

**Ktunaxa Kinbasket Child and Family Services
Level 12 Aboriginal Operational Standards**

Level 12 Operational Standard 1: Governance

The Agency has met the governance standard described in the Operational Readiness Criteria Standard 1.

Ktunaxa Kinbasket Child and Family Services, Ktunaxa Kinbasket Tribal Council, Columbia Lake Band, Lower Kootenay Band, Shuswap Band, St. Mary's Band, and Tobacco Plains Band have a commitment to developing and sustaining Ktunaxa Kinbasket Child and Family Services.

The mission of KKCFSSS is to meet the needs of Ktunaxa Kinbasket children and families in a culturally relevant manner.

The vision of KKCFSSS is people working together to build stronger and empowered families and healthy communities.

The beliefs of KKCFSSS are:

- Communities know what is best for our children,
- Children are the future of our Nation,
- Children have the right to a safe, secure, and culturally appropriate family and community experience,
- Families have the right to relevant and efficient family support services, and
- Ktunaxa and Kinbasket people have inherent right to self-determination and self-government. Our control over child and family services in one of the primary ways in which this inherent right to self-determination and self-government finds its expression.

Mandate

The Ktunaxa Kinbasket Child & Family Services Delegation Agreement requires renewal as it expired on March 31, 2002. This agreement provides for a phased in approach to levels of delegation and gradual transition to ever increasing levels of responsibilities on part of the Society. Mandated Services under the Provincial CFCSA Currently the Agency is mandated to provide Delegation 12 services.

The Ktunaxa/Kinbasket Child & Family Services Society is a Society registered under the British Columbia Society Act. The Ktunaxa/Kinbasket Child & Family Services Society is owned by its membership that consist of every member 16 years and older belonging to one of the following Ktunaxa/Kinbasket communities:

- Columbia Lake, Windermere, BC
- Lower Kootenay, Creston, BC
- Shuswap, Invermere, BC
- St. Mary's, Cranbrook, BC
- Tobacco Plains, Grasmere, BC

Service Recipients of the Ktunaxa/Kinbasket Child & Family Services Society include:

- children and youth,
- elders,
- families,
- groups for children and youth,
- groups for parents,
- parents,
- women,
- men, and
- schools, daycare, etc.

The KKCFSSS is currently governed by a Board of Directors that meet bi-monthly to monitor the development of the support programs which will eventually lead to assuming delegated authority for services to children and families covered by government legislation. Each community (band) identifies two members from their community to sit on the board. The current board is:

Board Positions:

Columbia Lake Band	Marguerite Cooper Samantha Sam
Lower Kootenay Band	Mary Basil
Shuswap Band	Dorothy Warbrick Danny Pascal
St. Mary's Band	Annie Capilo Gwen Phillips
Tobacco Plains Band	Zoe Gravelle Lorna Tait

KKCFSSS has an annual general meeting in July of each year. This is held in conjunction with the Annual General Assembly of the Ktunaxa Kinbasket Tribal Council.

KKCFSSS currently provides the following non-delegated services:

- Family Support Services,
- Family Violence Prevention,
- Mental Health Support,
- Advocacy,
- Mediation, and
- Home Management.

KKCFSSS currently is able to provide the following delegated non-protective voluntary Level 12 services:

- Support Service Agreements,
- Voluntary Care Agreements,
- Special Needs Agreements, and
- Residential Kinship Resources.

The vision of the Ktunaxa/Kinbasket Nation is:

Strong, healthy citizens
and communities,
speaking our languages
and celebrating who we
are and our history in our
ancestral homelands,
working together,
managing our lands and resources, within a self-
sufficient, self governing
Nation.

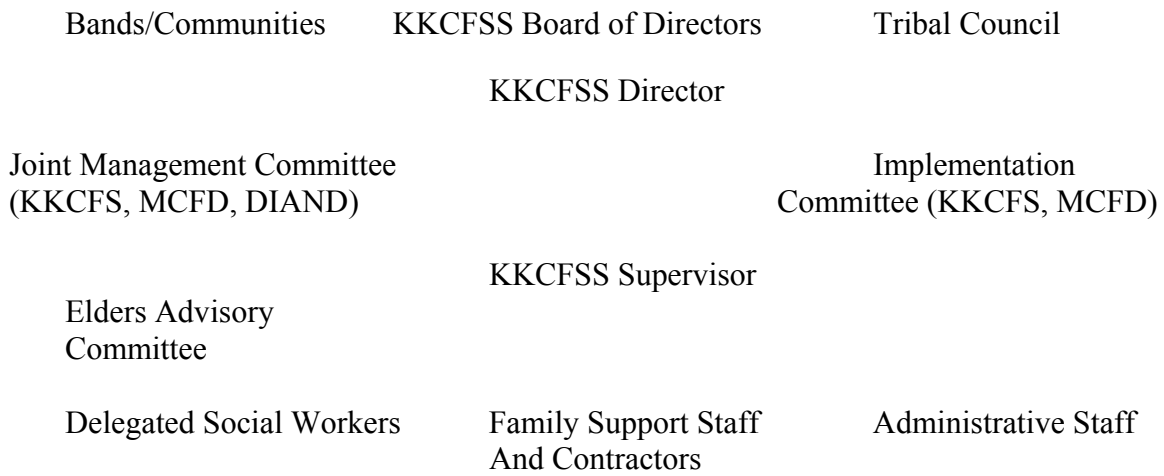
Together
Everyone
Achieves
More

Ktunaxa Kinbasket Child and Family Services Society is a registered Society under British Columbia's Society Act.

Level 12 Operational Standard 2: Service Delivery Model Design

The Agency provides caregivers with practice standards for the delivery of support services to families, family care resources, or staffed residential resources.

(1) Delivery of Support Services to Families:



The KKCFSS agency is made of administrative and direct service staff. As well the agency's mandate is carried out through contracted service providers.

Appendix The employees of KKCFSS are screened according to the *KKTC Administrative Handbook's Hiring and Personnel Selection Section*. This KKCFSS Administrative Handbook addresses the personnel procedures governing KKCFSS. In addition to the selection procedures identified in this Handbook, staff of KKCFSS must:

- Undergo a criminal record check,
- Maintain driver's license and business insurance
- Meet requirements to become delegated to the level required for the position

Employees who are delegated under the Child, Family and Community Service Act carry out their duties by functioning within the legislation, KKCFSS standards, and KKCFSS policies.

As an interim measure Ktunaxa Kinbasket Child and Family Services has adopted selected practice standards of the Ministry of Children and Family Development. These standards include:

- Practice Standards for Voluntary Care Agreements,

- Practice Standards for Special Needs Agreements,
- Practice Standards for Foster Homes,
- Practice Standards for Guardianship, and
- Practice Standards for Restricted Access files.

KKCFSS will be revising these standards over the next year to make these standards culturally relevant.

Standards that KKCFSS has not adopted at this time include:

- Practice Standards for Child Maintenance Agreements and Orders
- Practice Standards for Youth Agreements

Policy in these areas is addressed within the Aboriginal Practice Standard for Ktunaxa Kinbasket Child and Family Services.

Contractors delivering services on behalf of KKCFSS sign a Service Contract that addresses the terms of service and expectation of the service they are to deliver. Each contractor, as specified in the contract, is provided a copy of *the Ktunaxa Kinbasket Tribal Council Administrative Handbook*. The Service Contract is found in this handbook. Contractors must undergo a criminal record check as a condition of employment.

The following is the list of contracted positions and necessary qualifications a person contracted to provide such service:

- Respite support:
 - Criminal record check
 - Parent believes respite provided is safe
 - No protection concerns with respite provider
 - Home visited and is safe
- Home Maintenance/Homemaker
 - Criminal record check
 - No protection concerns with contractor
- Family Support / Family Life Education / Teaching Homemaker
 - Criminal record check
 - Diploma in human service field or two years direct experience
 - No protection concerns with contractor
- Early Intervention/HeadStart
 - Criminal record check
 - Diploma in early childhood education or two years direct experience
 - No protection concerns with contractor

(2) Family Care Resources:

KKCFSS has developed standards that address Kinship Care Homes:

- Recruitment,

- Application,
- physical home and safety requirements,
- selection process, and
- retention process.

Where policy is not developed Ktunaxa Kinbasket Child and Family Services will be utilizing the following Ministry of Children and Family Development:

- Practice Standards for Foster Homes,
- Protocols for Foster Homes, and
- Foster Parent Handbook.

(3) Staff Residential Resources:

Operational Standards states agency utilizes standards that apply to family care and staff resources. Further it is states that if the agency does not have such standards the ones of MCFD may be used or adopted until agency has such standards. Recommendation is to review these standards of MCFD and develop ones for KKCFSS.

KKCFSS does not have staff residential resources at this time. KKCFSS will adopt and utilize MCFD's Practice Standards for Staffed Residential Resources. KKCFSS may adopt our own standards in this area at some point in the future.

Level 12 Operational Standard 3: Service Provider Recruitment and Retention

The Agency has a strategy for the ongoing recruitment and retention of out of home living services providers including family care homes and staffed residential resources.

KKCFSS has a recruitment and retention strategy for Kinship homes to provide family based and group care. KKCFSS is developing a continuum of resources to ensure a sufficient number of diverse placement options available. The Operational Protocol between KKCFSS and MCFD addresses the sharing of resources.

*** Level 12 Operational Standard 4: Client Confidentiality and Information Sharing**

The agency has a policy to address the sharing of information in the course of fulfilling its authority delegated under level 12 of the Aboriginal Delegation Authority matrix. These include:

- **Exceptions to rights of access to information;**
- **Disclosure of information with consent;**
- **Disclosure of information without consent; and**
- **Accuracy, protection and retention of information**

(1) Exceptions to rights of access to information:

KKCFSS maintains all files and other information regarding clients in a confidential manner. Information is not to be released, regardless of consent, about a person where that information puts any other person at risk. Reporter identifying information (child protection reports) is not to be released.

(2) Disclosure of information with consent:

Section 78 of the Child Family, and Community Service Act states:

78 A director may disclose information obtained under this Act if a person who under section 76 has a right of access to a record containing that information has consented in the prescribed manner to its disclosure.

KKCFSS has consent to the release of information document that must be used when disclosure is requested that require consent. All disclosure requires consent of the person(s) who the information is regarding unless section 3 below (disclosure without consent) applies.

(3) Disclosure of information without consent:

At time KKCFSS will disclose information without the consent of the client. Section 79 of the Child, Family, and Community Services Act guide when information can be shared without client consent:

Disclosure without consent

79 A director may, without the consent of any person, disclose information obtained under this Act if the disclosure is

- (a) necessary to ensure the safety or well-being of a child,
 - (a.1) necessary to ensure the safety of a person, other than a child,
- (b) required by section 64 or by order of a court to be made to a party in a proceeding,
- (c) permitted by the *Young Offenders Act* (Canada),
- (d) required by an enactment,

- (e) necessary for a family conference, mediation under section 22 or other alternative dispute resolution mechanism,
- (f) made when giving or when validly compelled to give evidence in a proceeding,
- (g) [Repealed 1997-11-32.]
- (h) necessary to enable the Public Guardian and Trustee to perform duties and exercise powers as guardian of a child's estate under this Act,
- (i) made to the director's legal counsel,
- (j) made to caregivers and the information relates to children in their care,
- (k) necessary for the administration of this Act, or
- (l) for research purposes in accordance with section 35 of the *Freedom of Information and Protection of Privacy Act*.

(4) Accuracy, Protection, and Retention of Information:

KKCFSS will utilize both a physical and electronic client filing system.

There will be the following types of physical files:

- Family Support,
- Guardianship Services, and
- Kinship Care.

Physical files are stored and locked in filing cabinets at the Ktunaxa Kinbasket Child and Family Service office. This includes files that go between KKCFSS and MCFD. File format is consistent to that of MCFD.

KKCFSS will utilize MCFD's Ministry Information System (MIS) for maintaining electronic files.

Refer to Level 12 Operational Standard 5 for restricted access to files.

Files will be retained and disposed of based on legislative requirements and MCFD's file retention policies.

Employees sign an oath of confidentiality at time of hire.

When contractors are delivering services on behalf of KKCFSS they sign a Service Contract. This contract states:

“Contractor shall not at any time, during the term of this Contract or thereafter, divulge any documents or other information concerning the activities, affairs or secrets of the KKCFSS to any other person or persons without the prior consent in writing of the KKCFSS, nor use or attempt to use any documents or other information which he/she may acquire during the term of this Contract in any manner which may injure or cause loss, or be calculated to injure or cause loss, to the KKCFSS except as required by law or government regulation.”

Level 12 Operational Standard 5: Management Information System

Prior to operation, the Agency has developed a system to manage the collection and retrieval of information needed to manage the services provided under Level 12 delegated authority.

(1) Case Management System – Client Database:

KKCFSS will utilize MCFD's electronic information system known as the Ministry Information System (MIS). The Operational Protocol between KKCFSS and MCFD addresses file management, location, and transfer.

KKCFSS will use FS, CS, and RE electronic files. KKCFSS will open an FS electronic file for any ongoing Family Service where delegated services are provided. KKCFSS will not use the MIS FS Intake screens (ITK). Intakes will all be of a voluntary nature and will be documented on the KKCFSS intake form.

KKCFSS has developed a filing procedure for the maintenance of physical client files. There are three file types: Family Support, Guardianship, and Kinship Care. The format is consistent to that used by MCFD.

KKCFSS recognizes that at times both electronic and physical files require restricted access to such files. Examples are when an employee or employees' family members are receiving services from the agency, wishes for others to have limited access to their file information or a community member requests that an employee of KKCFSS does not have access to his/her file information. The delegated supervisor or director of KKCFSS will restrict access through a restricted access transaction on the Ministry Information System (MIS) and through locking the physical file in a location that restricts access. This location will be the locking file cabinet in the Executive Director's office.

KKCFSS will use the statistical reports generated by the Ministry Information System for reviewing staffing needs and developing staffing strategies. In addition to this for services provided and not registered on the Ministry Information System each program will complete monthly statistical reports.

The Ministry Information System and monthly statistical reports will be used to gather statistical information for:

- Assigning, managing, tracking staff workload, and
- Anticipating staffing needs.

(2) Community Information System (CIS):

MCFD has a Community Information System. This system is critical to ensure safety and well being to children and providing support to caregivers during times when the agency offices are closed. This system can be access by MCFD's After Hours (Helpline) switchboards and units and other offices.

This system is used to:

- Provide critical community information for each office (police, hospital, transition house, etc.),
- Provide emergency contacts for each office, and
- Provide for social workers and agency staff to load alerts on this system when an agency has concerns regarding a child and/or their family so if the police or other concerned community members calls After Hours (Helpline) this information is available.

KKCFSS staff has access to this system as a tool in their work with children and families.

(3) Electronic Communication:

KKCFSS staff has access to both Office Visions (OV) and email via Ktunaxa Kinbasket Tribal Council.

Level 12 Operational Standard 6: Caseload Guidelines

The Agency has caseload guidelines with respect to the provision of services under Level 12 delegation.

KKCFSS has two social worker staff. One position is providing supervision and some direct services. The other is providing direct service in resource development, family support, and guardianship. In addition to these staff there are Family Support Workers. There is an agency director responsible for administrative supervision.

Effort will be made to maintain caseload of under 30 open files.

In assignment and management of caseloads the following will be considered and addressed:

- Any potential conflict of interest,
- Strategies for politically contentious cases, and
- Risk posed by client.

High-risk families and children will be reviewed by the supervisor on an ongoing basis.

Level 12 Operational Standard 7: Contracted Services

When the Agency engages a contracted service provider, the Agency will ensure that the service provider is aware of and complies with all the obligations of the contract.

The Ktunaxa Kinbasket Tribal Council Administrative Handbook provides for a Service Contract that is completed with all contracted service providers. This Administrative Handbook also provides the criteria for the qualifications of contractors. In addition to the criteria in this handbook all contracted staff will:

- Have a completed criminal record check as required by the Criminal Records Review Act, and
- Have a vehicle if required and necessary business insurance (*Ktunaxa Kinbasket Administrative Handbook (AD407)*).

This service contract is on the Information System as a template documents.

Monte Montgomery, Aboriginal Services MCFD has advised KKCFSS can utilize legal counsel for MCFD (through Aboriginal Services) to review KKCFSS contracts to ensure (1) it meet legal requirement of CFCS Act regarding info sharing and confidentiality?(2)contract address liability and insurance issues?(3)contract meet requirements of Criminal Records Review Acts?

Level 12 Operational Standard 8: Financial Administration

The agency has sufficient resources to deliver the services required to carry out Level 12 delegated responsibilities.

Ktunaxa Kinbasket Tribal Council, Department of Indian and Northern Development Canada, and MCFD have signed a Delegation Enabling Agreement, that facilitates the necessary financial provisions in order for KKCFSS to deliver Level 12 delegated services.

Level 12 Operational Standard 9: Joint Management Committee

A Joint Management Committee is in place to monitor compliance with the Delegation Enabling Agreement.

KKCFSS and MCFD Kootenay Region established a Joint Management Committee. The terms of reference for this committee are attached.

These terms of reference address:

- Definition,
- Name,
- Purpose and Mandate,
- Key Duties and Responsibilities:
 - Dispute resolution,
 - Program evaluation and audit,
 - Maintenance of protocols between MCFD and KKCFSS,
 - Development of new protocols and amendments to current protocols,
 - Responding to impact of legislation, policy, and other agreements, that impact this agreement,
 - Development of regional training plan for both KKCFSS and MCFD staff, and
 - Development of a conflict resolution process.
- Appointments and Composition,
- Meetings,
- Resources,
- Annual Objectives, and
- Target Dates.

In addition to the Joint Management Committee there is an Implementation Committee that meets on a monthly basis to address implementation and transition issues. This committee is made up of both KKCFSS and MCFD East Kootenay supervisory and front line staff.

Level 12 Operational Standard 10: Monitoring

The agency has established a process to monitor its compliance with operational and practice standards.

KKCFSS recognizes the Director of MCFD has the responsibility to review and audit the Agency's practice. KKCFSS agrees to conduct period self-audits to ensure compliance with operational and practice standards.

Level 12 Operational Standard 11: Human Resources Policy

The agency has a comprehensive human resources policy.

KKCFSS utilizes the Ktunaxa Kinbasket Tribal Council human resources policy. This is known as the *Ktunaxa Kinbasket Tribal Council Administrative Handbook*.

Appendix

Ktunaxa Kinbasket Tribal Council has a Code of Conduct that is provided to all employees.

In addition to this handbook KKCFSS' policy in the following areas is:

- Need for staff to have completed the training relevant to their level of delegation or equivalent:

No staff will work beyond their delegated level, will call upon MCFD for support if not able to have an appropriately delegated worker to provide a delegated function.

- Critical Incident Support:

All critical incidents will be documented, all staff will be offered mtg with their supervisor, if further support required KKCFSS will seek out.

- Safe Working Conditions:

The *Ktunaxa Kinbasket Tribal Council Administrative Handbook* (AD315) provides guidelines on safe driving).

When going to a potentially riskful situation, workplace conduct includes:

- Develop plan with supervisor to address risk and develop safety plan,
- Consideration for second worker,
- Consideration for RCMP participation,
- Ensure communication can be ongoing by carrying cell phone, leaving address and phone number of where at, and advising supervisor and colleague if supervisor not available of plan to ensure safety.

- Employee Assistance Program:

The *Ktunaxa Kinbasket Tribal Council Administrative Handbook* provides information regarding Employee Family Assistance Program (AD406).

- Strategy for Recruitment of Social Workers, Supervisors, and other staff:

KKCFSS staff recruitment process is a part of the Ktunaxa Kinbasket Tribal Council's recruitment process as outlined in the *KKTC Administrative Handbook* (AD101-AD118). In addition to this process KKCFSS requires all candidates to meet the requirements of the positions they are being considered for.

- Staff Training On Reportable Circumstances

Staff will be required to know what circumstances constitute a Reportable Circumstance in which the Director of Child Family, and Community Services must be notified.

- All staff will be required to be on at least 3-month probation upon hire. KKTC has a mandatory 6-month probationary period for all staff.

*** Level 12 Operational Standard 12: Competency**

Social Workers with Level 12 delegation possess the requisite practice skills, educational background, personal suitability, and training relevant to the context of the culture and community which qualifies them to:

- **Assess child development, understand family functioning, recognize family strengths and assess family needs,**
- **Identify and understand sources of stress for children and families,**
- **Recognize the indicators and abuse and neglect,**
- **Be knowledgeable about the duty to report child protection concerns to a fully delegated child protection worker,**
- **Help families identify their strengths and coping mechanisms to meet the goals the family has identified, and to work with families to design and implement strategies or resolve family issues or crises successfully, and to prevent future crises from occurring, and**
- **Participate in a child protection investigation with a fully delegated child protection social worker, or protocol investigation in a resource, as specified in the Agency's protocol with MCFD.**

KKCFSS will make an effort to maintain the ratio of no more than 25% of its delegated staff not having a University Degree as described in the *Aboriginal Operational and Practice Standards*. Given the limited number of delegated positions with this agency, 2 at this time, this ratio may be at times 50% and at other times 100%.

KKCFSS agency practice supervisor will have the required education and direct practice as described in the *Aboriginal Operation and Practice Standards* (refer to Operational Standard 13).

KKCFSS will ensure all social work staff is:

- Knowledgeable about the service needs of neglected, abused, and exploited children, and also aware of the principles of child development and family functioning,
- Culturally sensitive to the people they serve, and
- Able to collaborate with colleagues who work in other disciplines or services.

The expectations and responsibilities of the social worker positions are outlined in a detailed job description. This job description is reviewed with and signed by the employee at the time of hire.

KKCFSS will ensure all family and child services personnel are trained:

- regarding the laws pertaining to mandated reporting of suspected child abuse and neglect,
- the boundaries and appropriate responsibilities of both the Agency and the Ministry of Children and Family Development.

The expectations and responsibilities of the other personnel are outlined in their respective job descriptions.

KKCFSS has two hired social work staff, one as a supervisor and one as a social worker. The supervisor position clinically oversees other KKCFSS child and family personnel. The supervisory position also provides direct service as required.

Both the supervisor and social worker have completed the required training, work experience, Practicum, and delegation for Level 12.

***Level 12 Operational Standard 13: Supervision**

The Agency has a system of supervision which:

- **is based on and supports the model of service delivery; and/or**
- **provides for individual and/or group supervision of child and family service team personnel.**

KKCFSS has a clinical supervisor. The responsibilities of this position are included in the job description for this position.

KKCFSS utilizes a supervision model that distinguishes delegated supervisory functions, administrative supervisory functions, and non-delegated clinical functions.

The following organizational chart reflects reporting relationships based on the supervision functions of delegated decision making, clinical support, and administrative supervision.

It is recognized that the clinical supervisor is also a caseworker. At times, when exercising delegated decision making, the decision must be made in consultation with and receive the support of a supervisor. KKCFSS will develop a plan to address.

Options include: team based decision, supervisor at another aboriginal agency, or use of MCFD supervisor

KKCFSS ratio of social work staff to supervisory staff does not exceed six staff per supervisor expectation.

Given the size of KKCFSS (currently 2 social workers) and the vast geographic area it serves casework will be of a generalized nature, that caseload will have a focussed areas (ie. Resources) but work will be required in other areas.

The *Ktunaxa Kinbasket Tribal Council Administrative Handbook* (AD311-AD312) addressed reporting relationships.

Level 12 Operational Standard 14: Training

The Agency provides opportunities for relevant training and consultation which is appropriate to the level of delegation of the workers; such training will enable social workers to carry out their responsibilities more effectively within the framework of the service delivery model used by the Agency.

KKCFSS training plan is:

During each employee's probationary period a training plan will be developed. On a minimum of an annual basis each employee's training needs will be reviewed.

The *Ktunaxa Kinbasket Tribal Council Administrative Handbook (AD405)* provides provisions for professional development.

The social worker staff have completed Level 12 training, have had an overview of the Child Family, and Community Service Act, are supported in ongoing staff development, have been trained on reporting critical incidents and reportable circumstances.

All newly hired staff will be trained regarding the KKCFSS complaint process at the time of hire. All existing staff will be trained regarding the KKCFSS complaint process.

Level 12 Operational Standard 15: Communications Plan

The Agency will have a communications plan that helps the Agency develop its child welfare program and stay accountable to the community.

KKCFSS Community Educational Program to promote the services it provides includes:

- pamphlets outlining all services provided,
- information in the Ktuqcqakyam newspaper,
- presentations to Ktunaxa Kinbasket Tribal Council,
- orientation to Kinship care sessions, and
- presentation/orientation to MCFD staff.

KKCFSS communication plan includes:

- pamphlet outlining services, and
- Annual General Meeting.

KKCFSS provides statistical information to the board.

KKCFSS processes for ongoing community input into Agency service planning and delivery is done through:

- KKCFSS board made up of 2 representatives from each of the 5 Bands KKCFSS provides services to,
- Elders Advisory Group, and
- Community meetings.

KKCFSS utilizes the following MCFD databases:

- MIS,
- CIS, and
- Office Visions (OV) email.

In addition to these KKCFSS is part of the Ktunaxa Kinbasket Tribal Council communications network. Every KKCFSS employee has access to and utilized Outlook email.

*** Level 12 Operational Standard 16: Conflict Resolution**

The Agency has established a conflict resolution process.

KKCFSS has the following conflict resolution process:

There are 4 categories of Conflict Resolution. These are:

- (1) Case Related,
- (2) Contract Related,
- (3) Tripartite (Delegation Enabling Agreement Related), and
- (4) Agency/Tribal Council/Band/Community Related.

There are flow charts that outline the process for each of these areas. Refer to the enclosed flow charts.

*** Level 12 Operational Standard 17: Complaint Process**

The Agency has established a complaint process which will review designated services and complaints made which are associated with the rights of children in care.

KKCFSS will create an atmosphere where:

- Concerns can be raised in a safe and supported manner,
- Effort to resolve concerns will occur at the front line level,
- When concerns are not resolved clients will be given clear information about the complaint process, and
- The agency actively solicits both positive and constructive feedback.

The KKCFSS complaints process will be posted in all KKCFSS work - sites, selected community sites, and in a KKCFSS information brochure.

All clients will be informed of the complaint process within one month of service commencement and at any time a decision is made that the client may not be in agreement with the decision.

Complaints may be initiated by children, parents, extended family members and community members. Complainants are entitled to have support and advocacy through the complaint process.

Contractor of KKCFSS and service providers of KKCFSS (i.e. Kinship Care Parents) are not able to make complaints through this process regarding how they have been treated by KKCFSS. The appropriate channel for their concerns is the dispute resolution process outlined in their contracts with KKCFSS.

Wherever possible concerns should be openly discussed between the family and the service provider in an effort to gain understanding of all involved people's positions with the goal to informally resolve the concern. KKCFSS staff must attempt to resolve the concern directly with clients and when this has not resolved the concern KKCFSS must inform the client of the complaint process.

There are three categories of complaints:

- (1) Decisions related to delegated authority under the Child, Family and Community Service Act, and
- (2) All other Decisions/Conduct/Administrative/Financial, and
- (3) Rights of Children in Care.

(1) Delegated Decisions:

If a delegated social worker makes a decision that a client disagrees with the client will ask the social worker to reconsider the decision. Examples of such decisions are:

- Decision not to enter into a Voluntary Care Agreement, and
- Decision related to a child's plan of care.

These decisions are of a case practice nature.

If this does not result in a satisfactory outcome for the client, the client can request the delegated supervisor review the decision. At times the delegated supervisor may have been involved in the decision under review. When this occurs the delegated supervisor will inform the client of this.

If the matter is not resolved after review by the delegated supervisor KKCFSS will request the support of the Ministry of Children and Family Development to review the decision made. The outcome of this review is not binding on KKCFSS.

(2) All other Decisions/Conduct/Administrative/Financial:

If a client is not satisfied with a decision made or the treatment by KKCFSS the client is entitled to request a review of the decision or treatment. Wherever possible the client and the KKCFSS staff member will meet to discuss the concern with the goal to find a resolution. Examples of this type of complaint are:

- Decisions by KKCFSS not to provide a service or a financial support,
- Alleged breaches of confidentiality,
- Conduct of a KKCFSS employee towards a client, and
- Decision who the KKCFSS employee working with a child/family is.

If this does not result in a satisfactory outcome for the client, the client can request the supervisor review the decision/treatment. At times the supervisor may have been involved in the decision under review. When this occurs the delegated supervisor will inform the client of this.

If this does not result in a satisfactory outcome for the client, the client can request the director review the decision/treatment.

If this does not result in a satisfactory outcome for the client, the client can request a review by the KKCFSS board.

If the complaint is regarding an administrative support staff or the supervisor the director is the next step in the process after attempts at resolution were made between the client and the involved KKCFSS employee.

If the complaint is regarding the conduct of the director, the client can request a review by the appointed chief from Ktunaxa Kinbasket Tribal Council.

(3) Rights of Children in Care:

Section 70 of the Child, Family and Community Service Act identifies rights that all children in care have. If a child in care, or significant other to the child, believe one or more of these rights is/are being violated a review of these rights can be requested.

Ktunaxa Kinbasket Child and Family Services will ensure all rights of children in care are honored and practiced. If KKCFSS is aware of a breach of any of these rights immediate effort will be taken to remedy this.

Legislation? Children in care can request independent review of their rights through the Children's Commission.

Every effort must be made to resolve all complaints within 30 days.

If a complaint is made regarding the service being provided by a KKCFSS contractor or service provider (i.e. Kinship Care Parent) this same process applies.

Complaints must be documented by or on behalf of the client. If the client is not able to document the complaint KKCFSS will ensure a support person is set up to assist the client in this process.

KKCFSS will provide a written response to all complaints that require review beyond the meeting with the client and the employee identified in the complaint.

Guiding principles in the complaint process are:

- **child centered**
- persons affected by KKFCS' decisions **entitlement** to make a complaint
- need for agency **accountability**
- persons affected by KKCFSS' decisions treated in a **fair** manner
- staff recognize need for **openness** when concerns expressed
- complaints process must be **accessible** to persons
- **information** on the complaints process must be visible and available
- persons making a complaint have right to have **advocate/support** person with them
- person have right to complain and be **safe** and not subjected to reprisals
- all complaints must be dealt with **timely** and responded to within 30 days
- **responsive** to and **respectful** of the aboriginal culture and heritage

*** Level 12 Operational Standard 18: Protocol with the Ministry for Children and Family Development**

The Agency has signed protocol with the Ministry of Children and Family Development that specifies both the Level 12 authorities delegated to the Agency, and the process which the Agency uses to interact with the Ministry of Children and Family Development in the planning, provision, and co-ordination of services.

KKCFSS and MCFD have two levels of protocol agreements. The first, a two party protocol, is the Operational Protocol between KKCFSS and MCFD. The second, a three party protocol, is the Protocol Agreement between KKCFSS, MCFD, and each band within the Ktunaxa/Kinbasket territory (Columbia Lake, Lower Kootenay, St. Mary's, Shuswap, and Tobacco Plains).

Appendices These protocols are as follows:

6 Protocols

- Columbia Lake Band, KKCFSS, and MCFD
- Lower Kootenay Band, KKCFSS, and MCFD
- Shuswap Band, KKCFSS, and MCFD
- St. Mary's Band, KKCFSS, and MCFD
- Tobacco Plains Band, KKCFSS, and MCFD
- KKCFSS and MCFD Operational Protocol

*** Level 12 Operational Standard 19: Protocols with Ancillary Agencies**

The Agency has signed protocols with ancillary agencies.

Appendices KKFSS has been party to the development with agencies that serve Ktunaxa Kinbasket Bands. These agencies are:

- RCMP
- School District #5 (Cranbrook/Fernie) and #6 (Kimberley, Invermere, and Golden), and #8 (Creston)
- Interior Health Authority

*** Level 12 Operational Standard 20: Protocol with the Office of the Children's Commissioner**

The Agency has a policy and/or signed protocol with the Office of the Children's Commissioner for the review of the deaths of children, and for the review of complaints about provision of services and reviewing complaints of breaches of rights of children in care.

The Children's Commission no longer exists. The Office of the Ombudsman will be ensuring administrative fairness to children and families receiving services. There will be a Child and Youth Officer, appointed per the Office for Children and Youth Act but the role of this officer is unclear.

The two areas of focus in the standard are:

- review of Children's deaths or critical injuries, and
- complaints.

*** Level 12 Operational Standard 21: Protocol with the Child, Youth, and Family Advocate**

The Agency has a policy and/or signed protocol with the Office of the Child, Youth, and Family Advocate that covers case reviews, the processes used for decisions on the provision of services, and meetings with children, youths and their families.

The Child, Youth and Family Advocate no longer exist. The Office of the Ombudsman will be ensuring administrative fairness to children and families receiving services. There will be a Child and Youth Officer, appointed per the Office for Children and Youth Act but the role of this officer is unclear.