporting every four children (1:4) throughout the course of the day.
  - 1.7.2 If a child or youth requires additional support to meet their specified needs, extra staffing may be approved by Child and Family Wellbeing (CFW) for an identified period.
  - 1.7.3 CYCP team members support the security, safety, and wellbeing of children and youth by remaining awake and alert to respond to any needs the child or youth may have during overnight hours.
- 1.8 Team members participate in mandatory training, as well as additional training opportunities to build the necessary knowledge and skills for their roles.



## 7.30 Emergency Preparedness at Child and Youth Caring Programs

### Purpose

Child and Family Wellbeing (CFW) ensures that Child and Youth Caring Programs (CYCP) have adequately prepared and planned for the continuity of care to maintain the safety of children and youth, which could include emergency situations.

### Application

This policy applies:

- To all licensed Child and Youth Caring Program and treatment programs providing support and daily care to children and youth.

### Requirements

#### 1. **Business Continuity Plan**

- 1.1 CYCPs will establish, maintain, and regularly review a Business Continuity Plan that outlines steps to be taken before, during, and after an emergency event to maintain operations and meet the needs of children and youth living in the CYCP.

#### 2. **Emergency Evacuation**

- 2.1 CYCPs will develop, maintain, and practice an emergency evacuation plan that prioritizes the safety and wellbeing of children, youth, and team members.
- 2.2 The emergency evacuation plan will be reviewed on an annual basis.
- 2.3 Children, youth, and CYCP team members will be informed of the emergency evacuation procedures in a manner that enables their understanding.

#### 3. **Fire Safety and Fire Drills**

- 3.1 All CYCPs meet the applicable building codes and fire safety regulations, including structural and mechanical specifications that guard against injury or death due to smoke or fire.
- 3.2 All CYCPs are inspected by a Fire Marshal and noted fire safety deficiencies are promptly corrected.
- 3.3 All CYCPs confirm fire protection systems (e.g., alarm systems) and equipment (e.g., fire extinguishers) remain in good working order and train all CYCP team members annually in fire safety and use of equipment.



- 3.4 Children, youth, and CYCP team members are informed of the fire drill procedures in a manner that enables their understanding.
- 3.5 Fire drills will occur monthly, at different times of the day, including during overnight hours.



## 7.31 Temporary Emergency Arrangements

### Purpose

Children and youth in care may live in a Temporary Emergency Arrangement (TEA) before returning home or moving to an approved foster home or child and youth caring program. Child and Family Wellbeing (CFW) will designate a TEA when it is required for a child or youth in care, which could be with a family or community member, or with an approved service provider.

### Application

This policy applies:

- To children and youth in care.
- To all CFW team members supporting children and youth in care.
- To decision-making and planning processes related to a child or youth in care.
- To family and community members who may be designated as a Temporary Emergency Arrangement caregiver for a child or youth in care.
- To all Temporary Emergency Arrangement service providers.

### Requirements

- 1.1 CFW explores all approved living arrangements for children and youth in temporary or permanent care before designating a TEA with a family or community member or with a contracted service provider. If an approved or licensed caregiver cannot be located, CFW may designate a TEA caregiver or service provider.
- 1.2 Except in exceptional circumstances, the designation of a TEA will not extend beyond seven (7) days.
- 1.3 For Indigenous children and youth in care, when a change in where the child or youth is living occurs, **notification** of this as a significant measure is provided to the Indigenous Governing Body (IGB), as required in *An Act respecting First Nations, Inuit and Métis children, youth and families*.
- 1.4 The Africentric Child and Family Wellbeing team provides consultation and guidance when a child or youth is African Nova Scotian, Black, or of African descent and the designation of a TEA is being considered.
- 1.5 Family members, community members, or other individuals with an established relationship with a child or youth may be designated as a TEA caregiver until the completion of a Kinship Foster Care Assessment. During this time, financial support can be provided to TEA caregivers.



- 1.6 CFW will select a TEA caregiver or service provider that provides a home-like environment that best meets the unique needs of the child or youth, including their cultural, linguistic, religious/spiritual, emotional, and educational needs, and will consider the TEA's proximity to the child or youth's home community as well as plans to support their family time and visitation.
- 1.7 A CFW team member will accompany the child or youth when they move into a TEA and, in the exceptional circumstances where a child or youth has an extended stay beyond seven (7) days, the CFW team member will have at least three (3) face-to-face visits per month with the child or youth in the TEA.
  - 1.7.1 The first face-to-face visit will occur within seven (7) days of the child or youth arriving at the TEA and at least one face-to-face visit will occur on an unannounced basis during the child or youth's stay.
- 1.8 The child or youth is supported by the TEA caregiver or service provider to maintain their family and social relationships, participation in leisure and community activities, self-care and life skills, education, and in their emotional and physical health.



# Adoption

## 7.32 Adoption Openness

### Purpose

Child and Family Wellbeing (CFW) considers the degree to which openness (contact with individuals the child or youth has had a significant relationship with prior to adoption) is in the best interest of the child or youth.

### Application

This policy applies:

- To children and youth who are transitioning to adoption
- To birth parent(s) or guardian(s), family members, and others who have a significant relationship with the child or youth.
- To adopting parent(s) of a child or youth transitioning to adoption.
- To CFW team members supporting children and youth who are transitioning to adoption.
- To CFW team members supporting adopting parent(s).

### Requirements

#### 1. General Overview

- 1.1 Openness in adoption can range from limited sharing of non-identifying information to direct and regular contact between the adopted child or youth, birth family, and individuals with whom the child or youth has a significant relationship.
- 1.2 There may be a limited or no Openness Agreement, if it is in the best interest of the child or youth.

#### 2. Openness Agreements

- 2.1 Openness Agreements may be entered into between the adopting parent and the birth family and/or other individuals either prior to adoption or where the adopted person is under 19 years of age and the adopting parent of the child or youth requests openness.
  - 2.1.1 To initiate an Openness Agreement for a child or youth under 19 years of age after an Adoption Order is granted, the requesting individual must register with the [Disclosure Program](#).



- 2.2 Openness Agreements are not legal documents. Agreements are based on trust and confidence that all involved have made informed choices based on the best interests of the child and youth, and that they will honor the commitments made.
- 2.3 CFW may help facilitate the development, negotiation, and the exchange of information of Openness Agreements, however, they are not responsible for ensuring compliance.
- 2.4 The child or youth's views and wishes are considered in the development of an Openness Agreement.
- 2.5 Children or youth who are 12 years of age and older are required to consent to and sign the Openness Agreement.
- 2.6 Once the adoptee reaches the age of 19 years, the Openness Agreement ends, and the **Adoption Records Act** is applied to the **release of further adoption information** and preferences for contact.





## 7.33 Adoption Placement

### Purpose

Child and Family Wellbeing (CFW) facilitates the adoption placement and prepares and supports the child, youth, or sibling group, the adopting family, and anyone supporting the child or youth throughout the adoption journey.

### Application

This policy applies:

- To children and youth who are transitioning to adoption
- To adopting parent(s) of a child or youth transitioning to adoption.
- To CFW team members supporting children and youth who are transitioning to adoption.
- To CFW team members supporting adopting parent(s).

### Requirements

#### 1. General Overview

- 1.1 Prior to beginning the adoption journey, CFW supports the child or youth to understand what adoption means in a developmentally appropriate manner. This is to assist the child or youth in processing the move to a new family and provide opportunities to express their emotions and wishes during the transition to adoption.
- 1.2 Adopting parent(s), who are assessed as being an appropriate match to support the child or youth's needs, are provided with non-identifying information regarding the child or youth, including, but not limited to, all medical, cultural, or professional consultations to assist them in making informed adoption decisions.
- 1.3 CFW supports families to participate in the development of a culturally attentive and responsive transition plan and make arrangements that provide opportunities to develop familial attachment to the child.

#### 2. Pre-Adoption Preparation Requirements

- 2.1 The child or youth and adopting parents' readiness will determine the plan for the adoption placement.
- 2.2 CFW supports the child or youth's current caregiver (foster caregiver, relative or child and youth caring program staff) to participate in the information sharing with the adopting family.



- 2.2.1 When a child or youth and the adoptive parents are Indigenous, consultation occurs with Mi'kmaw Family and Children's Services of Nova Scotia, or the Indigenous Governing Body.
- 2.3 When an adoption subsidy is required, agreements are made with adopting families and approved by CFW.
- 3. **Notice of Proposed Adoption**
  - 3.1 CFW provides notification to the Indigenous Governing Body (IGB) when the Notice of a Proposed adoption is filed.
    - 3.1.1 The Notice of a Proposed Adoption is a legal document that starts the adoption process and prevents further legal actions, such as an application for termination of the child or youth's Permanent Care and Custody Order, from taking place.
  - 3.2 The Notice of a Proposed Adoption cannot be signed until 17 days after a child's birth, or 17 days after a birth parent *has requested* to have their child placed for adoption.



## 7.34 Transition to Adoption

### Purpose

A child or youth and the adopting family is supported to develop a relationship before the adoption is finalized. From the date of signing the Notice of Proposed Adoption, the adopting parents assume the day-to-day parental responsibilities for the child or youth. Child and Family Wellbeing (CFW) continues to be the child or youth's legal guardian until the adoption is finalized through an Adoption Order.

### Application

This policy applies:

- To children and youth who are transitioning to adoption
- To adopting parent(s) of a child or youth transitioning to adoption.
- To CFW team members supporting children and youth who are transitioning to adoption.
- To CFW team members supporting adopting parent(s).

### Requirements

#### 1. Transition to Adoption

- 1.1 During the adoption transition period, CFW collaborates with the child or youth, adopting family, and community to provide supervision, guidance, and support to ensure the wellbeing of the child or youth.
- 1.2 The length of the adoption transition period can vary and is based on the best interests of the child or youth and adopting family, and the time needed for the child or youth and family to build relationships. Generally, this period is a minimum of 6 months.
- 1.3 CFW ensures there is regular contact with the child or youth and family during this period and may include meeting privately with the child or youth.
- 1.4 Contact between the child or youth's previous caregivers, and others with whom the child or youth has a significant connection, may continue throughout the adoption transition period to support the child or youth's wellbeing.
- 1.5 In the event the decision is made to no longer proceed with the adoption, CFW will notify the birth parents and any other applicable individuals and support the child or youth, and any others affected by the decision.



## 2. **Medical Care Prior to Adoption Finalization**

- 2.1 As the legal guardian, Child and Family Wellbeing (CFW) is responsible to consent to health care and arrange necessary medical and dental treatment for children and youth
- 2.2 CFW considers the wishes of the adopting parents when determining consent to medical treatment.
- 2.3 Medical designation outlines the authority and responsibilities of caregivers to provide and receive health information of a child or youth in the Minister's care and to provide consent to a specific level of medical care.

## 3. **Travel Prior to Adoption Finalization**

- 3.1 As the legal guardian, CFW provides written consent for any child or youth who is being adopted to travel outside of Nova Scotia.
- 3.2 Adopting parents who wish to travel outside of Canada during the adoption transition period require the necessary documentation for travel by the Minister or delegate. A notarized permission letter to travel outside the country is required to meet Service Canada requirements.

## 4. **Death of a Child or Youth During the Adoption Transition Period**

- 4.1 If a child or youth dies during the adoption transition period, CFW follows **Responding to the Serious Injury or Death of a Child or Youth** policy.



## 7.35 Finalization of the Adoption for a Child or Youth in the Minister's Permanent Care

### Purpose

Children and youth in permanent care and custody and their adopting families are supported by Child and Family Wellbeing (CFW) throughout the finalization of the adoption.

### Application

This policy applies:

- To adopting parent(s) of a child or youth transitioning to adoption.
- To CFW team members supporting children and youth who are transitioning to adoption.
- To CFW team members supporting adopting parent(s).

### Requirements

#### 1. General Overview

- 1.1 An adopting parent is responsible for filing the application for adoption required to start the adoption proceeding and for following the proceeding through to granting of an Adoption Order. Upon request, CFW will consider assisting with the legal costs associated with adoption finalization.
- 1.2 Once CFW has received all documents from the adopting parent's lawyer, CFW is responsible for making a recommendation to the Court on the application approval status.
- 1.3 The adopting parent's lawyer prepares to finalize the adoption in court after CFW has filed the required reports.
- 1.4 Once an adoption has been granted by the Court, CFW receives the Adoption Order and other court documents from the court within ten (10) business days. This documentation is provided in a sealed packet that can only be opened to obtain information for disclosure under the Adoption Records Act or with the court's permission.

#### 2. Adoption Notice

- 2.1 Birth parent(s) have the right to know when an adoption has been granted.
  - 2.1.1 CFW notifies the birth parent(s) in writing when an adoption has been granted, in a manner that is respectful to the birth parent(s).



- 2.1.2 This information can be shared with or requested by the birth parent(s) at any time if they are unable to be located at the time of the notification.
- 2.2 When a child or youth who is Indigenous is adopted, their Indigenous Governing Body (IGB) will be notified that the adoption has been granted.

## Resources

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Adoption Information Disclosure Request

[beta.novascotia.ca/request-access-information-about-adoption](https://beta.novascotia.ca/request-access-information-about-adoption)



## 7.36 Subsidized Adoption Program

### Purpose

When a child or youth has an identified need or there are special circumstances, an adoption subsidy can provide financial support to the adopting parent(s) for specific services related to the need or circumstance.

### Application

This policy applies:

- To children and youth with identified needs or special circumstances who have been adopted.
- To adoptive parent(s) of a child or youth with identified needs or special circumstances.
- To CFW team members supporting adoptive parent(s).

### Requirements

#### 1. Eligibility Criteria

- 1.1 CFW takes into consideration the family's financial resources, the child or youth's needs, the services, and the unique circumstances of the family to determine eligibility for the subsidy.
- 1.2 Routine costs associated with raising a child or youth are the responsibility of the adopting parent(s).
- 1.3 **An Act respecting First Nations, Inuit and Métis children, youth and families** requires that services are provided so that an Indigenous child or youth can participate in activities with their family or Indigenous group and community.
- 1.4 The adopting parent(s) uses community-based and publicly funded services, their own private or band health insurance and other benefits prior to seeking an adoption subsidy.
- 1.5 One (1) or more of the following criteria must apply for eligibility to be considered:
  - 1.5.1 The child or youth has a diagnosed physical or cognitive disability, a developmental delay, a learning disability, a medical condition, or a psychological need.
  - 1.5.2 The child or youth is a member of a sibling group of three or more being adopted.



- 1.5.3 The adopting parents are members of the child's family and financial support is required to support the child's plan for adoption.
  - 1.5.4 The adopting parent(s) is a kinship foster caregiver and the adoption supports the child or youth's permanency goal.
  - 1.5.5 The adopting parent(s) is African Nova Scotian, Black, or of African descent, Indigenous, or of another racialized group that meets the racial, cultural, or linguistic needs of a child or youth in need of adoption.
- 1.6 Youth between the ages of 19 and 21 must be cared for by their adoptive family and attend an educational program for the adoptive parents and youth to be or remain eligible for support.
- 2. **Service Eligibility and Approval**
  - 2.1 Each eligible service has a specific criterion when CFW is considering the funding request.
    - 2.1.1 In some circumstances, there may be an essential service that is not listed under identified services.
  - 2.2 Requests for funding require pre-approval.
- 3. **Adoption Subsidy Agreement**
  - 3.1 The development of an Adoption Subsidy Agreement is a collaborative process between CFW and the adopting parent(s), which aligns with the child or youth's individual needs, and details the approved services and subsidy amounts.





## 7.37 Interprovincial Adoption

### Purpose

When a child or youth is placed for adoption outside of the province of Nova Scotia and in another province or territory in Canada, Child and Family Wellbeing (CFW) is guided by the Interprovincial Protocol.

### Application

This policy applies:

- To individuals or families living in another province or territory in Canada that would like to adopt a child or youth living in Nova Scotia.
- To individuals or families living in Nova Scotia that would like to adopt a child or youth privately living in another province or territory in Canada.
- To individuals or families who are habitual residents of Nova Scotia and for Nova Scotian residents temporarily residing in another province or territory in Canada and would like to adopt a child or youth living in Nova Scotia.

### Requirements

#### 1. General Overview

- 1.1 An adoption placement outside of Nova Scotia in another province or territory within Canada may occur under the following circumstances:
  - 1.1.1 An appropriate placement does not exist in Nova Scotia due to the special or extraordinary needs of a child or youth.
  - 1.1.2 The birth parent(s) or legal guardians have identified adopting parent(s) outside of Nova Scotia.
  - 1.1.3 There are relative(s) outside of Nova Scotia who can adopt and with whom the child or youth has a significant relationship, or the family relationship is in the child's best interest because of the family connection.
  - 1.1.4 The adopting parent(s) are of the same race, culture, language, and/or religion as the child or youth.
  - 1.1.5 There is a sibling residing outside of Nova Scotia and there is consideration that the child or youth may join the sibling.
  - 1.1.6 The adopting parent(s) move from Nova Scotia prior to the finalization and granting of the adoption.



- 1.2 When coordinating adoption with other provinces and territories in Canada, CFW follows the established Interprovincial/Territorial Protocol.
  - 1.3 It is preferable for an adoption to be finalized by the province or territory in which it originated to allow the information disclosure regulations of the originating province or territory to apply and where the information is maintained.
  - 1.4 CFW provides authorization documentation for adoption when a child or youth resides outside of Nova Scotia.
2. **Private Interprovincial Adoption**
- 2.1 A written request from the adoption authority in the province or territory where the child or youth resides is submitted to the adoption authority where the adopting parent resides.
  - 2.2 When birth parent(s) leave Nova Scotia and choose adoption for their child or youth in another province or territory, the legislation of that province or territory where the child or youth was placed applies.
  - 2.3 When the adopting parents reside in Nova Scotia but the placement of the child or youth for adoption occurred in another province, the legislation of the other province may apply.



## 7.38 Adoption of Children and Youth Who are Not in the Minister's Care

### Purpose

When a child or youth who is not in the permanent care of the Minister is adopted, Child and Family Wellbeing (CFW) is notified and determines if the legislative requirements for the proposed private adoption are met

### Application

This policy applies:

- To birth parent(s) who choose to place their child or youth with a relative or non-relative for the purpose of a private adoption.
- To individuals or families who would like to adopt a child or youth who has been placed with them by the birth parent(s).
- To CFW team members who are notified of the proposed private adoption.

### Requirements

- 1.1 Adoptions of children and youth not in care occur when initiated by:
  - 1.1.1 A stepparent.
  - 1.1.2 Relatives of the birth parent who intend to adopt the child or youth placed with them by the child or youth's birth parent(s).
  - 1.1.3 The Customary law of an Indigenous community (Customary adoption).
  - 1.1.4 The caregivers of a child or youth of whom the birth parent(s) placed the child with privately (private non-relative adoption).
- 1.2 A Notice of Proposed Adoption is provided to CFW by the adopting parents or their lawyer to initiate the adoption proceeding for a child or youth aged 16 or younger, for private adoptions occurring within Nova Scotia.
  - 1.2.1 In the case of Customary adoption, consent from the Indigenous band is included with the application and Indigenous Services of Canada is included in the notification of adoption once it is finalized.
- 1.3 If the adopting parent has care and custody of the child or youth through a court order under the ***Parenting and Support Act***, they may begin proceedings for adoption while the order is in effect in cases where the child or youth has been living with the adopting parent for more than six (6) consecutive months.



- 1.4 If the adopting parent is not caring for the child or youth under a court order, they may begin proceedings for adoption when the child or youth has been living with the adopting applicant for more than 24 consecutive months (two (2) years).
- 1.5 If the adopting parent is a stepparent, they will require consent from the other birth parent and have lived with the child for six (6) months.
- 1.6 To proceed with an adoption application for a child or youth in the adopting parent's care, the following conditions are required:
  - 1.6.1 All necessary consents for adoption have been obtained or consents have been dispensed with through the Court.
  - 1.6.2 There is confirmation that the consenting birth parent(s) have received options counselling.
  - 1.6.3 A social and medical history for the birth family is completed if the birth parents are known and available to provide the required information.
  - 1.6.4 The adopting applicant(s) have been approved for the adoption of the child of youth, which includes an adoption assessment.
- 1.7 CFW determines if the adoption meets legislative requirements for the proposed adoption. If the legislative requirements are met, CFW will acknowledge the proposed adoption of children and youth under the age of 16.
- 1.8 Adoptions by relatives of a child or youth require birth parent consent. An adoption assessment is not required.



## 7.39 Intercountry Adoption

### Purpose

When an individual or family would like to pursue an intercountry adoption, Child and Family Wellbeing (CFW) follows the guidance and regulations of the *Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption* (Hague Convention) as incorporated into the *Intercountry Adoption Act*. Under the Hague Convention, Nova Scotia's commitment is to first seek an adopting family within Nova Scotia or Canada when a child or youth cannot be raised by their birth family.

### Application

This policy applies:

- To individuals or families living outside of Canada that would like to adopt a child or youth living in Nova Scotia.
- To individuals or families living in Nova Scotia that would like to adopt a child or youth living outside of Canada (including relatives).
- To individuals or families who are habitual residents of Nova Scotia and for Nova Scotian residents temporarily residing in another country (ex-patriate) and would like to adopt a child or youth.
- When attempting to adopt a child or youth privately in another country or a child from Nova Scotia from outside Canada.
- When an adopting family is from another country and is seeking to adopt a child or youth in the Minister's care (including relatives).

### Requirements

#### 1. General Overview

- 1.1 The intercountry adoption process can be complex, and the requirements differ from country to country. CFW provides support and approvals for all intercountry adoptions occurring within Nova Scotia, whether the applicants, the child or youth being adopted, or both are living within the province.
- 1.2 The specific adoption process will depend on the originating country of the child or youth. Regardless of whether a country where a child resides is a Hague Convention Country, Nova Scotia is required to consider if the principles of the Convention are being followed.
  - 1.2.1 The adoption process may be halted or suspended in a country experiencing crisis, such as civil unrest, a natural disaster, or war.



- 1.2.2 An applicant seeking to adopt a child outside of Canada who is a citizen of the country they are seeking to adopt from, cannot identify a child or youth in advance, unless they are related, or seek an adoption order until they have completed the applicable intercountry process.

## Resources

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Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption

[www.hcch.net/en/instruments/conventions/full-text/?cid=69](http://www.hcch.net/en/instruments/conventions/full-text/?cid=69)

Nova Scotia's Guide to Intercountry Adoption

[novascotia.ca/coms/families/adoption/InternationalAdoption.html](http://novascotia.ca/coms/families/adoption/InternationalAdoption.html)

Post Adoption Services

1-866-259-7780

Immigration, Refugees and Citizenship Canada

1-888-242-2100

[www.canada.ca/en/immigration-refugees-citizenship.html](http://www.canada.ca/en/immigration-refugees-citizenship.html)



# Records and Information

How we document and share information about children, youth, and families

Name of Legislation or Regulation	Applicable Sections
<b><i>Children and Family Services Act</i></b>	3: Interpretation
	4(1): Supervision of Act and right of Minister to appear in court
	5: Delegation of powers, privilege, duties or functions
	9: Functions of agency
	10: Inspection of agency
	15: Approval of facilities and services
	16: Ministerial operation of facilities
	22(2): Child is in need of protective services
	38: Disclosure or discovery
	40: Protection hearing
	47: Permanent care and custody
	48: Termination of permanent care
	53A: Information relating to birth family
	62: "Abuse" defined
	63: Child Abuse Register
	64: Notice of entry in and application to remove name from Child Abuse Register
	65: Appeal respecting Child Abuse Register
	66: Confidentiality of information in Child Abuse Register
	70: Right to commence adoption proceedings
	78B: Openness agreement
	85: Copies of documents, sealed packet and certificate of adoption
	104: Former Child Abuse Register



Name of Legislation or Regulation	Applicable Sections
<i><b>Children and Family Services Regulations</b></i>	2: Interpretation 3: Duties of Minister's Delegate 4: Prescribed forms 14: Accounts and records 22: Records and information about child maintained by facility 47: Information to be recorded in Child Abuse Register 48: Prescribed offences 49: Report of finding or conviction to Minister 50: Where appeal has been filed 51: Disclosure of information in Child Abuse Register 52: Information for research 53: Age limit for registration in Child Abuse Register 54: Notice of registration in Child Abuse Register
<i><b>An Act respecting First Nations, Inuit and Métis children, youth and families</b></i>	10(3): Best interests of Indigenous child – factors to be considered
<i><b>Freedom of Information &amp; Protection of Privacy Act</b></i>	27: Disclosure of personal information 29: Disclosure of research
<i><b>Adoption Records Act</b></i>	<u><a href="#">Hyperlink</a></u>





## 8.1 Confidentiality and Privacy

### Purpose

Child and Family Wellbeing (CFW) has ethical and legal obligations to maintain the confidentiality and privacy of the children, youth, and families they support. Any disclosures of confidential or personal information are guided by the *Freedom of Information and Protection of Privacy (FOIPOP) Act, An Act respecting First Nations, Inuit, and Métis children, youth, and families*, the *Adoption Records Act*, and the *Children and Family Services Act (CFSA)*.

### Application

This policy applies:

- To all CFW team members supporting children, youth, and families.
- To records created and/or maintained by CFW regarding the programs and services provided to children, youth, families, and communities.

### Requirements

- 1.1 The *FOIPOP Act* permits the CFW team to disclose personal information in its records to another public body or others, without consent, in certain circumstances. This includes where the information is necessary to meet the requirements of Government operations, or if the employee requires the information for the performance of their duties.
- 1.2 Obtaining consent to share personal information is considered leading practice and recommended prior to releasing personal information for the purposes of the coordination and delivery of CFW programming and services.
  - 1.2.1 Where there is concern for the immediate safety and wellbeing of an individual or others, information will be shared without consent.
- 1.3 Information that is released needs to have a reasonable and direct connection to the reason for which the information is requested.
- 1.4 The individual whose information is being released may indicate explicit consent by signing a consent to release and obtain information form.
- 1.5 All approved and licensed Child and Youth Caring Programs are required to have a written policy regarding confidentiality and adhere to processes for information sharing.

### Resources

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Privacy Inquiries

[cs\\_privacy@novascotia.ca](mailto:cs_privacy@novascotia.ca)



## 8.2 Collection and Use of Personal Information

### Purpose

The collection and use of personal information is required to provide continuity of services within Child and Family Wellbeing (CFW). CFW files are kept and maintained by the Department of Opportunities and Social Development to ensure the needs of children, youth, and families are best supported when providing services and to be accountable to the public CFW only collects and uses personal information as allowed by the *Freedom of Information and Protection of Privacy (FOIPOP) Act, An Act respecting First Nations, Inuit, and Métis children, youth, and families*, the *Adoption Records Act*, and the *Children and Family Services Act (CFSA)*.

### Application

This policy applies:

- To all CFW team members supporting children, youth, and families.
- To records created and/or maintained by CFW regarding the programs and services provided to children, youth, families, and communities.

### Requirements

#### 1. What information is collected:

- 1.1 The CFW team keeps records of each child, youth, and family who is referred to and/or receives CFW support and services under the Children and Family Services Act (CFSA).
- 1.2 Personal information collected may include (but is not limited to): names, demographic information, health, educational and historical information, photographs, reports, and subjective information (e.g. personal beliefs or opinions about the individual's emotional or physical presentation) about the individual(s). Any part of the record that contains subjective information, observations, interpretations, or professional opinions and assessments are to be identified as such.
- 1.3 Information is collected accurately, completely, and in a timely manner to support the continuity of care.

#### 2. How information is used:

- 2.1 The information is collected to complete assessments, support planning activities and provide services to children, youth and/or families that are tailored to their identified needs. Information collected may also be used in court applications.



- 2.2 The CFW team may use personal information to communicate for specific planning and assessment purposes and information may only be released without prior consent as permitted by the *Freedom of Information and Protection of Privacy (FOIPOP) Act*, *An Act respecting First Nations, Inuit, and Métis children, youth, and families*, the *Adoption Records Act*, and the *Children and Family Services Act (CFSA)*.
  - 2.3 Publication of any personal information or records is prohibited.
3. **How information is stored:**
  - 3.1 Information collected by the CFW team may be held in paper or electronic files.
  - 3.2 For additional information on storage and retention of records, see Storage & Retention.
4. **Who is responsible:**
  - 4.1 The Minister of Opportunities and Social Development is responsible for the collection and use of records within the Department of Opportunities and Social Development.
  - 4.2 The authority to collect and use records is provided to Child and Family Wellbeing (CFW), including Mi'kmaw Family and Children's Services of Nova Scotia, as well as their affiliates, such as licensed Child and Youth Caring Programs, to provide support and services to children, youth, and families.



## 8.3 Release of Information

### Purpose

Relevant and current personal information of a child, youth, and family held by Child and Family Wellbeing (CFW) may be shared for the purposes of providing CFW services. Obtaining consent is a leading practice when information is shared or released to others involved in the coordination and delivery of CFW services, however, it is not required in some circumstances.

### Application

This policy applies:

- To all CFW team members supporting children, youth, and families.
- To programs and services within DOSD.
- To programs and services in other Government Departments and organizations.
- To community-based services providers and groups.

### Requirements

1. **Release of Information in the provision of CFW services among foster caregivers, adoptive parents, Child and Youth Caring Programs, CFW community-based service providers and between other Department of Opportunities and Social Development programs**
  - 1.1 If the disclosure of otherwise confidential information is required as part of CFW involvement the **Freedom of Information and Protection of Privacy (FOIPOP) Act** provides guidance for this in sections 27 and 28 which allows for the sharing of personal information in accordance with the purpose of CFW.
  - 1.2 It may be important to share information between CFW programs and another program area within the Department of Opportunities and Social Development due safety and wellbeing concerns of a child or youth, concerns for the safety of staff, when assisting a family, or when the CFW team has information which may be relevant to the delivery of services by another DOSD program (e.g. Employment Supports and Income Assistance or Disability Supports Program).
  - 1.3 This does not replace the processes established within other protocols, for example the Protocol for Investigating Allegations of Child Abuse and Neglect in Foster Homes and Adoption Probation Homes, the Protocol for Investigating Allegations of Child Abuse and Neglect in Child and Youth Caring



Programs, High Risk Case Coordination Protocol, etc. In these cases, the relevant protocol must be followed along with the completion of any required request for information forms.

## 2. **Release of Third-Party Information**

- 2.1 Third party information will only be disclosed to a person authorized or delegated to receive the information in accordance with legislation.

## 3. **Legal Proceedings**

- 3.1 Information collected and stored by CFW may be disclosed in a civil or criminal court proceeding as permitted or directed by law.
- 3.2 A party to a civil matter may make an application to the Court for the disclosure of information held in Child Family Wellbeing (CFW) records through an Order of Production or subpoena.
- 3.3 A party to a civil matter may also apply under the FOIPOP Act for access to information from a CFW record, which the party could then decide to use in a civil court proceeding.

## 4. **Law Enforcement**

- 4.1 Information collected and stored by CFW may be provided to a law enforcement agency when there is a sufficient reason that indicates the information may assist in an investigation related to a law enforcement proceeding or there are compelling circumstances which may affect anyone's health and safety.
- 4.2 The sharing of information must be timely and reflect the urgent nature of the type of work that both CFW and law enforcement are engaged in.
- 4.3 When information is shared, those affected by the disclosure of information should be advised (e.g. children, youth, parents, foster caregivers or an employee of a licensed Child and Youth Caring Program, etc.) when possible.

## 5. **Member of the Legislative Assembly (MLA)**

- 5.1 Children, youth, and families supported by CFW may contact their MLA's office for assistance in navigating or escalating matters concerning their involvement with CFW.
- 5.2 CFW can disclose specific and limited child, youth, and family information to an MLA when it has been requested by the individual whom the information is about, and signed consent has been provided, to assist in resolving a problem or concern.



- 5.3 CFW may consult with Information Services and Privacy to determine what information is necessary to share, such that the MLA or designate is sufficiently informed about CFW involvement and the current plan of activities.

## 6. Office of the Ombudsman

- 6.1 Children, youth, and families supported by CFW may contact the Office of the Ombudsman for assistance in ***navigating or escalating a disagreement*** with a decision by CFW.
- 6.2 CFW can disclose specific and limited child, youth, and family information to the Office of the Ombudsman when it has been requested by the individual whom the information is about, and signed consent has been provided, to assist in resolving a problem or concern. If the Office of the Ombudsman is conducting an investigation, it has the authority to request and receive information related to the investigation, including information that is not vetted in any way.
- 6.3 CFW may consult with Information Services and Privacy to determine what information is necessary to share, such that the Office of the Ombudsman is sufficiently informed about CFW involvement and the current plan of activities.

## Resources

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Requests for Information Under FOIPOP

[\*\*\*IAPServices@novascotia.ca\*\*\*](mailto:IAPServices@novascotia.ca)

IAP Services Unit,  
Department of Internal Services  
5161 George Street, Floor 11  
Halifax, NS B3J 2Y1



## 8.4 Storage and Retention of Records

### Purpose

Child and Family Wellbeing (CFW) retains the information and records of children, youth and/or families in keeping with the Department of Opportunities and Social Development Standard for Operating Records (STOR). The Department of Opportunities and Social Development and its affiliates use the Standard for Operating Records legal retention schedule for the purposes of retention and disposition of all records held in their custody and control.

### Application

This policy applies:

- To all CFW team members supporting children, youth, and families.
- To licensed Child and Youth Caring Programs supporting children and youth in care.
- To records created and/or maintained by CFW regarding the programs and services provided to children, youth, families, and communities.

### Requirements

#### 1. Storage of Records

- 1.1 Personal information and child, youth or family records must be securely stored within the workplace in an area that can be locked.
- 1.2 Fire regulations stipulate that physical copies of records must be stored in a room that sufficiently protects the records from damage or loss due to fire.
- 1.3 The area in which records are stored must limit access to authorized personnel and have sufficient procedures in place to maintain the security of records.

#### 2. Retention of Records

- 2.1 The Records Retention Schedule details the retention schedule of official records.
- 2.2 The entire record of a child, youth or family is retained for the longest retention period assigned to the record. If new information is received about an individual with an existing record, both the old and new information are retained until all information reaches the end of its retention period.
- 2.3 An individual's CFW record is retained at the worksite for time specified in the Records Retention Schedule. The removal of records from various worksites must be coordinated and supported by the Regional Records Services team at the Department of Opportunities and Social Development.



### 3. Child and Youth Caring Program Records

- 3.1 All licensed Child and Youth Caring Programs are required to develop and maintain a records management program, which must include a file plan for all files created and maintained within the specific program. The maintenance of all files must meet current records management standards and legislative requirements.
- 3.2 In accordance with the Government Records Act, licensed and approved Child and Youth Caring Programs must create their own reporting schedule for their files. Child and Youth Caring Programs must ensure that records created or received are classified and maintained per the Nova Scotia Archives and Records Managements' Standard for Administration Records (STAR) and the Department of Opportunities and Social Development' Standard for Operational Records (STOR).
- 3.3 An individual's record from a licensed Child and Youth Caring Program is retained onsite for 4 years after it is officially and completely closed, whereafter it is retained by the Department of Opportunities and Social Development for the remainder of its lifecycle in accordance with the Standard for Operating Records.
- 3.4 In the event a licensed Child and Youth Caring Program providing placement services ceases operations, records are relinquished to the Department of Opportunities and Social Development for storage and will be maintained for 100 years.

#### Resources

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Records Management Inquiries  
[csrecords@novascotia.ca](mailto:csrecords@novascotia.ca)





## 8.5 Information Disclosure to Children and Youth Who Were Previously in Care

### Purpose

Children and youth who were previously in care and custody who are seeking information contained in their records are supported by Child and Family Wellbeing (CFW) to help them understand the circumstances that led them to be in care, as well as the details of their life experiences while in care.

### Application

This policy applies:

- To children and youth formerly in care and custody.
- To CFW team members responding to information disclosure requests from children youth who were formerly in care and custody.

### Requirements

1. Information will be compiled from the available children-in-care records and any associated records and a summary of the information, and/or copies of case notes when specifically requested, will be released as appropriate.
2. To request the information, a child or youth who was previously in permanent care and custody must be 19 years or older to make a request through the Disclosure program.
3. Consent must be obtained from the following third parties before information that may disclose their identity will be released as part of the summary:
  - 3.4.1 Foster caregivers, siblings, or foster relatives,
  - 3.4.2 Other former children in care,
  - 3.4.3 A person who made a report that a child may be in need of protective services,
  - 3.4.4 Individuals who have provided voluntary services.
- 1.6 A child or youth who was in permanent care, and who was adopted can access information about their birth family, adoptive parents, and places the child or youth lived through a request to the Disclosure program.
- 1.7 A child or youth who is currently in care and custody should access information through contact with their CFW team member.
- 1.8 A child or youth who was in temporary care and custody can access information from their records through an access to information request under FOIPOP.



## Disclosure Program

Email: [disclosureprogram@novascotia.ca](mailto:disclosureprogram@novascotia.ca)

Phone: 902-424-2755

Toll-free (within Canada): 1-833-424-2755

## Requests for Information Under FOIPOP

[IAPServices@novascotia.ca](mailto:IAPServices@novascotia.ca)

IAP Services Unit,

Department of Internal Services

5161 George Street, Floor 11

Halifax, NS B3J 2Y1



## 8.6 Information Disclosure to Parties to an Adoption

### Purpose

Where an adoption was finalized in Nova Scotia, the **Adoption Records Act** allows individuals who were parties to an adoption, and some others, to access information in adoption records. It also allows individuals to keep their identifying information private if they wish to do so. Where an adoption was finalized through the **Intercountry Adoption Act**, applicants may apply for information and support.

### Application

This policy applies:

- To individuals who have been adopted.
- To the birth parent(s) or potential birth parent(s) of an individual who has been adopted.
- To relatives of an individual who has been adopted.
- To adoptive parents of an individual who has been adopted.
- CFW team members who receive information disclosure requests regarding an individual who has been adopted.

### Requirements

#### 1. Requests for Information

- 1.1 Requests for adoption information may come from (but is not limited to):
  - 1.1.1 The adopted person.
  - 1.1.2 Someone who believes themselves to be a birth parent.
  - 1.1.3 Adoptive parents.
  - 1.1.4 Birth siblings.
  - 1.1.5 Relatives of the adopted person.
  - 1.1.6 Executor of an estate.
- 1.2 Adoption information is shared as legislation allows, in a manner that is respectful and supportive to the individual's identity, heritage, and culture.
- 1.3 When there is a concern that sharing information poses a significant risk to the physical safety of another person, CFW may withhold that information.
- 1.4 Requests made by a birth parent over the age of 65 or made by the adopted person where estimated age of a birth parent is 65 years or older and requests made by persons experiencing a medical or psychiatric emergency and/or terminal illness may be prioritized.



- 1.5 Where an adoption was finalized under the *Intercountry Adoption Act*, information may be released to the central authority in another country that requests the information and that is authorized to disclose the information according to the laws in that jurisdiction. Information contained in a record that was provided by the country where a child was born, regardless of where the adoption took place, may be disclosed.
- 1.6 Any person entitled to make a request for information may appeal a decision that relates to the request to an Appeal Committee.

## 2. Privacy Tools

- 2.1 A Disclosure Veto prevents the release of identifying information. The following parties can file a Disclosure Veto:
  - 2.1.1 an adopted person who is 19 years or older,
  - 2.1.2 a birth parent,
  - 2.1.3 and a potential birth parent.
- 2.2 A Contact Notice states the type and level of contact that a party to an adoption wants with others while allowing identifying information to be released. The following parties can file a Contact Notice:
  - 2.2.1 an adopted person who is 19 years or older,
  - 2.2.2 a birth parent,
  - 2.2.3 and a potential birth parent.
- 2.3 The person who filed a Disclosure Veto and/or a Contact Notice can cancel these at any time.

## Resources

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Adoption Records Act

[nslegislature.ca/sites/default/files/legc/statutes/adoption%20records.pdf](https://www.nsls.ca/sites/default/files/legc/statutes/adoption%20records.pdf)

Disclosure Program Guidebook

[beta.novascotia.ca/documents/disclosure-program-guide-former-children-care-and-permanent-care](https://beta.novascotia.ca/documents/disclosure-program-guide-former-children-care-and-permanent-care)

Disclosure Program Website

[beta.novascotia.ca/programs-and-services/disclosure-program](https://beta.novascotia.ca/programs-and-services/disclosure-program)

Disclosure Program

Email: [disclosureprogram@novascotia.ca](mailto:disclosureprogram@novascotia.ca)

Phone: 902-424-2755

Toll-free (within Canada): 1-833-424-2755



## 8.7 Child and Youth Record Keeping Requirements at Child and Youth Caring Programs

### Purpose

Children and youth will have an accurate, objective, relevant, and complete record maintained of their experience living in a Child and Youth Caring Program (CYCP) that both supports and informs the plan for their care.

### Application

This policy applies:

- To children and youth in care who live in a Child and Youth Caring Program or treatment program.
- To CYCP team members supporting children and youth in care.

### Requirements

- 1.1 CYCPs will maintain a record of relevant identifying information for all children and youth who live at the CYCP.
- 1.2 CYCPs will develop and maintain a Care Plan or, in the case of a treatment program, a Treatment Plan that is aligned with the child or youth's individual needs and is reviewed on a regular basis.
- 1.3 Information regarding the child or youth's day-to-day care, experiences of success, areas of support, and any occurrences that impact or may impact their health, safety, and/or wellbeing will be documented by CYCP team members.
- 1.4 When a child or youth transitions from a CYCP or treatment program, a summary report outlining the child or youth's experience, identified strengths and progress in meeting their goals, any ongoing needs, and suggestions for supports in future planning will be provided.
- 1.5 All records are securely maintained onsite.



## 8.8 Child Abuse Register

### Purpose

To protect children's and youth's safety, Child and Family Wellbeing (CFW) maintains a provincial Child Abuse Register, which contains information about individuals who have been found by Courts in Nova Scotia to have caused harm to a child and have been determined to likely cause harm in the future.

### Application

This policy applies:

- To CFW team members assessing and supporting the safety and wellbeing of children and youth.
- Individuals who are requesting their own search of the Child Abuse Register.
- Public serving organizations.
- Individuals who are listed on the Child Abuse Register.

### Requirements

- 1.1 An ***individual's information*** is recorded in the Child Abuse Register database when:
  - 1.1.1 The Supreme Court of Nova Scotia Family Division has found that a person has physically or sexually abused a child.
  - 1.1.2 The individual is convicted of certain criminal offenses in Nova Scotia involving a child or youth as per the Criminal Code of Canada.
  - 1.1.3 An application has been made to the Supreme Court of Nova Scotia and the Court finds it probable that the person has abused a child or youth and an entry on the Child Abuse Register is ordered.
- 1.2 Those who have been entered into the Child Abuse Register database are provided with written notice and have the right to review and appeal the decision to be entered into the Child Abuse Register by filing a court application.
- 1.3 The CFSA allows for individuals to apply to the Supreme Court of Nova Scotia to have their names removed from the Child Abuse Register.
- 1.4 Individuals can ***request a search*** of their own name on the Child Abuse Register when planning to work with or support children and youth in Nova Scotia. The search will be completed within 10 business days.
- 1.5 CFW will complete a search for the purposes of assessing referral information. A search result may be shared as described in sections 66(3) and 66(4) of the CFSA.

### Resources

Child Abuse Register Search Application

<https://beta.novascotia.ca/apply-child-abuse-register-search>



