

**Protocol for Investigating Allegations
of Child Abuse and Neglect in Foster Homes**

December 2010

Table of Contents

Introduction	5
Section 1: Child Protection Services	9
1.1 Home Agency	10
1.2 Provincial Emergency Duty Service.....	10
1.3 Investigating Agency.....	14
1.4 Documentation of Decision Point 3.....	15
1.5 Guidelines for Letter to Foster Family Summarizing the Results of the Investigation.....	16
1.6 Guidelines for Investigation Outcome Meeting with the Foster Family...	17
1.7 Child Protection Documentation.....	21
Appendices	
1-A Notification to Home Agency: Decision Not to Investigate.....	23
1-B Notification to Home Agency: Decision to Investigate.....	25
1-C Template for Letter of Notification to Foster Parents of Extension of Investigation.....	27
1-D Notification to Home Agency: Findings and Conclusions of Investigation	
Section 2: Foster Care Services	31
2.1 Reporting Referrals and Sharing Information with Child Protection Services	31
2.2 Decisions regarding new and/or existing placements in the Foster Home...	32
2.3 Notification to the Federation of Foster Families of Nova Scotia (FFFNNS)	33
2.4 Role of the Foster Care Social Worker throughout the Investigation.....	33
2.5 Decision-Making Regarding the Ongoing Status of the Home	34
2.6 The Foster Home Status Meeting	35
2.7 Guidelines for Letter to Foster Parents	
2.8 Foster Care Documentation	
Section 3: Children in Care Program	39
3.1 Responsibilities of the Children in Care Social Worker.....	
Section 4: Foster Allegations Support Services	43
4.1 Responsibilities of the FASS Social Worker.....	
Appendix	
4-A Consent to the Investigating Agency for the Release of Personal Information to the FASS Social Worker	49
Section 5: Appendices	
5-A Definitions.....	51
5-B Foster Care Comments Form.....	



Introduction

The Nova Scotia Department of Community Services seeks to promote the protection of children and youth in the care of the Minister. The purpose of this protocol is to ensure that clear and specific direction is provided to social workers regarding their responsibilities during investigations of allegations of abuse and neglect in foster homes. The Department of Community Services seeks to ensure the best interests of children and preserve the integrity of foster families by ensuring that investigations are fair, expedient and objective assessments of allegations of abuse and neglect.

- The DCS seeks to ensure that consistent procedures and guidelines are utilized in these investigations, and that they are completed in an unbiased, sensitive and timely manner. It is recognized that the home agency has an existing relationship with the foster family, is in a conflict of interest, and is unable to investigate referrals regarding their foster families and adoption probation families.
- The DCS seeks to ensure that investigations provide for fair, expedient, and objective assessments of allegations of abuse and neglect, while serving the best interests of children and attempting to preserve the integrity of foster families and adoption probation families.
- This protocol applies to referrals regarding foster parents who, by definition, are excluded as parent(s) / guardian(s) as defined in the *Children and Family Services Act*, Section 3(1)(r), and who have been alleged to have abused a child to whom they are not considered a parent or guardian, and must be investigated pursuant to Section 25(1).
- This protocol also applies pursuant to Section 22(2) in situations where information becomes available that birth or adopted children of the foster parents have been, or are presently at risk of being abused or neglected.
- This protocol applies to both foster homes (open and on hold) and adoption probation homes, however throughout the document, for the purpose of simplicity, the term foster home may refer to either foster homes or adoption probation homes.
- Where possible, the confidentiality of the foster parent(s) will be maintained throughout the investigation.

Section 1

Child Protection Services Program

1.1 Home Agency

- If the agency who receives the report considers the referral to need an **immediate response** they shall take appropriate action as necessary.

At referral:

- All information pertaining to a child that may be suffering or may have suffered abuse or neglect shall be immediately reported to, and documented by, the protection intake social worker of the home agency (Section 23, 24, and 25 of the CFSA.)
- In situations where there is no indication that the foster parent(s) had knowledge or involvement in the alleged offence, the matter is to be pursued by the agency as any other child protection investigation involving third party abuse, and will **not** be referred out as a protocol investigation. If, during the process of investigation, evidence suggests that the foster parent had knowledge or involvement in abuse of a child in their care, the matter should then be handled as a protocol investigation.
- The Child Protection intake social worker of the home agency will consult with their supervisor. Their supervisor will then make the referral to the Child Protection intake supervisor of the investigating agency. ***There is to be no decision at the home agency as to whether or not the matter is to be investigated. Decision Point 1 is the responsibility of the investigating agency.***
 - 1. Each region is responsible for identifying how *Protocol* investigations will be assigned within that region. Investigations are to be completed by experienced Child Protection social workers who are currently assigned to the intake team of the investigating agency. In cases where prior investigations of the foster home have been conducted, the previous investigating agency will be contacted to conduct the new investigation.
 - 2. The referral is to be forwarded immediately to the investigating agency.
- The home agency's Child Protection team will advise the Foster Care program that a referral has been received.
- If notification is received (Form 1-A) that the referral will not be investigated, the Child Protection intake supervisor will notify the appropriate program (i.e. Adoption, Children in Care, or Foster Care) supervisor for any required follow up.
 - 1. Although a referral may not merit investigation under the CFSA, it is important for the Foster Care Program, as part of their responsibility for ongoing foster care assessment and evaluation, to be informed of any concerns expressed regarding the foster family. Therefore, a Foster Care Comments Form will be completed and sent to the Foster Care program. A sample of the form is contained in Section 5 of this *Protocol*, and it can be accessed on the Intranet, at <http://iweb.coms.gov.ns.ca/foster-care-services-forms-and-checklists>.
- The home agency's Child Protection team will advise the child's Children in Care social

worker when a decision has been made to investigate an allegation.

- The home agency will provide to the investigating social worker, the relevant child protection information he or she needs in order to complete a thorough investigation.

At conclusion of investigation:

- At the conclusion of the investigation and upon receipt of the file, the Child Protection supervisor of the home agency will arrange a review of the findings of the investigation with Child Protection, Children in Care and Foster Care staff on a need-to-know basis.
- If the home agency has concerns regarding the content, thoroughness, or outcome of the investigation they will address them to the Regional Child Welfare Specialist.
- Decision Point 4 - The decision to open for ongoing protection services - is made by the home agency's Child Protection team and will be clearly documented.
- The Child Protection supervisor of the investigating agency will sign and forward Form 1-D (Notification to Home Agency: Findings and Conclusions of Investigation), to the Executive Director/District Manager of the home agency.

1.2 Provincial Emergency Duty Service

After hours

- If a report of suspected abuse involving a foster home or adoption probation home is received outside of regular office hours, the Provincial Emergency Duty team will make Decision Point One (whether or not to investigate the allegation) and Two (priority response time), and respond as appropriate.
- The Provincial Emergency Duty Program will forward all documentation directly to both the investigating agency and the home agency's Child Protection teams. In cases where prior investigations of the foster home have been conducted, the previous investigating agency will be contacted to conduct the new investigation.

1.3 Investigating Agency

Decision Points 1 & 2:

- All investigations are to be conducted pursuant to the Child Protection Standards Manual.
- Within 24 hours, the Child Protection intake social worker and his/her supervisor will complete Decision Points 1 and 2.
- If the outcome of Decision Point 1 is **not** to investigate, the Child Protection intake social worker will immediately provide written notification to the home agency's Child

- Protection supervisor, using Form 1-A (Notification to Home Agency: Decision Not to Investigate).
- Within 24 hours, the Child Protection intake social worker will record and register the intake on the Computerized Case Management System (CCM), regardless of the outcome of Decision Point 1.
- If the outcome of Decision Point 1 is to investigate the referral, the Child Protection intake supervisor will complete and forward Form 1-B (Notification to Home Agency: Decision to Investigate) to the Child Protection supervisor of the home agency.
- The Child Protection intake social worker will notify any social workers with responsibility for children residing in the home, as well as the family's Foster Care social worker, that an investigation has been initiated.
- Only after the decision has been made to investigate, the Child Protection supervisor will notify the Executive Director of FFNS of the name of the Foster parent under investigation. No referral details are to be disclosed.
- The Child Protection supervisor (at the investigating agency) will transfer the file to the investigating social worker on ICM. If the decision is not to investigate (NI), the supervisor will transfer the computer file to a Child Protection social worker at the home agency.

Investigative Plan

- In consultation with the Child Protection intake supervisor, the investigating social worker will develop an investigative plan as per Section 3 of the CPS Manual.
- If the referral indicates sexual or physical abuse, the investigating social worker will consult with the police to set up the investigative interview(s) as per Section 3 of the CPS Manual.
- Notification to the non-offending foster parent(s) by the investigating social worker is to occur as soon as possible while maintaining the integrity of the investigation. The rationale for not contacting the non-offending foster parent is to be documented.
- Notification to the alleged offending foster parent by the investigating social worker is to occur at the earliest possible moment, but only after consultation with the investigating police officer.
- The investigating social worker will inform the foster parent(s) of their option to access Foster Allegation Support Services (FASS) and provide them with the FASS brochure.
- The investigating team will interview children living in the home who are under the age of 16. Reasons for **not** interviewing particular children **must** be documented.
- The investigating team will determine the necessity of interviewing previously placed

- children, older children or others as collateral sources of information. Documentation of reason for **not** doing so **must** be provided.
- In matters where the investigating team determines that a criminal offence may have been committed, it is the responsibility of the police to decide if criminal charges will be laid.
- Investigations will be completed within six (6) weeks.
- If extenuating circumstances require an extension beyond the six weeks, and an extension is approved by their supervisor, the investigating social worker will send a letter (Appendix 1-C) to the foster parents providing the rationale for the extension and the anticipated completion date. A copy of this letter will also be sent to the family's Foster Care social worker.

Throughout the investigation

- The investigating social worker will inform the foster parent(s) in as much detail as possible of the allegations throughout the course of the investigation.
- The investigating social worker will complete and document all child protection case activities on the child protection case on the Integrated Case Management (ICM) system (see Section 1.7).
- The investigating social worker will provide bi-weekly updates to the foster parent(s) or, with the consent of the foster parent (Form 4-A), to the FASS social worker. Upon completion of the investigation and the investigation outcome meeting, the investigating social worker will make him/herself available should the foster parents have any questions related to the investigation. Any questions related to the Foster Care program will be directed to the Foster Care worker.
- Foster families are able to pursue the "When You Disagree" Policy when they are dissatisfied with either the investigating agency or the home agency. The investigating agency will receive, review and respond to complaints pertaining to the investigation under the "When You Disagree" policy.
- Communication is important throughout the investigative process and will be provided in a timely manner. All parties involved in providing service to the child in care or the foster family will be provided with information by the investigating social worker on a need-to-know basis.

Substantiation of allegations:

- The investigating social worker, in consultation with his/her supervisor, will determine the outcome of the investigation as per Section 3 of the CPS Manual.
- The investigating social worker will complete Substantiation of Allegations and Assessment of Risk (if applicable) on ICM. They will **not** complete Decision Point 4 (To Open a Case for Ongoing Services) on ICM.

- Regardless of the outcome of the investigation, the investigating agency will **not** make recommendations to the home agency about the status of the foster family's Foster Care file (i.e. whether it should remain open, be closed, or be put/remain on-hold).
- Sometimes an allegation is not substantiated, but a standard or agreement is clearly broken. If any issues of concern exist, they must be stated clearly on a Foster Care Comments Form (5-B) which is to be forwarded to the Foster Care supervisor of the home agency.

Administrative tasks following Decision Point 3

- The investigating social worker will provide the child protection investigation file to his/her supervisor.
- The Child Protection supervisor of the investigating agency will sign off on the foster family's Child Protection file, and send the original paper file, as well as a completed Form 1-D (Notification to the Home Agency of Findings and Conclusions of Investigation), to the Child Protection supervisor of the home agency.
- The Child Protection intake supervisor at the investigating agency will confirm which Child Protection intake social worker within the home agency will be assigned the case.
 1. When the allegations have not been substantiated, the investigating social worker will terminate the case at intake, and transfer the closed file to the home agency.
 2. When the allegations are substantiated, the investigating social worker will transfer the case (still at intake status) to the home agency for Decision Point 4.
- If the child protection case is to be opened for ongoing services, and the home agency is not the jurisdictional agency, the file will be transferred to the jurisdictional agency.

Investigation outcome meeting

- Upon completion of the Child Protection file, the investigating social worker, in consultation with his or her supervisor, has a maximum of two weeks to arrange an investigation outcome meeting with the foster family to discuss the findings and conclusions of the investigation. See Section 1.6 for guidelines on the investigation outcome meeting.
- Attendance at the meeting is required for the FASS social worker from the Federation of Foster Families of Nova Scotia, the foster care social worker and the investigating social worker.
- Prior to the investigation outcome meeting with the foster parents, the investigating social worker will send a letter to the foster parents summarizing the results of the child protection investigation (see Section 1.5). This letter must be received by the foster parents at least 48 hours in advance of the meeting, to allow them time to prepare

themselves and formulate any questions they may have regarding the investigation.

- Notification of the outcome of the investigation to the foster parents by the investigating social worker will coincide with the notification to the child by the Children in Care social worker.
- Upon the conclusion of the investigation outcome meeting, all parties except the investigating social worker may wish to proceed immediately to the foster home status meeting.

1.4 Documentation of Decision Point 3

Identifying information

- A brief statement identifying the home agency, foster parents and the children who are the subject of the investigation.
- Identify the name of the investigating social worker, their agency and, if applicable, the investigating Police Officer.

Brief statement of the allegations being investigated

- The details provided by the referral source.
- The specific grounds for intervention pursuant to legislation and standards.

Brief summary of the investigation, followed by a clear statement of the findings

- Provide a brief overview of the activities undertaken during the course of the investigation.
- Details including specific dates, interview content, and other detailed information from the investigation should not be repeated here. Indicate that details are contained in the case recordings.
- In determining whether or not to substantiate, there are two issues to be considered and articulated:
 1. whether the reported event(s) actually occurred, and
 2. if so, whether the event(s) that occurred constituted abuse and/or neglect.
- In the statement of the findings it should be made clear what form of abuse and/or neglect has been substantiated, identifying the applicable section of the *CPSA*.
- Careful attention needs to be paid to the wording of Sections 25 (1) a, b, and c when

determining whether abuse has been substantiated under this protocol.

If allegations are unsubstantiated, identify any problem or concerning issues to be addressed

- For example, while physical discipline may not be found to be physical abuse, it may clearly be contrary to the discipline policy. Again, this can be helpful to the home agency because it can define problem areas to be addressed when there is no substantiation of abuse.
- Also, it will explain to readers why you may not substantiate abuse or neglect, though the reported incident may actually have occurred.
- Note if allegations are not substantiated, the investigating social worker has no authority to make recommendations regarding the status (i.e. open, closed, on hold) of the foster home, as any identified concerns are to be addressed by the Foster Care program.
- Sometimes an allegation is not substantiated, but a standard or agreement is clearly broken. If any issues of concern exist, they must be stated clearly on a Foster Care Comments form (5-B), which is to be forwarded to the Foster Care supervisor of the home agency.

If allegations are substantiated, state recommendations only as they pertain to the provision of ongoing Child Protection services

- Recommendations should be limited and relate specifically to the level of identified risk. The investigating social worker has no authority to make recommendations regarding the status (i.e. open, closed, on hold) of the foster home, as any identified concerns are to be addressed by the Foster Care Program.

1.5 Guidelines for Letter to Foster Family Summarizing the Results of the Investigation

The letter should include, but not be limited to the following:

- A summary of the investigation, including the following:
 1. The nature of the allegation and the section of the CFSA.
 2. The findings and outcome of the child protection investigation.
- A statement indicating that the foster family may direct to you, as the investigating social worker, any subsequent questions they have regarding the investigation.
- The investigating social worker is not responsible for informing the foster parents of the home agency's decision regarding the status of their home, and /or any recommendations

made for services or supports.

- A reminder of the meeting location, date and time.

1.6 Guidelines for Investigation Outcome Meeting with the Foster Family

Objectives

- To disclose the results of the child protection investigation to the foster family.
- To conclude the involvement of the investigating social worker.

Responsibility for scheduling and attendance

- It is the responsibility of the investigating social worker, in consultation with his/her supervisor, to schedule the investigation outcome meeting with the foster family.
- Attendance at the meeting is required for the FASS social worker from the Federation of Foster Families of Nova Scotia, the Foster Care social worker and the investigating social worker.

To be included in the discussion with the foster family

- Overview of the investigation process
 1. Identification of the specific allegation.
 2. Specific grounds for the investigation.
 3. General description of the investigation.
- Provision of a statement of findings and conclusions.
- If the allegations are substantiated, the conclusion of the investigation shall include the disclosure of the recommendations made to the home agency regarding identified risk factors.
- Note: if allegations are **not** substantiated, the investigating social worker has no authority to make recommendations regarding the status of the foster home, as any identified concerns are to be addressed by the Foster Care Program. Sometimes an allegation is not substantiated, but a standard or agreement is clearly broken. If any issues of concern exist, the investigating worker will identify them to the foster parents in the investigation outcome meeting and indicate that a Foster Care Comments form has been provided to the Foster Care Program of the home agency.

Conclusion of the investigation outcome meeting

- The foster family should be provided with the opportunity to ask any questions or to request further clarification regarding the findings and conclusions of the investigation.
- The foster family should be informed that subsequent to this meeting they may still direct questions or concerns about the investigation to the investigating worker or agency. The “When You Disagree Policy” process applies.
- The foster family should be likewise advised that concerns about their Foster Care status should be directed to the home agency as the “When You Disagree” process also applies.
- If the allegations have been substantiated, and the case opened for child protection services, the investigating social worker will advise the foster parents that subsequent meetings with between the long term Child Protection social worker from the home agency and the foster parents will be required.
- Conclude the investigation outcome meeting.

1.7 Child Protection Documentation

Registration on ICM

- Referrals of alleged abuse within a foster home or adoption probation home will be registered on the computerized case management system (ICM) as child protection cases. They will be set up as 3rd party abuse investigations under the CP3P case type. This CP3P case will be set up with the non-offending foster parent as the identified client (IC), the child in care (alleged victim) in the social set, and the offending person as the AP (note that this is an exception to our general practice around CP3P cases, where you would be required to make the child’s parent the IC).

There are two exceptions to this instruction:

1. When the allegation is about alleged abuse or neglect by the foster parent directed solely toward their own child (under 22 (2)), this would be registered as a CPAN case.
 2. During the protocol investigation, if there is evidence of abuse/neglect by the foster parent toward their own child, under 22 (2), a second file would be set up on the family as a CPAN case.
- All identifying information, referral source details, and major presenting problems must be entered at this time.

ICM activities

- Documentation of Decision Point 1, which is made in consultation with a supervisor, must be completed on the computerized case management system within 24 hours.
- All other case management activities will be documented as per the Child Protection Standards Manual.
- The investigating social worker is the owner of the ICM file and is responsible for completing all case management activities. Once the investigation has been completed, it is the responsibility of the investigating social worker to transfer the computer file to a designated Child Protection social worker at the home agency.
- When the allegations have not been substantiated, the investigating social worker will terminate the case at intake, and transfer the closed file to the home agency. When the allegations are substantiated, the investigating social worker will transfer the case (still at intake status) to the home agency for the completion of Decision Point 4.

Paper file

- All paper documentation, including interviews and statements shall be transferred at the same time as the computer files. Social workers shall follow the usual procedures with regard to the proper transfer of documentation between agencies/district offices.
- If there is a videotaped statement in the investigating agency's possession, it must be forwarded to the home agency.

Appendices

- 1-A** **Notification to Home Agency: Decision Not to Investigate**
- 1-B** **Notification to Home Agency: Decision to Investigate**
- 1-C** **Template for Letter of Notification to Foster Parents of Extension of Investigation**
- 1-D** **Notification to Home Agency of Findings and Conclusions of Investigation**

Appendix 1-A
Notification to Home Agency: Decision Not to Investigate

CHILD PROTECTION SERVICES PROGRAM

December 2010

Name of Home Agency: _____ Date: _____

Name of Foster Family: _____ Date: _____

Reason For Referral: _____

Decision Point One: NI - Not Investigated

Supervisory Consultation or Risk Management Conference: _____ Date: _____

This matter was considered at intake as "NI" (not investigated) and requires return to the Foster Care, Children in Care, or Adoption Program for follow up as appropriate.

Signature: _____ Date: _____
Intake Social Worker, Investigating Agency

Signature: _____ Date: _____
Protection Supervisor, Investigating Agency

Appendix 1-B

Notification to Home Agency: Decision to Investigate (To be sent to the Child Protection intake supervisor of the home agency)

CHILD PROTECTION SERVICES PROGRAM

December 2010

Type of Home: Foster Home Adoption Probation Home

Identity of Alleged Offender: _____

Surname	First	Initial	Case ID.
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Role of Alleged Offender:

- Foster Father Foster Mother Child In Care
 Birth Child Other - Please Specify: _____

Name of Alleged Victim(s): _____

Surname	First	D.O.B.	Gender
<input type="checkbox"/> Child In Care	<input type="checkbox"/> Birth Child	<input type="checkbox"/> Other - Please Specify	

Surname	First	D.O.B.	Gender
<input type="checkbox"/> Child In Care	<input type="checkbox"/> Birth Child	<input type="checkbox"/> Other - Please Specify	

Surname	First	D.O.B.	Gender
<input type="checkbox"/> Child In Care	<input type="checkbox"/> Birth Child	<input type="checkbox"/> Other - Please Specify	

_____ GROUNDS FOR INVESTIGATION - SECTION OF CFSA: _____

Date of intake: _____ Time of intake: _____

Home Agency: _____

Investigating Agency: _____

Date Referred To Investigating Agency: _____ Time of Referral: _____

Submitted By: _____
Child Protection Supervisor, Investigating Agency

cc. Regional Child Welfare Specialist

Appendix 1-C
Template for Letter of Notification to Foster Parents
of Extension of Investigation

CHILD PROTECTION SERVICES PROGRAM

December 2010

Date

Dear :

As per the *Protocol For Investigating Allegations of Child Abuse and Neglect in Foster Homes*, I am required to notify you that I have gained approval for an extension to the investigation period. The reason for this extension is _____. The investigation is not expected to last beyond the following date: _____.

I would encourage you to contact the Foster Allegation Support Service at the Federation of Foster Families of Nova Scotia at 1-902-424-2711 or 1-800-565-1884, if you have not done so already.

If you have any questions, please do not hesitate to contact me by telephone at _____.

Sincerely,

Investigating Social Worker

Supervisor

cc. Foster Care Social Worker

Appendix 1-D
Notification to Home Agency:
Findings and Conclusions of Investigation

CHILD PROTECTION SERVICES PROGRAM

December 2010

Child Protection Case ID: _____

GROUNDS FOR INVESTIGATION - Specify Section of the CFSA: _____

Surname	First	Initial
---------	-------	---------

Name of Investigating Agency: _____

- Substantiated Unsubstantiated Inconclusive

Comments:

Home Agency: _____

Involvement of FASS: Yes No

Submitted By: _____
Protection Supervisor, Investigating Agency

cc. Regional Child Welfare Specialist

Section 2

Foster Care Program

2.1 Reporting Referrals and Sharing Information with Child Protection Services

- All information pertaining to a child that may be suffering or may have suffered abuse or neglect shall be immediately reported to, and documented by, the protection intake social worker of the home agency (Section 23, 24, and 25 of the *CFSA*.)
- The home agency will provide collateral contact names and phone numbers as required.
- The home agency will provide to the investigating social worker, the relevant file information (Foster Care, Children in Care, Child Protection) he or she needs to complete a thorough investigation.
- Examples of documents that the investigating social worker may need access to are Foster Care Comments Forms, documentation regarding issues of concern addressed with the foster parents, names of children, past and present, placed in the home, and safeguarding plans.
- Examples of information that may not be appropriate (unless relevant to the specific investigation) to share: information from the SAFE assessment, documentation of discussions with the Foster Care social worker that are personal/confidential in nature (e.g. foster mother confides to the social worker that she recently had a miscarriage; foster parent reveals his struggle with anger toward birth parents for the neglect/abuse of children).

2.2 Decisions regarding new and/or existing placements in the Foster Home

- When a foster parent is under investigation, the Foster Care social worker will inform them that new placements will cease during the course of the investigation.
- The decision about continuation of placements within the foster home should be made collaboratively by the Foster Care, Children in Care, and investigating Child Protection social workers, and their supervisors.
- Where alternative placements are required, the Foster Care social worker will stress, with the alternative foster parents, the importance of confidentiality and the need to protect all private information.

2.3 Notification to the Federation of Foster Families of Nova Scotia (FFFNNS)

- If the foster parent under investigation is also a foster parent trainer with the FFFNNS (i.e. PRIDE, Sensitivity or NVCD), the Foster Care social worker is to notify the Executive Director of FFFNNS to advise them of the investigation.
- In the event of a closure of a foster home, the Foster Care social worker will notify the Executive Director of FFFNNS.

2.4 Role of the Foster Care Social Worker throughout the Investigation

Ongoing support to the foster family

- Foster parents shall be informed of their right to have support throughout the child protection investigation from their Foster Care social worker and the Foster Allegation Support Services (FASS) Worker.
- The Foster Care social worker can continue to be involved with the family and to offer support services throughout the period of the investigation. Social workers are urged to adhere to the following:
 1. To ensure the criminal / child protection investigation is not contaminated, the Foster Care social worker, when providing support, must ensure that details of the investigation are not discussed with the foster family. Questions regarding the investigation will be directed back to the investigating social worker.
 2. Social workers from the home agency who have contact with the foster parent(s) will inform the foster parent(s) that any conversations relating to the alleged incident will be documented and will be shared with the investigating team.
- The Foster Care social worker may consult with the FASS social worker during the course of the investigation to ensure that adequate support is being provided to the foster family. In many instances, the FASS consultation may involve discussion determining the level of social work support, or the type of intervention required to support the foster family. Consultations with the FASS social worker are to be documented.

Involvement in the investigation outcome meeting

- The Foster Care social worker and the FASS social worker will make themselves available for the investigation Outcome meeting. Issues arising from the investigation regarding any barriers to the foster family fostering are the responsibility of the Foster Care social worker and will be discussed at a foster home status meeting, to be arranged as required.

- Upon the conclusion of the investigation outcome meeting, all parties except the investigating social worker may wish to proceed immediately to the foster home status meeting.

2.5 Decision-Making Regarding the Ongoing Status of the Home

- All decisions regarding the status of the foster home are the responsibility of the Foster Care program.
- The outcome of a child protection investigation can be a key factor in determining ongoing foster home status, however it is not the sole determinant. As with all information received and evaluated as part of the Foster Care program's ongoing assessment and approval of the foster home, the outcome of the child protection investigation will be considered by the Foster Care team within the context of the PRIDE Model and the Five Essential PRIDE Competencies. The following is to be kept in mind:
 1. An abuse or neglect allegation could be unsubstantiated, but the home closed because the family is not able to meet the Five Essential Competencies, or has violated Foster Care policy and/or agreements.
 2. Conversely, a substantiated abuse allegation does not mean automatic foster home closure. Full consideration of the facts of the investigation, the history of the foster care file, their level of growth and development in relation to the Five Competencies and their potential ability, with sufficient supports and services, to meet the needs of any child in care must be thoroughly documented during the decision-making process.

2.6 The Foster Home Status Meeting

Foster home status meeting objectives

- To advise the foster family of the home agency's position regarding the outcome of the investigation.
- To advise the foster family of the current status of the foster home (e.g. remaining open with no action taken; remaining open with a plan to address barriers to effective fostering; remaining on hold; closure of the home).
- To identify any foster care concerns that may have arisen from the investigation and develop an action plan to address the concerns while supporting the foster family.

Responsibility for scheduling and attendance

- Depending upon the findings and conclusions of the investigation as presented at the investigation outcome meeting, the foster home status meeting may immediately follow the investigation outcome meeting.

- Attendance at the meeting is required for the foster family and the Foster Care social worker. In the event of the foster home closure, the attendance of the FASS social worker is also required. The investigating social worker does not attend this meeting.

Discussion with the foster family to include the following:

- Information to the foster family about the home agency's position regarding the outcome of the investigation.
- Identification of foster care concerns as a result of the findings and conclusions of the investigation.
 1. Professional social work judgement will be exercised in determining the foster family's ongoing involvement within the Foster Care program.
 2. Discussion regarding the foster care case plan to address concerns.
 3. Problem-solving with the foster parents regarding training or other support services that may be needed to assist in alleviating concerns.
- The Foster Care social worker will review and clarify the discussion.
- The Foster Care social worker will advise the foster parents of their current status with the agency/district office.
- In the event of foster home closure, the Foster Care social worker will advise the foster parents of their right to request a review of the decision to close the foster home. This request for a review will follow receipt of the foster home status meeting documentation.

2.7 Guidelines for Letter to Foster Parents

Information to include in the letter summarizing the foster home status meeting

- The names of the participants who attended the foster home status meeting include names, title and agency where participants work.
- The findings and conclusions of the child protection investigation.
- Recommendations by the Foster Care social worker regarding the foster home status.
- Recommendations for services and supports, including identified time-lines discussed during meetings, training dates and dates for further consultation.

2.8 Foster Care Documentation

- Management of the foster home file throughout and following a protocol investigation is the responsibility of the Foster Care social worker

Activities to be documented on ICM by Foster Care Services

- Referral within Agency**
To be completed at time of the referral to Child Protection. Documentation of the information forwarded within agency to Child Protection when Foster Care social worker is the referral source.
- Referral within Agency**
To be completed when a Foster Care Comments Form (Form1 -A), the notification that the referral will not be investigated, is received from Child Protection.
- Contact with Foster Allegation Support Services**
Consultations with the FASS social worker are to be documented. In many instances, the FASS consultation may involve discussion determining the level of social work support, or the type of intervention required to support the foster family.

The Foster Care Program is responsible for ensuring that the foster family receives the support they require during investigations. It is the responsibility of the Foster Care social worker to ensure that the FASS Program is providing the support that the foster family requires.
- Place Resource Family on Hold**
During the child protection investigation, the foster home is placed “on hold” to new placements. The Foster Care social worker will document the “on hold” status and any other pertinent comments or information that may be required.
- Correspondence**
In some instances, the child protection investigation may exceed the six (6) week time frame. Copies of the “Letter of Notification to Foster parents of Extension of Investigation” from Child Protection will be placed on the Foster Care file with subsequent documentation on the Case Management file.

Following the foster home status meeting, the Foster Care social worker will document the completion of the letter to foster parents summarizing the foster home status meeting (Section 2.7) and indicate on ICM to “reference the paper Foster Care file.”
- Worker/Foster Parent Consultation**
The Foster Care social worker may be in contact with the foster family throughout the child protection investigation and may contact the foster parents to review their foster home status upon receipt of the “Letter of Notification to Foster Parents of Extension of Investigation.” Recording may indicate whether the foster home is still “on hold” or any other pertinent information for the Foster Care file.



Foster Home Status Meeting

The Foster Care social worker will record the date of the foster home status meeting and include individuals in attendance, meeting objectives, and results.

Section 3

Children in Care

3.1 Responsibilities of the Children in Care Social Worker

- All information pertaining to a child who may be suffering or may have suffered abuse or neglect shall be immediately reported to, and documented by, the protection intake social worker of the home agency (Section 23, 24, and 25 of the *CFSA*).
- The home agency will provide to the investigating social worker, the relevant Children in Care file information he or she needs to complete a thorough investigation.
- The Children in Care social worker(s), in consultation with their supervisor and the investigating social worker, will contact the birth parents of a child in temporary care, to inform them of the situation and the action being taken respecting the matter.
 1. The child(ren)'s social worker will consult with their Casework supervisor and the investigating social worker regarding the appropriateness and timing of notifying the birth parents of the allegation. Documentation, as appropriate, is to be placed on the Children in Care file.
 2. In rare circumstances where access exists between a child in permanent care and custody and their birth parents, the decision to contact the birth parent(s) of child(ren) in permanent care custody will be made by the Children in Care and investigating social workers, in consultation with their supervisors regarding if, when, and how the birth parent(s) will be notified.
- Notification may be made, on a need-to-know basis, to collateral services such as therapists, youth care workers, school, medical professionals, etc. (while maintaining confidentiality and protecting private information) that an investigation is underway.
- The child(ren)'s social worker(s) will consult the investigating social worker regarding any planned contact they may have with the child(ren) prior to the investigative interview(s).
- Throughout the child protection investigation and any criminal proceedings, the Children in Care social worker(s) will provide the required support to the child(ren) for whom they are responsible.
- The home agency will provide collateral contact names and phone numbers as required.
- Social workers from the home agency who have contact with the foster parent(s) will inform the foster parent(s) that any conversations relating to the alleged incident will be documented and will be shared with the investigating team.
- Following the investigation, the Children in Care social worker will consult with his or her supervisor regarding whether the child requires any additional support or services.
- In instances where the allegation was made by the child or youth, his or her social worker(s) will inform the child/youth of the outcome of the investigation. The meeting should coincide with the final meeting being held with the foster parent(s).

- Where the allegation is unsubstantiated **and proven to be false and malicious**, the Children in Care social worker will talk with the child/youth about the implications of making false allegations, citing Section 25(6) of the *CPSA*.
- Notification to the child by the Children in Care social worker of the outcome of the investigation will coincide with the investigating social worker's investigation outcome meeting with the foster parents.

Section 4

Foster Allegation Support Services

4.1 Responsibilities of the FASS Social Worker

The FASS social worker provides the following services for foster families and child welfare agencies/district offices:

Promotes Protocol awareness and understanding with foster families.

- Ensures that foster families are provided with opportunities to familiarize themselves with and discuss the *Protocol*.
- Promotes awareness of the FASS service by maintaining printed brochures and ensuring Child Welfare agencies/district offices have sufficient quantities to provide to foster families when investigations occur.

Provides support to the foster family during the period of the child protection investigation.

- Provides and reviews *Protocol* information with the foster family to ensure they are informed about the child protection investigation process.
- Discusses confidentiality with the foster family and the ensures consents are signed to allow for consultation with both the home agency and investigating agency.
- Attends with the foster family at agency/district office meetings to ensure that their questions, concerns, or comments are verbalized, and to ensure that the foster family understands questions being asked.
- Acts as an observer and provides support as requested by the foster family when the foster family participates in interviews.
- Attends the investigation outcome meeting at the conclusion of the child protection investigation.

Provides support to Child Welfare agency staff during the investigation.

- Attends agency meetings to assist the agency in discussing concerns or questions regarding the investigative process.
- With the foster family's consent, provides periodic updates on the general well-being of the foster family to ensure that the Foster Care social worker can provide assistance and/or support.
- When appropriate, supports the agency's decision to close the foster home and to assist the Foster Care social worker in concluding the agency's relationship with the foster family.

Provides support following the investigation may include

- Assists foster families in documenting questions and/or comments about the investigation for agency response.
- Assists the foster family in accepting the final outcome of the investigation and in articulating any concerns.
- Attendance at the foster home status meeting may not be required.
 1. It is recommended that the FASS social worker consult with the Foster Care social worker prior to the meeting to determine whether FASS attendance will be required.
 2. In situations where the foster home is to be closed, the attendance of the FASS worker at the foster home Status meeting is required.

Supports foster family during the review process

- Provides support to the foster family during the period of review as a result of foster home closure due to the findings of the child protection investigation.
- Assists foster parents with written correspondence related to a review process, if required.
- Assesses the need for ongoing support based on the needs of the foster family.
- Provides counseling services to the foster family during the period of the review.

In consultation with Foster Care social worker, plans social work interventions to support the emotional well-being of the foster family. Interventions may include the following:

- Developing strategies to assist the family in coping with the stress associated with the child protection investigation, includes financial, marital, or employment issues, family dynamics, and separation and loss within the family and/or community.
- Discussing with the foster family the feelings of isolation, anger and fear, which are often associated with allegations in foster care.
- Directly providing counseling services to the foster family as it pertains to the assessment of family dynamics during the period of the child protection investigation.
- Recommending for agency consideration, referrals to community-based resources or professional community services,.
- Assisting the foster family, regardless of the investigation outcome, to reach a personal level of acceptance regarding the emotionally-charged circumstances of the investigation.

Appendix 4-A
CONSENT TO THE INVESTIGATING AGENCY FOR THE RELEASE
OF PERSONAL INFORMATION TO THE FOSTER ALLEGATION SUPPORT
SERVICES SOCIAL WORKER OF THE FFFNS

FEDERATION OF FOSTER FAMILIES OF NOVA SCOTIA

December 2010

I _____ of _____
(Name of Consenting Individual) (Address)

do hereby consent to the _____ to disclose
(Investigating Agency /District Office)

to _____ of _____
(Name of Person or Body) (Address)

the following information about me from the Child Protection Services file regarding the child protection investigation reported to the home agency on _____
(Date)

(Insert any other specific additional information if required on the consent.)

The information from the _____ will assist
(Investigating Agency/District Office)
the Foster Allegation Support Services social worker to perform the support duties as stated in Section 4 of the *Protocol for Investigating Allegations of Child Abuse and Neglect in Foster Homes*.

This consent is valid for a period of six weeks.

Expiry Date: _____
(Six Weeks from Initiation of investigation)

In the event that the child protection investigation is not completed by the above date, I/we will be required to sign a new Consent Form with _____
(Name of Person or Body)

The Foster Allegation Support Services social worker of the FFFNS will destroy all information received from the investigating agency no later than 30 days after the investigation has been concluded.

(Foster Parent) (Foster Parent)

(Date) (Date)

Section 5

Appendices

5-A Definitions

ADOPTION PROBATION HOME refers to an adoptive family where a child in care has been placed for the purpose of adoption but the adoption order has not yet been granted. This *Protocol* applies to adoption probation homes, however throughout the document, for the purpose of simplicity, the term foster home may refer to either foster homes or adoption probation homes.

ADOPTION SOCIAL WORKER refers to the social worker responsible for the ongoing assessment and support for the proposed adoptive family.

AGENCY means an agency continued by or established and incorporated pursuant to this *Act* and includes the Minister where the Minister is acting as an agency.

CHILD refers to a child who has not yet reached the age of 16.

CHILD IN CARE refers to a child who is in the temporary or permanent care and custody of the Minister pursuant to an Order or Agreement made pursuant to the *Children and Family Services Act*.

CHILD PROTECTION SOCIAL WORKER refers to the child protection social worker responsible for accepting referrals of allegations of abuse and neglect.

CHILDREN IN CARE SOCIAL WORKER refers to the social worker responsible for the ongoing assessment of needs and support for the child in care.

CFSA refers to the *Children and Family Services Act*. All sections referenced within this *Protocol* are provisions within the *CFSA*.

CPS MANUAL refers to the *Child Protection Services Policy Manual (1996)*.

DCS refers to the Department of Community Services, Province of Nova Scotia.

DISTRICT MANAGER is the senior employee of a district office of the DCS, and is accountable to the Regional Administrator.

EXECUTIVE DIRECTOR refers to the Chief Executive Officer of an agency who is accountable to a Board of Directors.

FOSTER ALLEGATIONS SUPPORT SERVICES (FASS) refers to the support services provided by the FFFNS to foster parents during a protocol investigation process.

FASS SOCIAL WORKER refers to the Foster Allegations Support Services social worker employed by FFFNS to provide support services to foster families throughout the investigation process.

FC MANUAL refers to the *Foster Care Manual Policy and Procedures*.

FFPNS refers to the Federation of Foster Families of Nova Scotia which provides for the delivery of support services for foster families through the Foster Allegation Support Services Program.

FOIDOP refers to the *Freedom of Information and Protection of Privacy Act*.

FOSTER CARE SOCIAL WORKER refers to the social worker responsible for the ongoing assessment and support of the foster family.

FOSTER HOME refers to a home approved by an agency pursuant to the *CPSA* and *Foster Care Manual Policy and Procedures* and includes kinship, foster care and contracted care homes. This *Protocol* applies to both foster homes and adoption probation homes. Throughout this document, the term foster home may refer to either foster homes or adoption probation homes.

FOSTER PARENT(S) refers to a foster parent approved by an agency pursuant to the *Children and Family Services Act*.

HOME AGENCY refers to the agency with Foster Care case management responsibilities for the foster home under investigation.

ICM stands for Integrated Case Management System, the computerized case management system used by all Child Welfare programs to document their case activities.

INVESTIGATING AGENCY is the agency which has accepted the child protection investigative responsibilities related to a referral from a home agency.

INVESTIGATING SOCIAL WORKER refers to the child protection social worker responsible for investigating allegations of abuse and neglect.

PROTOCOL refers to this protocol, entitled *Protocol for Investigating Allegations of Child Abuse and Neglect in Foster Homes*.

RCW SPECIALIST refers to the Regional Child Welfare Specialist.

SOCIAL WORKER refers to a person licensed by the Nova Scotia Association of social workers and employed by a Child Welfare agency or district office to perform social work duties.

THIRD PARTY refers to a person who is not a parent or guardian.

5-B
Foster Care Services
Foster Care Comments and Action Plan

1. Provide Foster Care details

Foster Parent's Name: _____

Case Number: _____ Date (dd/mm/yyyy): _____

2. Describe how the foster family meets the five essential PRIDE competencies

To assist foster parents in their ongoing assessment and professional development, your feedback is critical to identifying areas of strength as well as any barriers to effective fostering. This information will be shared with the foster parents. Please do not use names of children in care in your responses.

1. Protecting and Nurturing the child:

2. Meeting the child's developmental needs and addressing development delays:

3. Supporting relationships between the child and their family:

4. Connecting the child to safe and nurturing relationships:

5. Working as a member of a professional team:

6. Additional Information:

3. Sign foster care comments

Signature: _____

(Children in Care/Child Protection Worker)

Date: _____

Signature: _____

(Children in Care/Child Protection Worker Supervisor)

Date: _____

