

Chapter 42

Social Services—Investigating Allegations of Child Abuse and Neglect

1.0 MAIN POINTS

The Ministry of Social Services receives about 15,400 reports of suspected child abuse and neglect each year.¹ Ministry caseworkers are responsible for screening all reports and deciding whether to investigate.

While the Ministry has, since our 2018 audit, made some improvements in its processes to investigate allegations of child abuse and neglect, it has more work to do to.

By June 2020, the Ministry independently reviewed and approved screening decisions within two working days when it decided not to investigate child abuse and neglect allegations.

The Ministry also adequately documented reasons where the decision to investigate was changed (e.g., change from investigate to not investigate or vice versa). However, it does not have a process to monitor the appropriateness of its changes to screening decisions about child abuse and neglect allegations. Having timely, independent reviews of changes to screening decisions confirms the Ministry has made appropriate decisions and reduces the risk of not adequately protecting children.

The Ministry has clear policies and procedures, including timeframes, for investigating allegations of child abuse and neglect, however they are not always followed. Our testing found it did not, within the timeframes required, always attempt face-to-face contact with the child and family under investigation, complete family risk assessments, or finalize investigations. Consistently taking actions within prescribed timeframes reduces the risk a child remains in an unsafe environment or a family in need does not receive ongoing child protection services timely.

2.0 INTRODUCTION

This chapter describes our first follow-up audit of management's actions on the recommendations we made in 2018 about the Ministry's processes to investigate allegations of child abuse and neglect.

Child abuse and neglect refers to circumstances that may be harmful to a child's physical, emotional, or psychological health (e.g., physical abuse, sexual abuse). Neglect is also failing to provide a child with enough food, proper clothing, shelter, health care, or supervision.

¹ Information provided by Ministry management.



2.1 Background

Under *The Child and Family Services Act*, the Minister of Social Services is responsible for providing child protection services. The Act provides the mandate for the Ministry to investigate suspected (i.e., alleged) abuse and neglect of children by their parents, guardians, or other adults in the household who provide day-to-day care and supervision of the child. It must determine whether a child is in need of protection, and provide such services where the results of an investigation determine a child needs protection.

The primary responsibility for ensuring the safety and well-being of children lies with each child's parents/guardians. The Ministry only becomes involved when parents/guardians are unable or unwilling to fulfill their parental responsibilities.

From January 1, 2019 to April 30, 2020, the Ministry received about 22,000 reports of alleged child abuse and neglect. Over 11,000 of these reports resulted in investigations.² Timely investigation of allegations of child abuse and neglect is critical to protect the safety of children.

2.2 Focus of Follow-Up Audit

This audit follows up on five recommendations made in our *2018 Report – Volume 2*, Chapter 26, about the Ministry's processes to investigate, within a reasonable timeframe, allegations of child abuse and neglect. We concluded for the 12-month period ended June 30, 2018, the Ministry of Social Services had, other than areas identified in our five recommendations, effective processes.

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 recommendations, we used the relevant criteria from the original audit. The Ministry's management agreed with the criteria in the original audit.

To complete this follow-up audit, we interviewed key staff, reviewed the Ministry's policies and procedures, and examined other documents and the Ministry's IT case management system relevant to screening and investigating allegations of child abuse and neglect. In addition, we tested a sample of intake and investigation reports.

3.0 STATUS OF RECOMMENDATIONS

This section sets out each recommendation including the date on which the Standing Committee on Public Accounts agreed to the recommendation, the status of the recommendation at June 30, 2020, and the Ministry's actions up to that date.

² Information provided by Ministry management.

3.1 Screening Decisions Reviewed and Approved Timely

We recommended the Ministry of Social Services have independent review and approval of screening decisions within two working days when the Ministry decides not to investigate a child abuse and neglect allegation.

(2018 Report – Volume 2, p. 199, Recommendation 1; Public Accounts Committee agreement September 26, 2019)

Status—Implemented

The Ministry independently reviews and approves screening decisions within two working days when it decides not to investigate a child abuse and neglect allegation.

When the Ministry receives a reported allegation of child abuse or neglect, staff are required to complete an intake assessment to determine if the Ministry should investigate.

When the Ministry decides not to investigate an allegation of child abuse and neglect, it is a screened out decision. The Ministry's Child Protection Services Manual does not specify the timeframe in which a supervisor must review and approve a screened out decision. However, management expects screened out decisions to be reviewed and approved within two working days of receiving a report of an allegation of abuse or neglect.

For each of the 15 reports we tested where the Ministry decided not to investigate, the decision was reviewed and approved by a supervisor within two working days.

Independently reviewing and approving intake assessments within a short timeframe after their completion confirms the Ministry is making appropriate and objective decisions related to reported child abuse and neglect allegations.

3.2 Reasons for Changed Screening Decisions Documented but Not Reviewed

We recommended the Ministry of Social Services promptly monitor the appropriateness of changed screening decisions related to child abuse and neglect allegations. (2018 Report – Volume 2, p. 199, Recommendation 2; Public Accounts Committee agreement September 26, 2019)

Status—Partially Implemented

The Ministry adequately documents reasons for changed decisions about whether to investigate. However, the Ministry does not have a process to monitor the appropriateness of changed screening decisions related to child abuse and neglect allegations.

The Ministry allows supervisors to override (e.g., change from investigate to not investigate or vice versa) their staff's intake screening decisions. In these situations, the Ministry expects the supervisor to document, in its IT case management system, the reason for the change.



From January 1, 2019 to April 30, 2020, there were 1,188 instances with changed screening decisions.

For each of the ten instances we tested with a changed screening decision, the supervisor appropriately documented reasons for changing the screening decision (e.g., lack of evidence to substantiate allegation, not an allegation of child abuse, already an ongoing file).

Of the 1,188 instances, we found 1,159 where supervisors changed the screening decision from investigate to not investigate. The Ministry did not have a process to independently review or monitor these changes for appropriateness.

For the nine changed screening decisions we tested where the supervisor changed the decision from investigate to not investigate, we found:

- In five instances, the Ministry received other reports of alleged child abuse after it decided not to investigate; the Ministry investigated each of the other alleged reports.
- In four instances, the Ministry had ongoing contact with the children and families (e.g., ongoing file, other Ministry program areas are supporting).

Without an independent review to monitor the appropriateness of changed screening decisions, there is an increased risk of incorrect decisions about investigating reports of alleged child abuse and neglect. In addition, children may remain in unsafe environments where they are at risk of abuse and neglect.

3.3 Face-to-Face Contact Not Occurring Within Required Timeframes

We recommended the Ministry of Social Services attempt to make face-to-face contact with the child and family involved in a reported child abuse and neglect allegation within required timeframes to assess the child's safety.

(2018 Report – Volume 2, p. 201, Recommendation 3; Public Accounts Committee agreement September 26, 2019)

Status—Not Implemented

The Ministry did not always attempt to make face-to-face contact with the child and family within required timeframes during investigations of alleged child abuse and neglect.

The Ministry requires caseworkers to attempt first contact with the child who is the subject of the report and their family the same day or within five calendar days of starting the investigation.³ This contact, along with a safety assessment, helps caseworkers to determine the safety of children (i.e., safe, safe with services, or unsafe) who are the subject of alleged abuse or neglect.

³ Staff are required to complete a response priority decision tree for each maltreatment criteria type selected (e.g., physical abuse, emotional abuse). Response priority levels are either immediate response (i.e., same working day) or non-immediate response (within five calendar days).

We tested 15 investigations and found the following:

- For one of 15 investigations classified as requiring immediate response, the Ministry caseworker did not attempt to make face-to-face contact the same day as required—contact was made 20 days after the reported allegation.⁴
- For two of 15 investigations classified as non-immediate response, the Ministry caseworkers did not attempt to make face-to-face contact within five days as required—contact was made four days late in one instance and 19 days late in the other.⁵

In each of the three instances where we found contact was later than required, the Ministry's IT case management system did not include reasons for the delays. In each of these three instances, caseworkers completed the safety assessments at the time of face-to-face contact, and determined children were safe (i.e., no immediate safety threats identified).

The Ministry sets timeframes for face-to-face contact to keep children in these situations safe. Not making contact with a child within the prescribed timeframes increases the risk the child remains in an unsafe environment.

3.4 Family Risk Assessments Not Completed Within Required Timeframes

We recommended the Ministry of Social Services complete family risk assessments for child abuse and neglect investigations within required timeframes. (2018 Report – Volume 2, p. 202, Recommendation 4; Public Accounts Committee agreement September 26, 2019)

Status—Not Implemented

The Ministry does not always complete family risk assessments within required timeframes.

The Ministry requires caseworkers to complete a family risk assessment within 30 days of being assigned an investigation. A family risk assessment estimates the likelihood of a family abusing or neglecting a child in the future (e.g., in the next 12–18 months). The assessment influences the decision on whether to provide ongoing Ministry services to the child and/or family. Therefore, the Ministry requires a caseworker to complete the assessment before concluding an investigation of alleged child abuse and neglect.

For eight of 15 investigations we tested, caseworkers did not complete the family risk assessments within 30 days as required.⁶

⁴ For the twelve-month period ending June 30, 2018, the time of our original audit, caseworkers attempted face-to-face contact the same day as required for all 15 investigations we tested classified as immediate response.

⁵ For the twelve-month period ending June 30, 2018, the time of our original audit, caseworkers did not attempt face-to-face contact within five days as required for two of 15 investigations we tested classified as non-immediate response.

⁶ For the twelve-month period ending June 30, 2018, the time of our original audit, for four of 30 investigations we tested, caseworkers completed family risk assessments late or not at all.



- For three of these eight investigations, staff appropriately documented the reasons for the delays in the IT case management system as follows:
 - For two investigations, the caseworkers could not locate the parents after multiple attempts.

In one of these investigations, the supervisor directed it be closed after six months. Police had determined the child was safe when the initial report was made and no other reports were made on the child in the following six months.

In the other investigation, the caseworker completed the family risk assessment and investigation once the parents were contacted.
 - For one investigation, the caseworker noted delays in obtaining additional information from third parties.
- For the remaining five investigations, the family risk assessments were completed between 50 and 246 days late and staff did not document the reasons for delays in the IT case management system.

Delays in completing family risk assessments means delays in finalizing investigations. This may result in families not receiving needed child protection services timely when there may be a high likelihood the child will be maltreated in the future.

In addition, not consistently documenting reasons for the delays in completing family risk assessments reduces the ability of the Ministry to identify causes and take steps to avoid or minimize them.

3.5 Investigations Not Finalized Within Required Timeframes

We recommended the Ministry of Social Services finalize investigations of reported suspected child abuse and neglect within required timeframes, to allow timely supervisor review. (2018 Report – Volume 2, p. 203, Recommendation 5; Public Accounts Committee agreement September 26, 2019)

Status—Not Implemented

The Ministry did not always finalize investigations within 45 days as expected. Supervisor reviews of submitted investigations were not always timely.

Caseworkers are to complete assigned investigations of alleged child abuse and neglect within 45 days of initiation. The Ministry's investigation process requires caseworkers to:

- Complete investigative findings (i.e., conclude whether the child is in need of protection or the family requires ongoing services) within 30 calendar days of being assigned an investigation
- Close (i.e., conclude the child and/or family does not need ongoing services from the Ministry) or transfer the case to ongoing protection services within 15 calendar days following the investigative finding

Supervisors must review and approve the investigative decision and document their review in the IT case management system.

For eight of 15 investigations we tested, caseworkers did not finalize the investigation within required timeframes.⁷ For only three of the eight investigations, caseworkers appropriately documented in the IT case management system the reasons why completion of the investigation was delayed (e.g., could not locate parents after multiple attempts, obtaining additional information from third parties). The five investigations without documented reasons for delays were finalized between 51 and 231 days late.

In addition, for five of eight late investigations we tested, supervisors approved the investigations late—between 11 and 67 days after it was submitted by the caseworker. Supervisors also did not document reasons for the delays approving investigations in the IT case management system.

Not finalizing investigations within required timeframes and having late supervisor approval may result in delayed ongoing child protection services to families with children who may be at risk of neglect and abuse.

⁷ For the twelve-month period ending June 30, 2018, the time of our original audit, for nine of 30 investigations we tested, caseworkers did not finalize the investigation within required timeframes.

