

Protocols between Child and Family Service Authority Agencies and Women's Shelters in Manitoba

The Department of Family Services and Housing has worked with the CFS Authorities and women's shelters to clarify their working relationships. These guidelines are a product of the joint working group including representatives from the CFS Authorities, Women's Shelters, Child Protection and Family Violence Prevention Program. The purpose of the mutually agreed upon protocols is to clarify the working relationship between all parties in matters of child protection.

Services Provided by Women's Shelters

Women's shelters offer safe accommodation for abused women and their children. While in shelter, clients receive counseling, protection planning, information and referral, as well as support services. Counselors at shelters provide counseling to clients. Follow up services for women who have left abusive relationships are also available. The very nature of abuse against women necessitates that services be voluntary. Women are supported to make informed decisions about their lives. Limited counseling support is also available for children who accompany their mother to shelter services.

Services Provided by CFS Authority Agencies

Manitoba's child and family service agencies mandated by the four CFS Authorities have a legal responsibility for the protection of children. Child protection services are intended to protect children within the context of their family and community, unless to do so would place the child at risk of further abuse or neglect. Agency intervention to protect a child must always be balanced with the needs of the child for a continuous family relationship. Any intervention strategy will reflect respect for the rights of all concerned to be involved in decisions which affect their lives, to the extent possible under the circumstances.

Admission Into Shelter

Admission into shelter must be truly voluntary on the part of the woman. If a child and family service agency is involved with a woman currently experiencing domestic violence, the use of shelter may be an option. This option, which provides protection for herself and her children, must be presented as one of a number of options for her consideration. CFS Agencies must appropriately advise women of their choices. As part of the process of presenting options for the woman's consideration, it is appropriate for the agency to explain the services available at the shelter, the relationship between spousal abuse and child abuse, and, any action the agency may have to take dependent on her decisions. If the woman chooses to enter shelter, consultation with the shelter would be appropriate to facilitate the coordination of services to both the woman and her children.

Care of Children in Shelter

While in the women's shelter, the mother has primary responsibility for the daily care of her children. Where staffing permits, the shelter will provide care for the children, on a planned basis, for short periods of time when necessary to allow the mother to attend counseling appointments or personal business (such as medical or legal appointments). Limited children's counseling support is available with the mother's signed consent.

Planned Absences

Where staffing permits, the shelter can provide care to the children when the mother needs to be absent for a brief period of time in order to attend appointments (such as medical or legal appointments). These arrangements must be made between the woman and the shelter prior to her absence. If the woman does not return at the agreed upon time, the shelter will then consider the woman to be on an unplanned absence, as per each shelter's policy.

Unplanned Absences

Unplanned absence is anytime the mother is absent from the shelter without having made prior arrangements with the shelter for care of her children. This includes those occasions when the woman does not return to shelter at the agreed upon time. The shelter will consult with the appropriate child and family service agency as soon as shelter staff have determined that the mother is absent without agreed upon arrangements and child protection concerns become evident. An appropriate care plan for children under the age of sixteen will be made. CFS agency and shelter will work out most appropriate arrangements based on staffing availability and needs of the children.

Shelter Assessment Process

On occasion, children in shelter may be observed to be in need of protection. The shelter assessment process and staff observations during a child's stay at the shelter can help shelter staff identify a child who may be in need of protection. Staff record observations on a form which may be used as a basis for discussion between shelter and CFS staff as well as a written record of concerns. Care should be taken to document observations only and not the observer's interpretation of observations. Documentation should also include the context from which the observation was made. All documentation should contain the date, time, name and signature of the observer. Any statement made by a child to a shelter employee or volunteer should be recorded in the child's own words. Staff should consult with the shelter director and their local case worker before conducting any further action. Documentation should be kept to track all case proceedings. Shelter staff are not expected to monitor parenting, at CFS' request, in order to substantiate evidence when a child may be in need of protection.

Disclosure of Child Protection Issues

Where a staff has information that leads the person to reasonably believe that a child is or might be in need of protection because an act or omission which is neglectful and/or physically, sexually, or emotionally abusive in nature, the shelter staff is obliged to report the information to

the local agency as specified in the *Revised Manitoba Guidelines on Identifying and Reporting a Child in Need of Protection* (August 2001) (see attached) and as per Subsection 18 of the *Child and Family Services Act*.

To report suspected child protection issues, contact your designated intake agency.

Confidentiality

In general, knowledge of a suspected case of a child in need of protection must be kept strictly confidential, as per subsection 76 of the *Child and Family Services Act*. No one but persons required to know should be given any information. Suspected cases should not be discussed with persons outside the shelter or with any of the residents. All clients will routinely be asked for permission to share information and/or be informed that information will be shared and with whom. Release of information forms will be completed as required. However, where there is believed to be a child in need of protection, permission to release information is not required. Reports of suspected protection concerns received by CFS are confidential. The identity of the reporting person shall not be disclosed to the family of the child except as may be required in the course of a judicial proceeding.

Information Sharing

In certain situations, CFS and shelters may need to share information regarding clients with each other. When a CFS staff requests information, shelters should first call the CFS agency and confirm the staff person's status, regardless of urgent time constraints. Once the status is confirmed, then shelter staff should share only that information which is requested or which will assist with identifying if the child is in need of protection or if the provision of services is required. This could include the residency of the client in shelter or the date of departure and intended location of residency.

Service Quality

Both shelters and CFS collect information for education, planning and service quality purposes. Shelters and CFS agree that service output indicators include the number of women and children referred to CFS from shelters, the number of children referred to CFS from shelters that are found to be in need of protection, and the number of times CFS caseworkers respond to shelter requests (particularly in shelter). For quality assurance purposes, shelters and CFS will develop a mutually agreed upon process to debrief on difficult cases. The objective of this process is to help shelters and CFS agencies identify what "went right or wrong" in a specific case, what lessons can be learned, and what best practices can be used in the future.

Designated Placements

When exceptional circumstances exist (i.e. where no other safe accommodations are available), shelters can be used as a short term solution of last resort. The placement of children in shelters should not be greater than 48 hours unless approved by the CFS agency and Shelter Director. Shelter staff are not expected to supervise or monitor children while in shelter for a designated placement. Compensation from CFS to the shelter is to be at FVPP's rate, and a CFS support worker must be provided for

placements when children require additional care and supervision because of age or need. Shelters should have a policy that further delineates the process to be followed in these circumstances. Emergency placements are voluntary on the part of the shelter, and a request for placement may be denied based on the capacity of the shelter, and the potential risks that may arise due to the acceptance of a CFS placement.

Custody Visits

On occasion, children in care will attend the shelter for overnight custodial visits with their mothers. Shelters should be made aware of this process to ensure adequate staffing. CFS shall be responsible for providing per diem funds when children in care visit the shelter.

Independent Youth

An independent youth is defined as a child between 16 and 18 years of age who is living independently and is not in the care of an agency or another adult. The independent youth may also have children. Employment and Income Assistance (EIA) does not generally provide per diem funding for youth ages 16-18 at shelter to deal with issues of intimate partner violence. However, EIA will assess each case on an individual basis and per diem funding will be provided in those cases deemed appropriate.

Apprehension of Children from Mother in Shelter

When there is a need under the *Child and Family Services Act* to apprehend a child/ren while residing in a women's crisis shelter, CFS staff and shelter staff share the responsibility to ensure the process is conducted in a manner that is professional, sensitive and respectful of the shelter clients, staff, and the child(ren) that are to be brought into care. CFS staff attending the shelter must have adequate identification which may include a photo ID card and business card for leaving with the client/staff OR a telephone number where a supervisor can verify their status with the agency.

It is the responsibility of the CFS agency representative to notify the shelter staff as soon as possible prior to the apprehension taking place. If a parent is not at the shelter at the time of apprehension, the CFS staff will use other means to contact the parent and inform them of the apprehension.

In some cases, a parent may be told that if they leave the shelter with their child/ren, and the child/ren are deemed to be in need of protection, then the child/ren will be apprehended. In these cases, shelter staff must call the CFS staff representative or after hours line immediately following the client leaving the shelter.

Shelter staff will support the caregiver after the removal of the child/ren.

Training

Shelters and CFS agency workers agree joint training in the area of family violence and the use of the family violence protocols is a significant success factor in ensuring consistent service quality to vulnerable women and children, and stronger relationships between shelters and CFS agencies. Mutual training opportunities will be sought.

Dispute Resolution Process

Disagreements between the shelter and the CFS agencies and/or Authority should be resolved in a timely manner, and in accordance with the policy manual of each entity. Each shelter and CFS agency will jointly develop a dispute resolution mechanism.

All parties acknowledge that due to the short timeframes that clients are residing in the shelter and based on the urgency of the issue, early resolution between professionals is critical.

Review and Amend Provisions

A committee with representation from the shelters, the CFS Authorities, Child Protection, and Family Violence Prevention Program will review this guide on an annual basis and amend it as required.

AGREEMENT TO ACCEPT AND IMPLEMENT THE PROTOCOLS BETWEEN
CHILD AND FAMILY SERVICE AUTHORITY AGENCIES
AND WOMEN'S SHELTERS IN MANITOBA



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October 6 /09

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