
Introduction

Chapter 4 of Volume 1 contains provincial policy and standards relating to services to children in care of agencies under *The Child and Family Services Act*.

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Chapter Content

The provincial standards in this chapter are divided into seven sections as follows:

- Section 1 – Child Placement Services – *To be completed*
- Section 2 – [Places of Safety](#)
- Section 3 – [Use of Hotels](#)
- Section 4 – Care and Supervision – *To be completed*
- Section 5 – Children with Special Needs – *To be completed*
- Section 6 – Child Maintenance – *To be completed*
- Section 7 – [Absent and Missing Children](#)
- Section 8 – Interference with Children in Care – *To be completed*
- Section 9 – Children with FASD
- Section 10 – Transition Planning – *To be completed*

When applicable, the sections to be added to this manual will replace existing policies and standards available through the Child Protection Branch.

Legislation

Provisions in [The Child and Family Services Act](#) and regulations relevant to this chapter include the following:

- [Section 1](#) defines a *child* as a person under the age of majority (18 years). It also defines a ward as a child of whom the director (Director of Child and Family Services) or an agency is the guardian. [Subsection 7\(2\)](#) states that in all court proceedings brought by a regional office, the director shall be named the party to the proceedings and any order shall also be in the name of the director.
- [Section 2](#) defines *best interests* of a child and sets out the rights of a child in proceedings under the Act.

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- [Section 14](#) provides for the placement of a child through a voluntary placement agreement (VPA).
 - [Section 16](#) pertains to the voluntary surrender of guardianship of a child (VSG).
 - [Section 21](#) pertains to the duty and power to apprehend a child in need of protection and take the child to a place of safety. Section 37 of the [Child and Family Services Authorities Regulation](#) gives child and family services authorities the power to apprehend a child as well as the agencies, police and the director.
 - [Section 38](#) gives the courts the power to, among other things, to grant a temporary or permanent order of guardianship to an agency or, in the case of a regional office, the director (see subsection 7(2) above).
 - [Section 48](#) pertains to the responsibilities of an agency or, in the case of a regional office, the director as guardian of a child.

Schedule A in the [Child and Family Services Regulation](#) contains prescribed forms for agreements under Part II and proceedings under Part III of the Act. Printable versions of these forms must have the same wording as in the regulation.

Policy

Consistent with the intent of *The Child and Family Services Act*, child and family services agencies and authorities should make every reasonable effort to prevent the need for children to come into care and should only take children into care when:

- a child is in need of protection,
- or for voluntary placement, it is in the best interests of the child, or
- for voluntary surrender of guardianship, the parent or guardian fully understands the effect and has been advised of the right to independent legal advice.

Standards

The provincial standards in this chapter are minimum requirements for services to families under *The Child and Family Services Act*.

Agencies are also required to follow culturally appropriate standards developed by their respective mandating authorities pursuant to [section 19](#) of *The Child and Family Services Authorities Act*.