

## Chapter 44

# Social Services—Protecting Children in Care

### 1.0 MAIN POINTS

By August 2020, the Ministry of Social Services implemented our last outstanding recommendation about its processes to protect children in its care. The Ministry knows how many children are the Minister's responsibility, who they are, and where they live. This allows the Ministry to properly monitor the care of children receiving child protection services.

### 2.0 INTRODUCTION

#### 2.1 Background

Under *The Child and Family Services Act*, the Minister of Social Services can intervene on a child's behalf if the child is in need of protection due to physical, sexual, or emotional abuse, neglect or exposure to interpersonal or domestic violence. The Ministry has services designed to protect children from abuse or neglect and provides care for children requiring protection and out-of-home care (e.g., foster care, group homes).

Children placed in out-of-home care can be either wards or non-wards. For children who are wards of the Minister, the Ministry assumes legal responsibility and acts as a parent with the rights and obligations of a parent. For children who are wards of the Minister and reside on reserves, the Ministry has delegated authority to 18 First Nations Child and Family Services agencies (First Nations agencies) to care for them.<sup>1</sup>

Non-wards are those children the Minister helps to support without having legal custody of the child. Also, non-wards are children that the courts may place in the custody of a person of sufficient interest, rather than with the Minister.<sup>2</sup>

#### 2.2 Focus of Follow-Up Audit

This audit follows up on a recommendation about the Ministry's processes to protect children in care we first made in our *2008 Report – Volume 3*.<sup>3</sup>

To conduct this audit engagement, we followed the standards for assurance engagements published in the *CPA Canada Handbook—Assurance* (CSAE 3001). To evaluate the Ministry's progress toward meeting our recommendation, we examined agreements with First Nations Child and Family Services agencies and other relevant documents. We also tested a sample of monthly reports and interviewed Ministry staff as necessary.

<sup>1</sup> At March 31, 2020, there were 17 First Nations agencies. The Ministry signed an agreement with a new agency on April 1, 2020.

<sup>2</sup> A person of sufficient interest is a person who is not a parent of the child but who, in the opinion of the court, has a close connection to the child.

<sup>3</sup> Our *2013 Report – Volume 2*, Chapter 24 reported the Ministry implemented two of seven recommendations about its controls to protect children in care. Our *2018 Report – Volume 2*, Chapter 46 reported, by August 2018, the Ministry had implemented four of the five outstanding recommendations.



## 3.0 STATUS OF RECOMMENDATION

This section sets out the recommendation including the date on which the Standing Committee on Public Accounts agreed to the recommendation, the status of the recommendation at August 31, 2020, and the Ministry's actions up to that date.

### 3.1 System in Place to Track Children in Care

***We recommended the Ministry of Social Services implement a system to know how many children are the Minister's responsibility, who they are, and where they live.*** (2008 Report – Volume 3; p. 318, Recommendation 4; Public Accounts Committee agreement December 9, 2008)

**Status—Implemented**

The Ministry knows how many children are the Minister's responsibility, who they are, and where they live. The Ministry uses its case-management IT system to track children in care, which includes who they are and where they live.

At March 31, 2020, the Ministry reported it had 5,442 children in out-of-home care. Of those, 3,362 children were wards of the Minister and 2,080 children were non-wards. Of those children who were wards of the Minister, the Ministry's staff (caseworkers) cared for 95.5 percent of the children and First Nations agencies cared for 4.5 percent of the children.<sup>4,5</sup>

Each First Nations agency, through agreements with the Ministry, agrees to give the Ministry monthly reports of all children taken into care. The Ministry expects the First Nations agencies to submit monthly reports within six weeks after the end of the reporting month.

For the 17 monthly reports tested, we found all First Nations agencies submitted a list of children taken into care. Eight of the 17 First Nations agencies we tested submitted their monthly reports late. Lateness ranged between eight and 112 days. We found the Ministry adequately followed up (e.g., emails with the First Nations agencies) on the missing reports until the reports were received.

Having a system to know how many children are the Minister's responsibility, who they are, and where they live allows the Ministry to properly monitor the care of children receiving child protection services.

<sup>4</sup> Information provided by Ministry management.

<sup>5</sup> First Nations agencies also care for children who are under the responsibility of Indigenous Services Canada, at December 31, 2019, First Nations agencies were also responsible for the care of 1,217 children.