



Ktunaxa Kinbasket Child and Family Services Level 13 Aboriginal Operational Standards

Level 13 Operational Standard 1: Governance

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

Refer to KKCFS Level 12 Aboriginal Operational Standard 1: Governance

Level 13 Operational Standard 2: Financial Administration

The Agency has sufficient resources to deliver the services required to carry out Level 13 delegated responsibilities.

KKCFS will receive funding to carry out its guardianship responsibilities as follows:

- From the Department of Indian Affairs and Northern Development Canada (DIAND) child maintenance costs for all children eligible for funding from DIAND, and
- From the Ministry of Children and Family Development as negotiated on a case by case basis for children not eligible for funding from DIAND.

Services to young people who were in care will not be funded by either DIAND or MCFD. For such young people KKCFS will advise them of possible alternative funding.

Examples of alternative funding are:

- Band support;
- Student Loans; and
- Grants/Bursaries.

Level 13 Operational Standard 3: Human Resources

The Agency has a comprehensive human resources policy.

Refer to KKCFS Level 12 KKCFS Aboriginal Operation Standard 11: Human Resources.

Level 13 Operational Standard 4: Competency

The Agency provides initial and ongoing training and consultation to equip social workers and supervisors to carry out their guardianship responsibilities effectively within the framework of the service delivery model used by the Agency.

Refer to KKCFS Level 12 Operational Standard 12: Competency.

KKCFS will ensure delegated staff receives the training and self-care required to carry out the responsibilities of their positions.

In addition to the required training for delegation, KKCFS will ensure all staff is trained in the areas identified in the *Aboriginal Operational and Practice Standards*.

KKCFS will make every 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%.

KKCFS 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).

KKCFS 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.

KKCFS will ensure all family and child services personnel are trained regarding:

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

All KKCFS delegated social workers will have successfully complete a MCFD delegation test.

Level 13 Operational Standard 5: Communications Plan

The communication plan of the Agency includes consultation and protocols with ancillary service agencies.

Refer to KKCFS Level 12 Operational Standards:

15: Communication Plan

19: Protocols with Ancillary Agencies

Protocols with ancillary agencies have been revised to reflect guardianship responsibilities to children in continuing custody. These protocols state the KKCFS is not delegated to receive protection reports or provided protective services.

KKCFS will advise the key ancillary agencies and community representatives of changes to protocols with MCFD that address KKCFS roles and responsibilities.

Level 13 Operational Standard 6: Conflict Resolution

The Agency has a documented conflict resolution process.

Refer to KKCFS Level 12 Aboriginal Operation Standard 16: Conflict Resolution.

All KKCFS employees will be provided a copy of and will understand the 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 flow charts in KKCFS Level 12 Operational Standards.

Level 13 Operational Standard 7: Complaint Process

The Agency has a documented complaint process.

Refer to KKCFS Level 12 Operational Standard 17: Complaints Process

Level 13 Operational Standard 8: Protocol with the Ministry for Children and Families

The Agency has a signed protocol with the Ministry for Children and Families (MCFD) that specified the Level 13 authorities delegated to the Agency and the process which the Agency uses to interact with the MCFD in the planning provision and co-ordination of services.

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

In preparation for Level 13 Agency Operational Readiness these protocols have been updated.

The *Aboriginal Operational and Practice Standards and Indicators* states:

- The Protocol between MCFD and the Aboriginal Agency must be addressed when support services are being offered to a family. A co-signing of the service agreement with a fully delegated worker is required when the Agency social worker does not have full delegation under the *Child, Family and Community Service Act*.

Level 13 Operational Standard 9: Protocol with the Office of the Children's Commissioner

The Agency has updated their policy and/or protocol with the Office of the Children's Commissioner to include the review of the plans of care for children in continuing custody.

The Children's Commission Act has been repealed. The Children's Commission no longer exists. There will be a Children's Officer; however, the mandate of this office is unknown so a protocol cannot be developed at this time. It is believed that this office will not have a case specific role. The Office of the Ombudsman will have an administrative fairness role but may not have jurisdiction pertaining to aboriginal authorities. The Office of the Ombudsman has advised it does not enter into protocol agreements. The Children's Officer should be in place by August 2002.

Level 13 Operational Standard 10: 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 Advocacy Act has been repealed. The Child Advocate no longer exists. There will be a Children's Officer; however the mandate of this office is unknown so a protocol cannot be developed at this time. It is believed that this office will not have a case specific role. The Office of the Ombudsman will have an administrative fairness role but may not have jurisdiction pertaining to aboriginal authorities. The Office of the Ombudsman has advised it does not enter into protocol agreements. The Children's Officer should be in place by August 2002.

Level 13 Operational Standard 11: Protocol with Ancillary Agencies

The Agency has signed protocols with ancillary agencies.

KKCFS 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); and
- Interior Health Authority.

Level 13 Operational Standard 12: Legal Counsel

The Agency has arrangements to provide legal counsel for children in continuing care who face criminal charges.

KKCFS has access to legal representation for children in continuing care through the Legal Services Branch of the Ministry of Attorney General. The Director of Administration, KKCFS, can request this representation through the Deputy Director, Aboriginal Services to facilitate contact with the Legal Services Branch for the purpose of appointing counsel.

KKCFS will ensure all children in KKCFS' care have access to legal counsel when such children face criminal charges.