

**Government
of Alberta** ■

**Review of Child and Youth
Advocacy in Alberta**

**Alberta Child and Youth Advocacy
Review Committee**

March 2009

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1. Executive Summary

Alberta is deeply committed to effective individual advocacy as an integral link in a chain of services and supports that together lead to strengthened outcomes for children and youth receiving child welfare services in Alberta. In the context of a transformation towards outcome-focused development and delivery of child welfare services, and strengthened governance and accountability, Alberta is considered by many other jurisdictions as a forerunner in providing innovative child welfare services. However, this is balanced by an understanding that not all children and youth have optimal outcomes, and a continual focus on improvement is fundamentally important. **This review represents an opportunity to build on the strengths of the current system to ensure the system is transparent and accountable with a focus on improving outcomes for children and youth in Alberta.**

This report presents the findings and recommendations of the Alberta Child and Youth Advocacy Review Committee. It balances “what we heard” from a range of stakeholders with observations of the Committee, including a particular emphasis on voices from youth with experience with child welfare services in Alberta. Practices and models were examined from other jurisdictions.

The recommendations in this report represent a solution that is designed for Alberta culminating in a vision for strengthened child and youth advocacy in Alberta.

Findings and Observations

Findings and observations of the Committee were summarized into five major themes. The following table highlights key implications within each theme.

Theme	Implications
Individual Advocacy	The Alberta Child and Youth Advocate’s strength in providing individual advocacy should be built upon as a core feature of the system for children and youth receiving child welfare services. Transparency could be strengthened through greater clarity of roles.
Systemic Advocacy	Transparency could be greatly strengthened through clear communication of the “rules of engagement” and supporting tools for addressing systemic issues. Particular effort is needed to build relationships with Delegated First Nation Agencies (DFNAs) and other Aboriginal stakeholders as a prerequisite for effectively addressing systemic issues.
Natural or Community and Professional Advocacy	Within the scope of the Advocate’s role there is a need to enhance forms of advocacy beyond individual services.

Theme	Implications
Reporting Practices	<p>Quarterly Reports should be redesigned to reflect a clearly articulated purpose. Reports should be used to inform the Minister of identified service issues and their resolution, and inform the Advocate on potential systemic issues.</p> <p>Annual Reports should be redesigned as part of a coordinated system that is based on agreed upon outcomes for children and youth receiving child welfare services.</p>
Reporting Relationship	<p>Although an arms-length relationship from the Ministry is an important feature of the Advocate, and should be maintained, there is an opportunity to more clearly define roles and responsibilities of both parties.</p>

Recommendations

In conducting its analysis and forming recommendations, the Committee members continually asked themselves the following fundamental questions:

- Will this strengthen outcomes for children and youth receiving child welfare services in Alberta?
- Will this strengthen the accountability of the Advocate?
- Will this strengthen the transparency of Alberta’s child welfare system?

With these questions as a lens for the Committee’s analysis, recommendations were developed in three categories: (1) accountability, reporting and systemic advocacy; (2) process improvements; and (3) role of the Advocate. Rationale is provided for each recommendation as to “why this is the right solution for Albertans”. Although presented separately, the recommendations should be considered as a package – in essence, an integrated plan for strengthened child and youth advocacy in Alberta. The following table summarizes the recommendations and provides the rationale for each recommendation.

Recommendations	Rationale
Accountability, Reporting and Systemic Advocacy	
<p>Recommendation 1: <i>The Annual Report of the Child and Youth Advocate should be referred on an annual basis to the Policy Field Committee on Health for consideration, following the report’s tabling in the Legislature.</i></p> <p><i>With an established process of accountability to the Policy Field Committee on Health, the review Committee believes that the Advocate should continue to report to the Minister of Children and Youth Services.</i></p>	<p>Communication with the Policy Field Committee on Health in a public forum will improve the transparency of both the Advocate and the Ministry as it relates to systemic issue identification, systemic issue resolution, and public reporting. Ultimately, this should lead to strengthened accountability and greater public confidence in the combined efforts of the Advocate, the Ministry and other stakeholders providing child welfare services to children and youth in Alberta.</p> <p>It is critical that the Advocate work directly with those with lead roles and decision-making responsibilities for</p>

Recommendations	Rationale
	<p>child welfare services. A productive working relationship with the Minister is imperative for continued provision of strong and effective individual advocacy services, and to affect resolution of systemic issues. In the context of this and other recommendations in this report, the Committee believes that there is no net benefit of changing the reporting relationship of the Advocate.</p>
<p>Recommendation 2: <i>Quarterly Reports should be redesigned to focus on clearly tracking service issues, reporting the resolution of those issues, and identifying potential systemic issues and actions to serve as a basis for an Annual Report.</i></p>	<p>Regular communication of identified systemic issues and government actions to address systemic issues is a basic requirement for transparency and accountability. Redesigned Quarterly Reports that better focus on individual issues, systemic issues, and resolutions are an ideal vehicle for this purpose. Ultimately, this should lead to greater public confidence in the combined efforts of the Advocate, the Ministry and other stakeholders providing child welfare services to children and youth in Alberta.</p>
<p>Recommendation 3: <i>An Expert Advisory Panel of youth and other key stakeholders should be utilized to facilitate more transparent and comprehensive identification and validation of systemic issues and actions.</i></p>	<p>Effective resolution of systemic issues can only happen if the stakeholders involved in the system are also involved in identifying and addressing the issues. The Expert Advisory Panel concept facilitates this type of involvement in a transparent and productive manner by validating individual and systemic issues raised through the Quarterly and Annual Reports, in collaboration with a broader stakeholder base.</p>
<p>Process Improvements</p>	
<p>Recommendation 4: <i>The Advocate should proactively collaborate with the Ministry of Children and Youth Services to enhance and foster working relationships with Aboriginal stakeholders, including, but not limited, to DFNAs, Métis and First Nation communities.</i></p>	<p>Aboriginal children and youth are significantly over-represented in Alberta’s child welfare system. Through relationship-building and meaningful engagement of Aboriginal stakeholders, culturally appropriate advocacy options will emerge giving Aboriginal children, youth, families and communities a stronger voice in the child welfare system.</p>
<p>Recommendation 5: <i>The relationship between the Advocate and service providers, such as foster parents, contracted agencies, and CFSA and DFNA staff, should be enhanced to identify and develop strategic alliances for change that will benefit children and youth.</i></p>	<p>Service providers are deeply committed to providing high-quality, effective child welfare services. Learning and improvement can only occur if there are mechanisms and processes that support that change. This recommendation will promote improved productive child- and youth-focused working relationships between the Advocate and service providers.</p>

Recommendations	Rationale
<p>Recommendation 6: <i>The Advocate, together with the Ministry, CFSAs and DFNAs should strengthen the processes for dispute resolution available to children and youth receiving child welfare services. The processes should seek to optimize natural or community and professional advocacy options.</i></p>	<p>To be sustainable over the long-term, Alberta’s advocacy system must engage all stakeholders in advocating for children and youth who receive child welfare services. In addition to augmenting the important individual advocacy services provided through the Advocate, this recommendation helps to build a sense of shared accountability to children and youth. It also fosters a culture of collaborative problem-solving where voices of children and youth are listened to and acted upon throughout the child welfare system.</p>
<p>Recommendation 7: <i>The Advocate should enhance the office’s management system to better link business planning and reporting with child and youth outcomes. These linkages should be shared with the Ministry and service providers.</i></p>	<p>As part of its continuing commitment to strengthen accountability, Alberta’s public sector is strongly focused on identifying and implementing effective management practices. This recommendation will lead to a stronger management and reporting system that more clearly demonstrates the linkage between Advocate activities and child and youth outcomes.</p>
<p>Role of the Advocate</p>	
<p>Recommendation 8: <i>Alberta’s system for child and youth advocacy should reflect four core functions: (1) provide individual advocacy; (2) identify and address systemic challenges; (3) optimize professional advocacy; and (4) enhance natural or community advocacy. The Advocate should work with other stakeholders in Alberta’s child welfare system to address each of these functions.</i></p>	<p>The Advocate has a clear role in the provision of individual advocacy services. However, children and youth are best served when every person who interacts with them sees their obligation to advocate, and has the knowledge and tools to do so. To promote a system where advocacy exists throughout the Advocate is uniquely positioned to support all core advocacy functions.</p>
<p>Recommendation 9: <i>The Advocate and the Minister should develop a detailed Memorandum of Understanding (MOU) that formalizes roles and responsibilities of the Minister, the Ministry, and the Advocate.</i></p>	<p>An MOU is an effective tool to document shared understanding of roles and responsibilities. It will promote transparency and public confidence. Most importantly, clarifying roles and responsibilities will lead to better advocacy processes and ultimately better outcomes for children and youth receiving child welfare services in Alberta.</p>
<p>Recommendation 10: <i>The Advocate should review its operational processes, competencies, and structure to ensure alignment with changes that may occur as a result of implementation of the report recommendations.</i></p>	<p>The recommendations in this report are anticipated to have a significant impact on the Advocate’s business model. It is prudent to examine the organization in a more detailed way to ensure alignment of processes, competencies, and structure with roles.</p>

Vision for Child and Youth Advocacy

In working towards the findings and recommendations in this report, the Committee recognized that the Advocate operates in the context of a much larger system of supports and services for children and youth in Alberta. Measures to enhance individual advocacy can be as much about strengthening the whole system and its capacity to serve children and youth effectively, as they are about improving the ways that the Advocate provides services. Similarly, strengthened accountability of the Advocate requires a broader understanding of the “system of advocacy” in Alberta and the roles of the Advocate in that larger system.

The Committee believes that implementing the recommendations proposed in this report would put Alberta on a path to a strengthened system of child and youth advocacy – a system that is specifically designed to meet the needs of children and youth receiving child welfare services. Through the process of reviewing the information presented from youth, stakeholders, and other jurisdictions, the Committee’s vision for child and youth advocacy emerged, encompassing a broad “system of advocacy”. This vision is more fully expanded upon at the end of this report.

2. Introduction

Alberta is strongly committed to effective individual advocacy for children and youth receiving child welfare services¹. While fundamentally important in its own right, there is also an understanding that advocacy exists in the context of a much larger child welfare system. As such, advocacy is an integral link in a chain of services and supports that together lead to strengthened outcomes for children and youth receiving child welfare services in Alberta.

“There are two things I care strongly about. One is the safety and wellness of the kids in our care, and two is public accountability.”

- Minister Tarchuk (10/21/2008) -

Alberta is in the midst of a transformation towards outcome-focused delivery of child welfare services. Along a different, but still relevant path, Alberta has also made significant strides in improving governance and accountability of organizations across the public sector. When these developments are taken together, Alberta has an enhanced ability to continue its efforts to provide progressive and effective child welfare services. It is also acknowledged that not all children and youth have optimal outcomes and a continual focus on improvement is fundamentally important. A particular challenge for Alberta is that Aboriginal populations are significantly over-represented in the child welfare system relative to their proportion of the overall population in Alberta². Continuous quality improvement remains a priority to ensure effective services and supports across the system, including advocacy services.

This review and report represents an opportunity to enhance the child welfare system’s transparency by recommending strategies that strengthen the Advocate’s ability to provide important and meaningful information. It also represents an opportunity to build on the current system’s accountability to Albertans by recommending strategies that not only reinforce the importance of the Advocate’s role with children and youth receiving child welfare services, but also enhance and formalize the roles and responsibilities of the various parties involved in advocacy and child welfare services in Alberta.

This report presents the findings and recommendations of the Alberta Child and Youth Advocacy Review Committee. It balances “what we heard” from a range of stakeholders with observations of the Committee, including a particular emphasis on voices from youth with experience with child welfare services in Alberta. The Committee also looked at practices and models from other jurisdictions. The ten recommendations in this report represent a solution that is designed for Alberta and a vision for child and youth advocacy in Alberta.

¹ The term “child welfare services” is used throughout this report. It refers to intervention services provided by Alberta Children and Youth Services under the *Child, Youth and Family Enhancement Act* (Enhancement Act) and the *Protection of Sexually Exploited Children Act* (PSECA).

² While Aboriginal children account for 8% of the child population of Alberta, they represent 58% of children in care (Business Plan 2008-11, Children and Youth Services).

Review Process

On November 17, 2008, Alberta Children and Youth Services Minister Janis Tarchuk established a Committee to review the accountability and transparency of the Alberta Child and Youth Advocate (Advocate).³ Comprised of nine members with extensive knowledge and experience in child welfare, the Committee included representatives from inside and outside of Alberta and of the Alberta Government to provide a balance of expertise and perspectives.

Review Scope and Deliverables

Working within the current mandate of the Office of the Child and Youth Advocate (Advocate) as set out in legislation, the Committee was asked to examine the following:

- Appropriate accountability measures that both facilitate effective individual advocacy and enhance the ability to identify and report on issues to help improve child welfare services;
- Best practices and promising approaches regarding transparent and accountable child and youth advocacy through a review of literature and consultation with other jurisdictions; and
- Ways to enhance public reporting to help increase public confidence in Alberta's approach to child and youth advocacy.

In the context of this mandate, the Committee further clarified the scope as follows:

- The Committee felt it was important to explain its vision and definition of a system or model of advocacy for children and youth. In the absence of this type of clarity, recommendations regarding transparency and accountability may be out of context.
- Functional and organizational issues fell within the scope of this review, particularly as they relate to accountability and transparency.
- Operational issues (i.e. the manner in which an advocate⁴ provides services to children and youth) were considered outside the scope of this review. However, where form and/or function issues impede transparency and accountability, the Committee considered this in scope.
- Although personnel issues were out of scope, the Committee reserved the option to comment on situations where "good processes" appeared to exist that could be enhanced or strengthened.

Finally, the Committee was asked to present a report and recommendations to the Minister concerning:

- Measures to enhance/maintain the Advocate's ability to effectively provide individual advocacy services for children and youth; and

³ See Appendix A for the Terms of Reference of the Alberta Child and Youth Advocacy Review Committee.

⁴ The term "Advocate" is used throughout this report in referring to the Office of the Child and Youth Advocate. The term "advocate" is used in referring to an individual delegated to act as an Advocate.

- Mechanisms to enhance necessary accountabilities to help increase public confidence in Alberta’s approach to child and youth advocacy, including mechanisms for regular public reporting.

Development of Findings and Recommendations

Information and feedback regarding child and youth advocacy in Alberta and other jurisdictions⁵ was reviewed from a number of sources, including:

- Current program and policy information
- Past reports
- Promising practices compiled from public documents and discussions with other child welfare organizations.

The Committee also considered feedback from a variety of stakeholders, including a group of young people with experience as youth-in-care, Chief Executive Officers from Child and Family Services Authorities (CFSAs), Directors from Delegated First Nation Agencies (DFNAs), service agencies, directors and senior managers of the Ministry of Children and Youth Services, and the Alberta Foster Parent Association.

⁵ See Appendix B for a Summary of Jurisdictional Comparisons

3. Alberta's System for Child and Youth Advocacy⁶

Advocacy on behalf of children and youth became an integral and distinct component of Alberta's Children and Youth Services system in September of 1989. The two primary responsibilities of the Office of the Child and Youth Advocate (Advocate) are: (1) to represent individual children and youth served under the *Child, Youth and Family Enhancement Act* (Enhancement Act) and the *Protection of Sexually Exploited Children Act* (PSECA) through "case or individual advocacy"; and (2) to provide information and advice to the Minister and the Minister's staff with respect to the welfare and the interests of, and the provision of services to, the children and youth who receive services under the Enhancement Act and the PSECA. This is referred to as "systemic advocacy".

Individual Advocacy

The Advocate's Office carries out the case advocacy function by protecting the rights and advancing the interests and viewpoints of young people receiving services. If an advocate is involved with a youth who is able to provide instruction, a viewpoint focus will be taken. The advocate will align him/herself with the youth and assist him/her to participate in the decision-making process toward the outcomes the youth has identified. Based on an essential understanding by all parties that the advocate has no decision-making authority, the advocate comes to the process as a partisan support for the youth. This is based on the underlying assumption that decisions will be better informed if made with active reference to the expressed views of the youth, and that the youth's supported participation can assist him/her to be heard by the bureaucracy that has the authority to make life-shaping decisions on his/her behalf. Understanding the absence of decision-making authority on the part of the advocate, and understanding that the child's right to be heard is not tantamount to a right to decide, are critical in appreciating the advocate's role.

If an advocate is involved with a child who is unable to provide instruction, the advocate will take an interest focus. The focus of advocacy will be to ensure all available information is considered in decision-making processes and that decisions take into account active reference to the young person's interests including those referenced in the "Matters to be considered" section of the Enhancement Act.

⁶ Information included in pages 9-11 is taken from the Annual Report of the Child and Youth Advocate 2007-08

Systemic Advocacy

Systemic advocacy refers to the activity of identifying trends derived from individual advocacy activities regarding youth experiences with services received, and communicating these trends to those responsible in the service delivery system for the refinement of policy and/or for enhancing the effectiveness of practice.

Office of the Child and Youth Advocate - Principles and Values

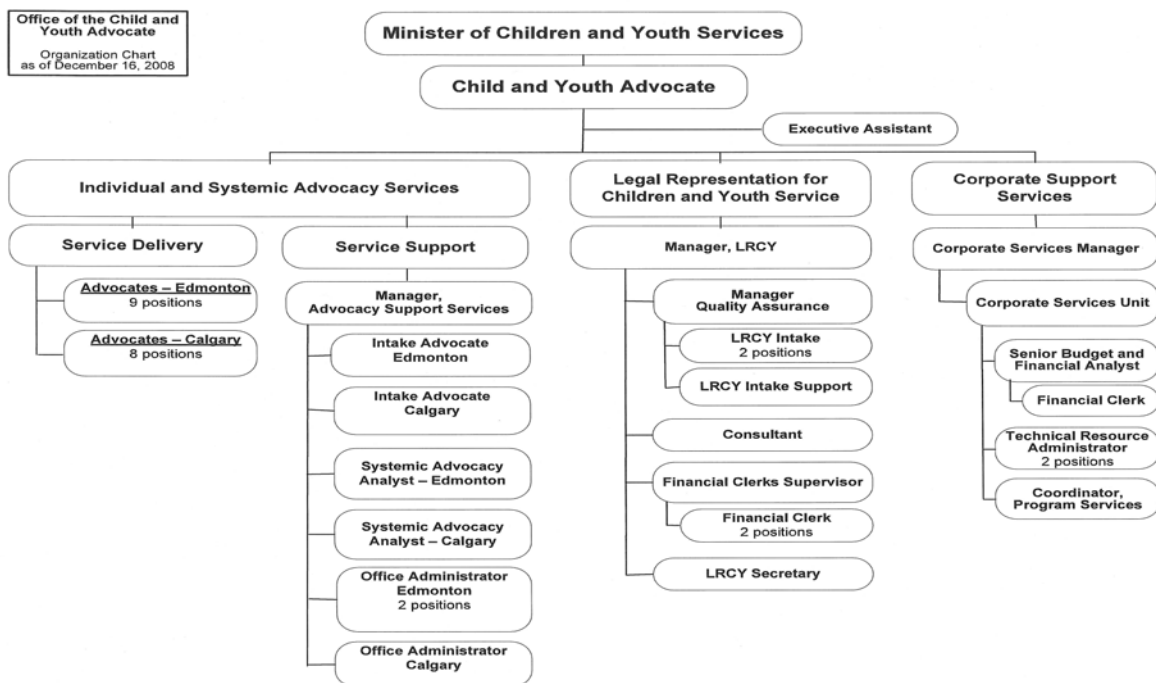
Within the Advocate's Office, the delivery of advocacy services is guided by a set of articulated principles and values. It is expected that these influence not only the structure and operation of the Advocate's Office in general but also the activity and behavior of individual advocates. Advocate's Office principles and values include:

- **Empowerment:** The prime focus of advocacy is the empowerment of the young person to speak for him/herself and to participate in planning and decision-making.
- **Child-focused Practice:** The young person is the client of the Advocate's Office. This requires compassion, respect, and empathy for the young person's perspective.
- **Advocacy is a Shared Responsibility:** The involvement and assumption of responsibility by the community are key considerations. The goal is to involve, empower, and support rather than to replace or supplant natural or community advocates.
- **Eschewing Authority:** An advocate's effectiveness depends on the quality and cogency of facts, upon persuasion, and upon access to progress of levels of individual decision makers and decision-making processes rather than the authority to dictate outcomes. This implies sharing of information, the encouragement of and respect for diversity of opinion, and the absence of a win-lose view of problem solving.
- **Informality:** An informal, non-intrusive style is key to effective advocacy. Informally negotiated, collaborative strategies at the organizational level closest to the child are the preferred approaches to problem resolution - not formal or adversarial processes. However, the advocate's obligation to the young person may require strategies which involve progressively higher levels of organizational authority, or strategies that resort to more formal mechanisms such as courts or appeal panels.
- **Holistic Perspective:** Decision-making about the life of an individual can benefit from a variety of perspectives, disciplines, and values that consider the whole person in his/her environment.

Organizational Model

The Advocate is supported by 17 individual advocates based out of Edmonton and Calgary, and several advocacy support and corporate services staff. Expenditures for the Office were \$6,183,000 for 2007-2008 with \$3,000,000 of that amount allocated to Advocacy Services and the remaining to Legal Representation for Children and Youth⁷ and Corporate Support Services. There is a budget estimate of \$6,552,000 for 2008-2009⁸ with \$3,400,000 allocated to Advocacy Services and the remaining to Legal Representation for Children and Youth and Corporate Support Services. Figure 1 shows the current organizational chart for the Office of the Child and Youth Advocate.

Figure 1: *Office of the Child and Youth Advocate Organizational Chart*



⁷ Legal Representation for Children & Youth (LRCY) is one of the services provided by the Office of the Child and Youth Advocate. LRCY is responsible for the appointment of lawyers for children and youth receiving services under the Enhancement Act or the PSECA. The LRCY does not fall within the scope of this review.

⁸ Business Plan 2008-2011, Children and Youth Services

4. Findings and Observations

The findings and observations described in the following sections reflect a combination of stakeholder input (i.e. “what we heard”) and observations the Committee made during the course of the review. Where relevant, comparisons from other jurisdictions are also noted. Much of the input received points to strengths, weaknesses, and gaps in the way that services are currently delivered. Findings are summarized into the following themes:

- Individual advocacy
- Systemic advocacy
- Natural or community and professional advocacy
- Reporting practices
- Reporting relationship

Although the themes are presented individually, the findings are highly inter-related and some duplication exists in the following sections. For each theme discussed below, the Committee also identified implications of the findings with a particular view on the relevance of the findings to affecting strengthened accountability processes of the Advocate and transparency of the system.

Individual Advocacy

The Advocate is strongly focused on the provision of high-quality individual advocacy services.⁹ Stakeholders identified this as a defining feature of Alberta’s system of child and youth advocacy and a strength that should be built upon. This finding is reinforced when Alberta is compared with other jurisdictions, both in terms of the investment that Alberta has made in individual advocacy services and the fact that many other provincial advocates focus more on conducting systemic investigations because of the extensiveness of their mandates.

Despite the strength of individual advocacy services provided by Alberta’s Advocate, feedback from stakeholders suggests that opportunities exist to strengthen the clarity of roles between individual advocates and CFSA and DFNA case workers and other service providers, such as foster parents and contracted agencies. Specific examples include the following:

- There is a perception that on occasion, some advocates exceed the scope of their responsibility and delve into issues that should be addressed through “normal” case management activities.

⁹ See Section 3 for a detailed description of individual advocacy services.

Implications:

The Advocate’s strength in providing individual advocacy should be built upon as a core feature of the system for children and youth receiving child welfare services.

Transparency could be strengthened through greater clarity of roles.

This leads to a feeling that the advocate is aligned with the referring party and sets up the potential for an adversarial relationship between the case worker and advocate.

- Follow-up with children and youth who access advocacy services is not always clear. On occasion, there is confusion about who holds responsibility (the Advocate or the caseworker) for pursuing resolution to a problem identified by a young person.
- The current service approach in the Advocate's Office appears to lead to variability in style and practices among individual advocates. This contributes to role confusion and results in variation regarding working relationships between advocates, case workers, and other stakeholders.

It is recognized that staff changes in the service delivery and child-serving resource systems create a particular need for the Advocate's Office to constantly introduce and communicate to stakeholders the Advocate's role, responsibilities, and methods of operation. Although this finding touches on operational issues it is fundamentally important to role clarity, and reinforcing the requirement for ongoing and consistent communication between all parties in the child welfare system.

Systemic Advocacy

In legislation and based on input from stakeholders, it is clear that an important aspect of the Advocate's role relates to identification and resolution of systemic issues.¹⁰ Whereas some roles can be clearly identified as belonging to one stakeholder or another, systemic issues, by their very nature, cannot be addressed by any single stakeholder. Therefore, to enhance transparency, accountability, and effectiveness it is important that roles and responsibilities with respect to specific issue resolution be clearly articulated and well understood.

In examining the offices across Canada that have focuses similar to that of the Alberta Advocate, the Committee concluded that the offices are difficult to compare due to the differences in the scope, functions, and structures from one jurisdiction to the next. Alberta's Advocate has the most focused mandate, extending services to children and youth who receive services under *The Child, Youth and Family Enhancement Act* and *The Protection of Sexually Exploited Children's Act*, both of which are administered by the Ministry of Children and Youth Services. The other provincial offices have mandates related to children and youth served by more than one Ministry, and some have mandates related to all children served by government. Based on the size of their respective mandates, the offices do relatively less individual advocacy and more systemic investigation work. The task of

Implications:

Transparency could be greatly strengthened through clear communication of the "rules of engagement" and supporting tools for addressing systemic issues.

Particular effort is needed to build relationships with DFNAs and other Aboriginal stakeholders as a prerequisite for effectively addressing systemic issues.

¹⁰ See Section 3 for a description of Systemic Advocacy.

identifying and addressing systemic issues varies from jurisdiction to jurisdiction, with each Advocate managing this mandate in ways that range from similar to significantly different. With respect to systemic issue identification and resolution in Alberta, the scope of a single system mandate appears to have some advantages for the Advocate, including a resourced capacity to fulfill individual and systemic advocacy, ready access to system information, direct access to decision makers in the Ministry of Children and Youth Services, and direct access to CFSA and DFNA executives.

While autonomy of the Advocate is necessary, the Alberta Advocate's focus is on identifying and pursuing resolution of issues in partnership with the Ministry and other providers of service in the child welfare system. These efforts to create an environment of consultation, appropriate disclosure, and group problem-solving are seen as more effective in initiating change management than are strategies which create conflict between the Advocate and the child welfare system. It does not appear that the Advocate's approach restricts or precludes his ability to openly address individual and systemic issues requiring attention. Nor does it cloud the accountability of the Ministry for the well-being of children in its care.

The initial design for the Advocate in Alberta was based on this premise, and the Advocate has developed effective working relationships with the Ministry leadership team based on an understanding of mutual accountability for addressing systemic issues. Stakeholders in Alberta that provided input to the Committee are strongly aligned with this type of role for the Advocate.

Although the overall role of the Advocate in identifying systemic issues is generally understood and appreciated, there are areas that can be strengthened. More specific findings of the Committee in this area include:

- There are gaps related to identification and resolution of systemic issues with DFNA staff. Important prerequisites for this are working with other stakeholders to: (1) continue to develop and foster relationships with DFNA staff; and (2) examine flexible approaches to developing different and culturally appropriate mechanisms for systemic issue resolution.
- The Advocate does meet regularly with CFSA and Department staff to discuss systemic issues. There is an opportunity to strengthen and extend that approach to other system stakeholders (including youth, foster parents, agencies, and the academic community) to develop strategic alliances to address issues of common interest for children and youth.
- The Ministry's public response to systemic issues requires greater transparency and there is an opportunity for the Ministry to work with the Advocate to enhance public reporting of action plans and progress against service or systemic issues identified by the Advocate.
- It appears that Quarterly and Annual Reports are the formal documentation to report identification and resolution of systemic issues. The current Quarterly Reports have variations in reporting content, tracking of individual cases, and review and validation of systemic issues. While the Quarterly Reports were not specifically designed to identify systemic issues, the

information contained within them could be used to facilitate processes with CFSAs and DFNAs to this end. The annual reporting process does not fully facilitate resolution of systemic issues and an opportunity exists to create better alignment of the processes and information involved in the production of Quarterly and Annual Reports.

Natural or Community¹¹ and Professional Advocacy

An important aspect of accountability is balancing the use of public resources to address urgent needs while also investing in areas that will lead to longer-term improvements. The Advocate is best known for being strongly focused on the provision of high-quality individual advocacy services. Less well known are the efforts of the Advocate's Office to promote advocacy efforts among a wider constituency of professionals and community members (e.g., the support for natural or community advocates as noted on its website; its four year investment in community advocacy through the Community Advocacy Initiative). Stakeholders highlighted that everyone involved in a child or youth's life should advocate for them. This implies a need for the Advocate to more actively and visibly promote and support natural or community advocacy as a vehicle to support children and youth receiving child welfare services. With respect to natural or community advocacy, youth in particular noted the need for advocacy models that could include youth-to-youth mentoring, school-based advocacy, contracted agency staff, and foster parents. Natural or community advocacy is also seen as an opportunity to provide innovative and culturally relevant advocacy services for Aboriginal children and youth, and for those living in rural and remote areas of the province. Stakeholders have an expectation that the Advocate will be fostering natural or community advocacy as part of the Advocate role. While the Committee did not hear that the Advocate should reduce provision of individual advocacy services, there is a desire that the Advocate help to enhance natural or community and professional advocacy.

Implications:

Within the scope of the Advocate's role, there is a need to enhance forms of advocacy beyond individual services.

Professional advocacy refers to a process of: (1) informing professionals across a range of vocations of their obligation to advocate for the children and youth with whom they work; and (2) providing professionals, with a particular emphasis on case workers, with the skills to advocate effectively. While this may be the primary responsibility of professional colleges and educational institutions, stakeholders noted that Alberta's Advocate should also have a role in this regard.

Reporting Practices

The overall finding of the Committee as it relates to the Advocate's Quarterly and Annual reporting practices is that the current systems can be enhanced through a shared commitment between the

¹¹ Natural Advocacy or community advocacy is based on the belief that every person in a child's or youth's life should advocate for them. It involves targeted efforts to build awareness and capacity for advocacy across the system with a particular focus on natural supports (e.g. family, peers).

Advocate and the Ministry of Children and Youth Services to clearer articulation of strategic directions, consistency of practice with those directions, and reporting against shared intended outcomes. Each is discussed in more detail below.

Quarterly Reports

Quarterly Reports are a legislative requirement under the Enhancement Act. The Advocate developed them to be a communication tool between his Office and the CFSAs and DFNAs, and to inform the Minister about the activities of the Office. Over time, the reports evolved to facilitate activity reporting of the Advocate, and to a lesser extent, to inform operational improvements for CFSAs and DFNAs through identification of service issues.

As a tool for facilitating quality improvement, the current Quarterly reporting system can be enhanced through clarification of the purpose of the report and through structure and process changes that facilitate consistency in reporting content.

Implication:

Quarterly reports should be redesigned to reflect a clearly articulated purpose. Reports should be used to inform the Minister of identified issues and their resolution, and inform the Advocate on potential systemic issues.

Annual Reports

While the current Annual Reports identify activities of the Advocate, they are not as clearly linked to goals and clear performance measures for the Advocate as they could be. Limitations in this area directly impact the transparency, perception of accountability, and perceived effectiveness of the Advocate's Office. The Annual Reports do identify systemic issues; however, there is limited reporting of how the issues have been addressed and when they were addressed. While it is acknowledged that the delayed release of Annual Reports is improper, a process for timely issues identification exists and is working even though there is no current reporting mechanism to demonstrate that issues resolution has occurred. Again, this impacts the perceived relevance of the Annual Reports for the Advocate, stakeholders, and the public.

Implication:

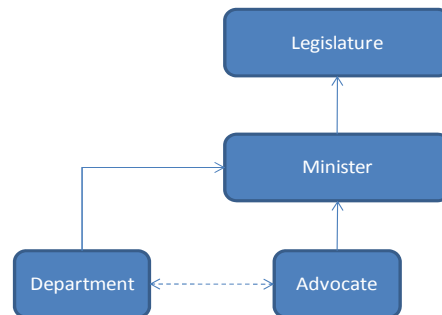
Annual reports could be enhanced as part of a coordinated system that is based on agreed upon outcomes for children and youth receiving child welfare services.

Finally, stakeholders noted that transparency of annual reporting processes could be strengthened by greater involvement of standing government mechanisms for communication to the Legislature and the public.

Reporting Relationship

In light of the findings in previous sections regarding the Advocate’s role in individual and systemic advocacy, the Committee does not believe that the current direct reporting relationship between the Advocate and the Minister (see Figure 2) is a barrier to accountability of the Advocate or transparency of the system. In fact, this direct reporting relationship is seen by many stakeholders as an enabler of the Advocate’s role in addressing systemic issues.

Figure 2: Reporting Relationship



With that said, several stakeholders noted that enhancements to the reporting relationship (as opposed to replacements) that involve transparent communication of Advocate performance and Ministry responses to systemic issues could have a substantial positive impact on transparency and public confidence in Alberta’s child welfare system.

Similarly, the current arms-length relationship between the Advocate and the Ministry is not well defined with respect to: (1) the Advocate’s role in Ministry decision-making processes, or (2) the Department’s role in providing support services to the Advocate.¹² This leads to variation in terms of how and when the Advocate engages with the Ministry, and leads to inconsistent responses from the Ministry.

Implication:

Although an arms-length relationship from the Ministry is an important feature of the Advocate and should be maintained, there is an opportunity to more clearly define roles and responsibilities of both parties.

¹² Clarity of roles and responsibilities would be highly consistent with good governance practices outlined in the *Public Agencies Governance Framework* (February 2008).

5. Recommendations

A wide range of background information and perspectives were offered to the Committee throughout the review process. In assessing the available information to determine how it might frame findings and recommendations, the Committee continually asked themselves the following fundamental questions:

1. Will this strengthen outcomes for children and youth receiving child welfare services in Alberta?
2. Will this strengthen the accountability of the Advocate?
3. Will this strengthen the transparency of Alberta's child welfare system?

With these questions as a lens for the Committee's analysis, recommendations were developed in three categories: (1) accountability, reporting and systemic advocacy; (2) process improvements; and (3) role of the Advocate. Rationale is provided for each recommendation as to "why this is the right solution for Albertans". Although presented separately, the recommendations should be considered as a package – in essence, an integrated plan for strengthened child and youth advocacy in Alberta.

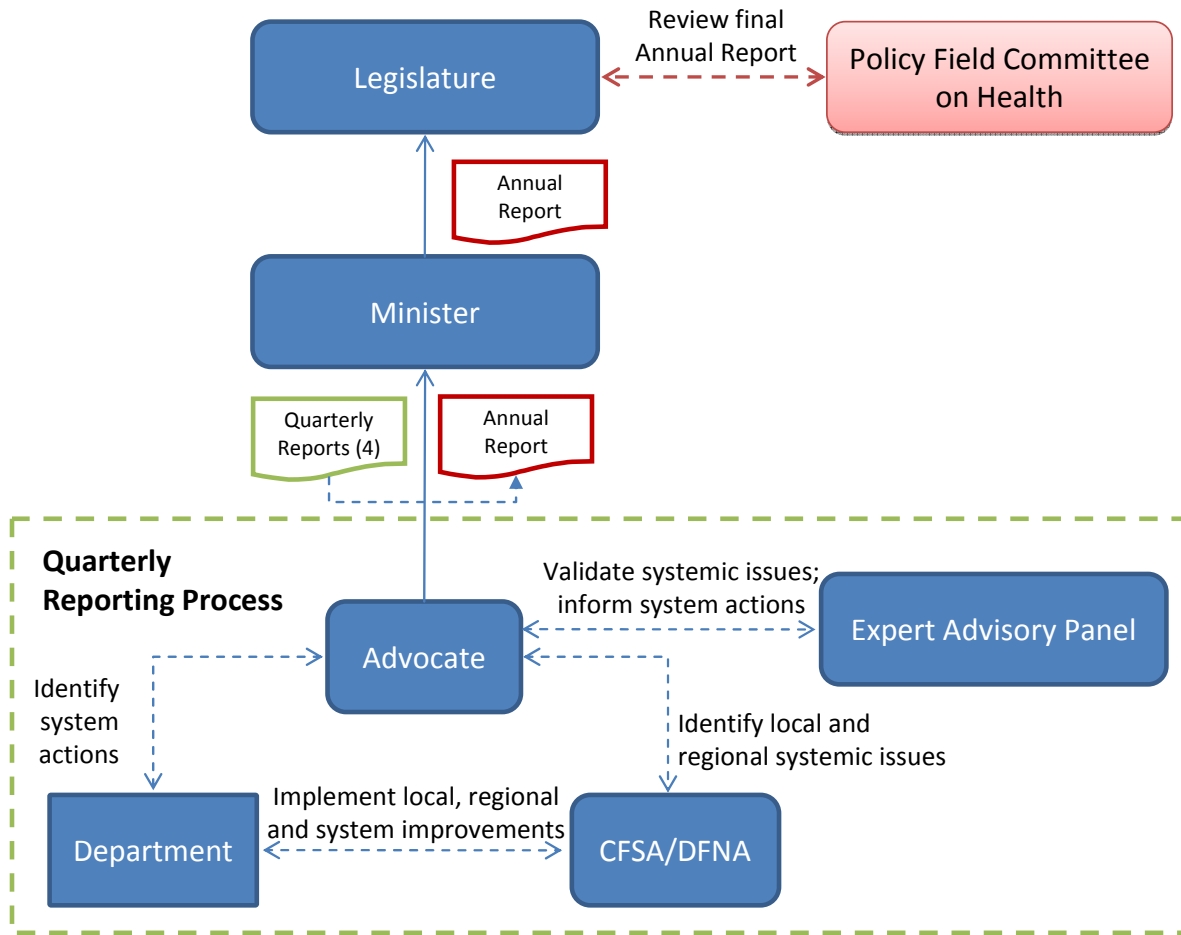
Accountability, Reporting and Systemic Advocacy

Various opportunities for improvement were identified in the Committee's findings as they relate to accountability, reporting, and systemic advocacy. While on the surface these may appear as distinct issues, in fact they are highly inter-related and difficult to separate. As such, the Committee is recommending a series of actions that will lead to an improved model for systemic issue resolution and transparent reporting. Key aspects of such a system include:

- An effective accountability relationship between the Advocate and the Minister
- Redesigned Quarterly Reports
- Enhanced Annual Reports
- Development of an Expert Advisory Panel to facilitate engagement of child welfare system stakeholders in the identification, validation, and resolution of systemic issues
- Strengthened communication between the Minister and the Advocate, and the addition of the Policy Field Committee on Health to improve transparency and accountability

Figure 3 depicts the group of changes that are recommended to improve accountability, reporting, and systemic issue resolution. Each of the subsequent recommendations discusses an aspect of the system in greater detail.

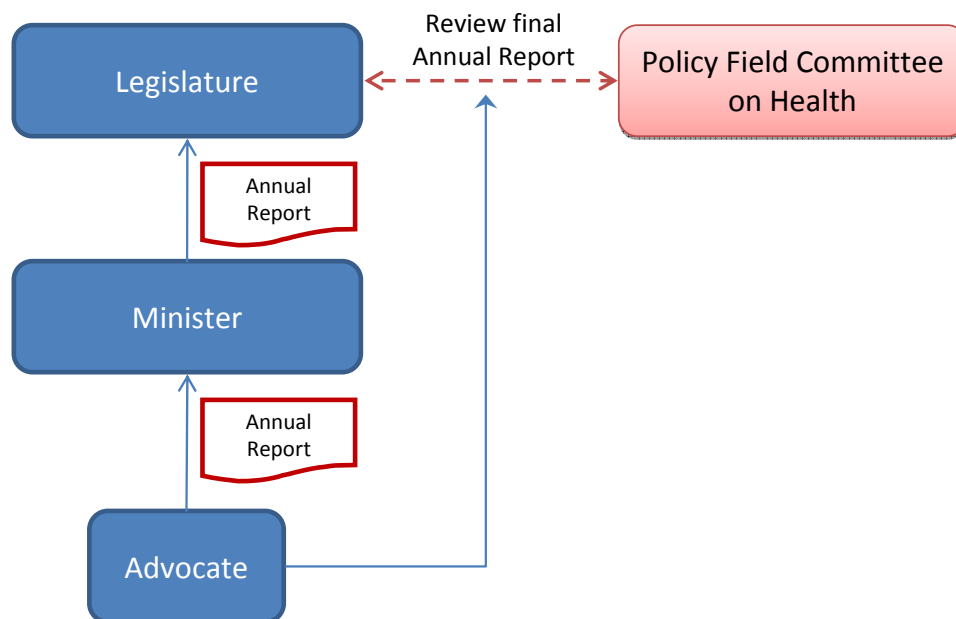
Figure 3: Summary of recommendations that strengthen Accountability, Reporting and Systemic Advocacy



Recommendation 1:

The Annual Report of the Child and Youth Advocate should be referred on an annual basis to the Policy Field Committee on Health for consideration, following the report's tabling in the Legislature. Under this model, the Policy Field Committee on Health may review the Annual Report of the Child and Youth Advocate and, as part of its review, may invite the Advocate to appear before the committee. Figure 4 depicts the recommended relationship for communicating with the Policy Field Committee.

Figure 4: *Recommended Relationship with the Policy Field Committee on Health*



As an established forum for reviewing government Annual Reports, the Policy Field Committee is an appropriate entity for all-party review of the Annual Report of the Child and Youth Advocate. This arrangement will provide additional transparency and oversight to ensure high-quality, relevant, and timely reporting, and is a mechanism to provide feedback and ideas for improvement for consideration in subsequent Annual Reports.

With an established process of accountability to the Policy Field Committee on Health, the review Committee believes that the Advocate should continue to report to the Minister of Children and Youth Services and participate as a member of the Ministry Leadership Team. The Committee strongly believes that the Advocate should be an enabler of system solutions and a partner with other stakeholders to collectively address system challenges which requires a closer working relationship with the Minister and Ministry.

Rationale: Why this is the right solution for Albertans...

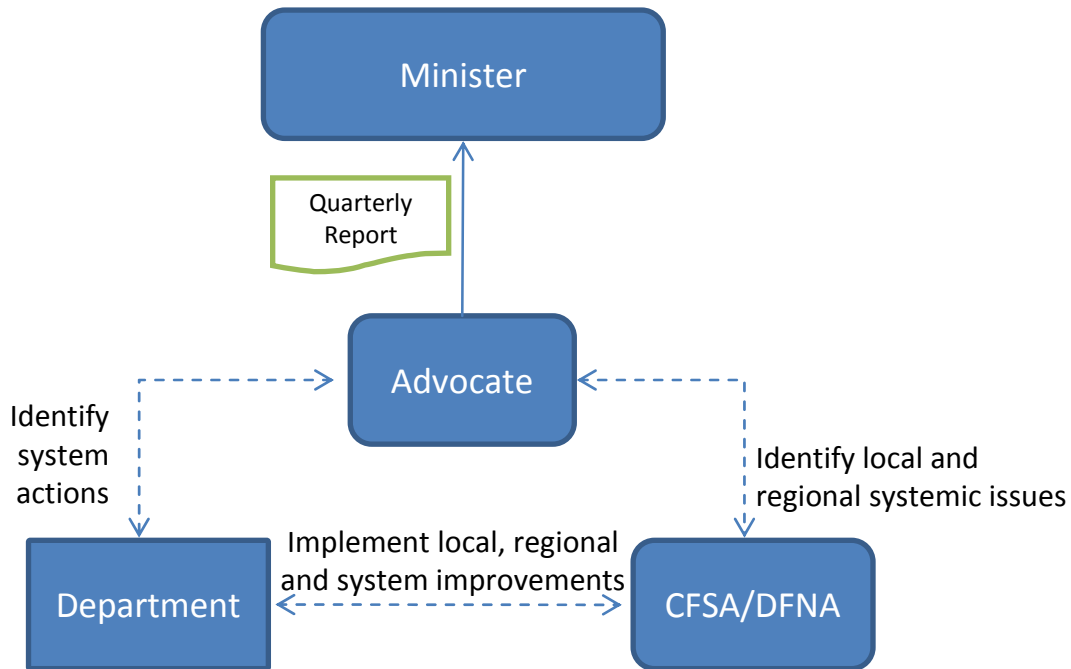
Communication with the Policy Field Committee on Health, an all-party committee of the Legislature, will improve the transparency of both the Advocate and the Ministry as it relates to systemic issue identification, systemic issue resolution, and public reporting. Ultimately, this should lead to strengthened accountability and greater public confidence in the combined efforts of the Advocate, the Ministry, and other stakeholders providing child welfare services to children and youth in Alberta.

It is critical that the Advocate work directly with those with lead roles and decision-making responsibilities for child welfare services. A productive working relationship with the Minister is imperative for continued provision of strong and effective individual advocacy services, and to affect resolution of systemic issues. In the context of this and other recommendations in this report, the committee believes that there is no net benefit of changing the reporting relationship of the Advocate.

Recommendation 2:

Quarterly Reports should be redesigned to focus on clearly tracking service issues, reporting the resolution of those issues, and identifying potential systemic issues and actions to serve as a basis for an Annual Report. Under this model, the Ministry of Children and Youth Services and the Advocate would have mutual responsibility to: (1) identify service and systemic issues and trends in a timely fashion, and (2) describe actions that respond to identified systemic issues. While detailed case-specific information cannot be reported to ensure adherence with privacy legislation requirements, non-identifying information about issues and the resolution of those issues should be reported in some form as determined by the Advocate. Figure 5 depicts the recommended quarterly reporting process in greater detail.

Figure 5: Recommended Quarterly Reporting Process



Rationale: Why this is the right solution for Albertans...

Regular communication of identified systemic issues and government actions to address systemic issues is a basic requirement for transparency and accountability. Redesigned Quarterly Reports that better focus on individual issues, systemic issues, and resolutions are an ideal vehicle for this purpose. Ultimately, this should lead to greater public confidence in the combined efforts of the Advocate, the Ministry, and other stakeholders providing child welfare services to children and youth in Alberta.

Recommendation 3:

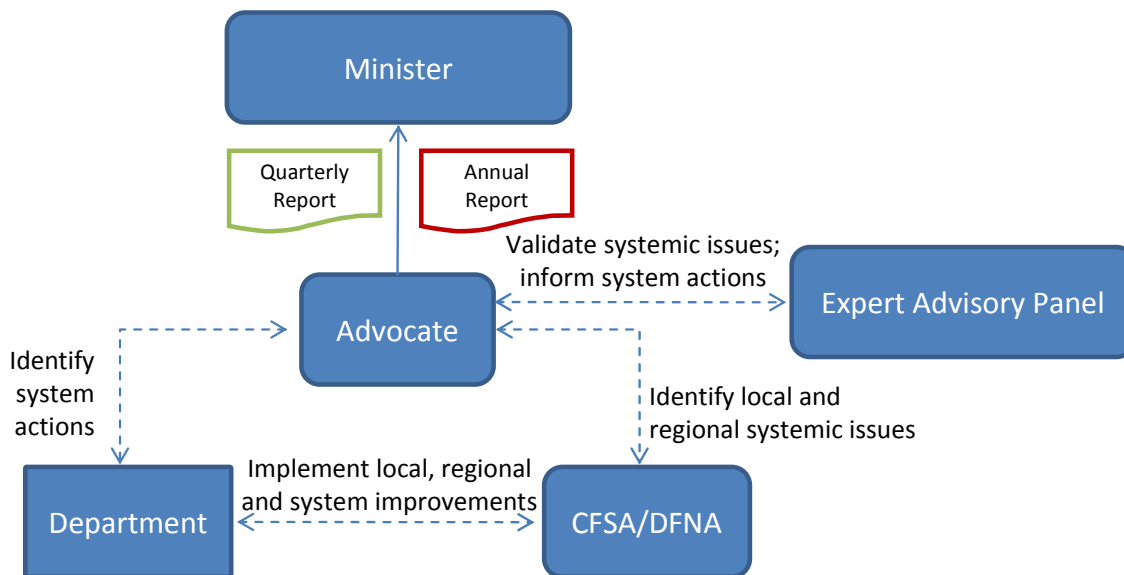
An Expert Advisory Panel of youth and other key stakeholders should be utilized to facilitate more transparent and comprehensive identification and validation of systemic issues and actions. The mandate of the Expert Advisory Panel (EAP) should include the following:

- Assist in identifying priority systemic issues the province should be addressing and recommend system actions to address priority issues.

- Share lessons learned and promising practices to enhance advocacy practices for children and youth within the mandate of the Advocate.
- Consult, as necessary, with constituents to ensure a wide range of perspectives are offered.
- Assist with facilitating the development of natural or community advocacy networks.

Input and advice from the EAP should be specifically incorporated into the Advocate's Annual Reports. Figure 6 builds on Figure 5 to illustrate the role of the EAP as it relates to systemic advocacy (i.e. identification of systemic issues).

Figure 6: Role of the Expert Advisory Panel in Systemic Advocacy



The Committee recognizes that a range of options likely exists to meet the intent of this recommendation, including updating the mandate of one or more existing bodies. Accordingly, the Committee further recommends that the Advocate, together with representatives from the Ministry, undertake a detailed design process to ensure the EAP concept can be brought to life in the most expeditious and cost-effective manner. To facilitate such a process, the Committee offers the following suggestions:

- Members of the EAP should have the fundamental competency of credibility in child and youth advocacy issues.
- The EAP should have substantial and meaningful youth involvement, potentially including a co-chair role for one youth on the EAP.
- Membership on the EAP should facilitate input from the range of stakeholders involved in child welfare services in Alberta.

Rationale: Why this is the right solution for Albertans...

Effective resolution of systemic issues can only happen if the stakeholders involved in the system are also involved in identifying and addressing the issues. The Expert Advisory Panel concept facilitates this type of involvement in a transparent and productive manner by validating individual and systemic issues raised through the Quarterly and Annual Reports, in collaboration with a broader stakeholder base.

Process Improvements

Transparency is a by-product of commonly understood and effectively implemented processes. Each of the following recommendations is designed to strengthen processes and in doing so, enhance transparency of the advocacy system in a way that also translates to better outcomes for children and youth receiving child welfare services in Alberta.

Recommendation 4:

The Advocate should proactively collaborate with the Ministry of Children and Youth Services to enhance and foster working relationships with Aboriginal stakeholders, including, but not limited, to DFNAs, Métis and First Nation communities. It is particularly important to meaningfully engage with Aboriginal stakeholders in ways that emphasize prevention and acknowledge the value of culturally appropriate natural or community advocacy mechanisms (including, but not limited, to round-table discussions involving Elders and family-based case conferences). As shared understanding is developed regarding ways to work with Aboriginal stakeholders in core advocacy functions, this should be incorporated into the Advocate's processes.

Rationale: Why this is the right solution for Albertans...

Aboriginal children and youth are significantly over-represented in Alberta's child welfare system. Through relationship building and meaningful engagement of Aboriginal stakeholders, culturally appropriate advocacy options will emerge, giving Aboriginal children, youth, families and communities a stronger voice in the child welfare system.

Recommendation 5:

The relationship between the Advocate and service providers such as foster parents, contracted agencies, and CFSA and DFNA staff should be enhanced to identify and develop strategic alliances for change that will benefit children and youth. In particular, the opportunity to work collaboratively to identify shared child and youth outcomes that the system can strive to achieve on behalf of children and youth.

Rationale: Why this is the right solution for Albertans...

Service providers are deeply committed to providing high-quality, effective child welfare services. Learning and improvement can only occur if there are mechanisms and processes that support that change. This recommendation will promote improved productive child- and youth-focused working relationships between the Advocate and service providers.

Recommendation 6:

The Advocate, together with the Ministry, CFSAs and DFNAs should strengthen the processes for dispute resolution available to children and youth receiving child welfare services. The processes should seek to optimize natural or community and professional advocacy options. In particular, opportunities may exist to strengthen dispute resolution mechanisms at the local and regional levels that are culturally appropriate. Similarly, there may be opportunities to develop or expand new models of advocacy, including, but not limited, to youth-to-youth advocacy and mentorship approaches.

Rationale: Why this is the right solution for Albertans...

To be sustainable over the long-term, Alberta's advocacy system must engage all stakeholders in advocating for children and youth who receive child welfare services. In addition to augmenting the important individual advocacy services provided through the Advocate, this helps to build a sense of shared accountability to children and youth. It also fosters a culture of collaborative problem-solving where voices of children and youth are listened to and acted upon throughout the child welfare system.

Recommendation 7:

The Advocate should enhance the office’s management system to better link business planning and reporting with child and youth outcomes. These linkages should be shared with the Ministry and service providers. Key characteristics of the system should include:

- A business planning process for the Advocate’s Office that is based on child and youth outcomes. Ideally, the outcomes would be shared by the Ministry and service providers. Subsequent strategic directions and priority actions should clearly link how the Advocate intends to enhance key outcomes.
- An annual reporting system that incorporates both activity and outcome reporting, and links with the business planning process. Quarterly Reports should inform the development of Annual Reports.
- An enhanced evaluation of Advocacy services.
- Approaches that facilitate enhanced consistency of practice of individual advocates.
- Communication strategies that address ongoing and sustained information being available to key stakeholders.

Rationale: Why this is the right solution for Albertans...

As part of its ongoing commitment to strengthen accountability, Alberta’s public sector is strongly focused on identifying and implementing effective management practices. This recommendation will lead to a stronger management and reporting system that more clearly demonstrates the linkage between Advocate activities and child and youth outcomes.

Role of the Advocate

Role clarity is a fundamental prerequisite for accountability. The following recommendations are designed to clarify the role of the Advocate as it relates to different “advocacy functions” in Alberta’s child welfare system.

Recommendation 8:

Alberta’s system for child and youth advocacy should reflect four core functions: (1) provide individual advocacy; (2) identify and address systemic challenges; (3) optimize professional advocacy; and (4) enhance natural or community advocacy. The Advocate should work with other stakeholders in Alberta’s child welfare system to address each of these functions.

Clearly stated and shared descriptions of how advocacy functions in Alberta should serve as the basis for enhanced accountability and transparency. The Committee recognizes that additional work is required before the role statements are understood, especially in light of roles that other organizations also play in Alberta’s system. Accordingly, the following statements should be considered a starting point for more detailed discussions and documentation of the Advocate’s role. The table below summarizes the Advocate’s role for each core advocacy function.

Table 1: *Alberta Advocate Role Statements*

Core Function	Advocate Role
Individual Advocacy	Provide individual advocacy services Participate in dispute resolution procedures
Systemic Advocacy	Inform discussions to identify challenges Profile challenges and potential solutions Validate suspected challenges by bringing forward evidence Facilitate system solutions
Professional Advocacy	Enable a cultural shift towards collective advocacy Inform and educate about professional advocacy obligations Influence development of social work and other professions who serve children and youth
Natural or Community Advocacy	Participate in design of new service delivery models Educate the public about natural or community advocacy

Rationale: Why this is the right solution for Albertans...

The Advocate has a clear role in the provision of individual advocacy services. However, children and youth are best served when every person who interacts with them sees their obligation to advocate, and has the knowledge and tools to do so. To promote a system where advocacy exists throughout, the Advocate is uniquely positioned to support all core advocacy functions.

Recommendation 9:

The Advocate and the Minister should develop a detailed Memorandum of Understanding that formalizes roles and responsibilities of the Minister, the Ministry, and the Advocate. The Memorandum of Understanding (MOU) should be developed in the context of child- and youth-focused outcomes that are shared by the Minister, the Ministry, and the Advocate. It should specifically identify circumstances under which the Advocate becomes involved in core processes at the Department and CFS/DFNA levels, with whom the individual advocates are expected to engage, responsibilities and limitations of individual advocates in these processes, and supporting tools. Within the supporting tools, clarification should be provided on the structure and process of the Quarterly and Annual Reports. It should clarify the arms-length working relationship between the Ministry and the Advocate, with particular attention to decision-making processes and support functions provided by the Ministry to the Advocate. The MOU should be made publicly available.

Rationale: Why this is the right solution for Albertans...

An MOU is an effective tool to document shared understanding of roles and responsibilities. It will promote transparency and public confidence. Most importantly, clarifying roles and responsibilities will lead to better advocacy processes and ultimately better outcomes for children and youth receiving child welfare services in Alberta.

Recommendation 10:

The Advocate should review its operational processes, competencies, and structure to ensure alignment with changes that may occur as a result of implementation of the report recommendations.

Particular emphasis should be placed on the following:

- Approaches to facilitate consistency of practice of individual advocates that are in line with core advocacy functions and roles. These should complement and reinforce changes that are made to strengthen working relationships with Ministry, CFSA and DFNA staff.
- Describing redefined competencies that are necessary to effectively fill the Advocate's roles (as described in Recommendation 8).

Rationale: Why this is the right solution for Albertans...

The recommendations in this report are anticipated to have a significant impact on the Advocate's business model. It is prudent to examine the organization in a more detailed way to ensure alignment of processes, competencies, and structure with roles.

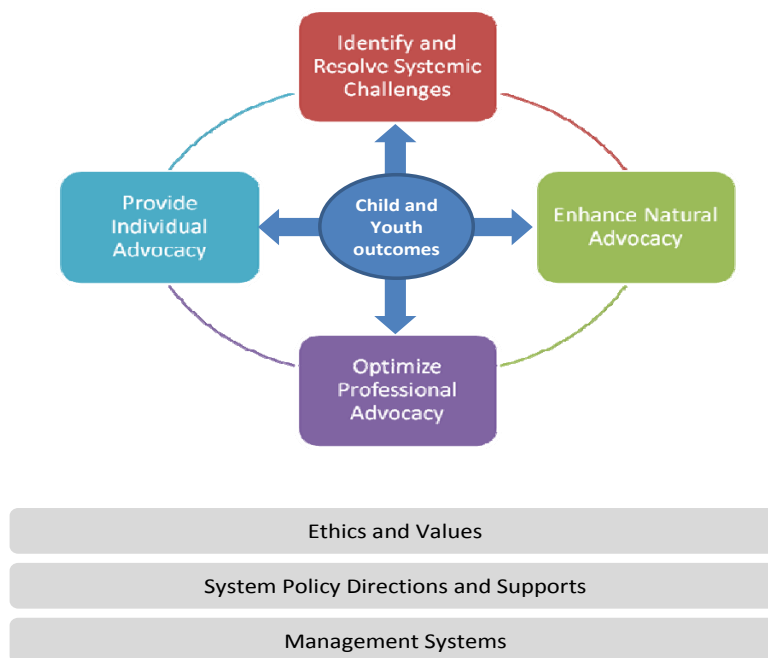
6. Vision for Child and Youth Advocacy

The Committee has been mandated with recommending: (1) measures to enhance/maintain the Advocate’s ability to effectively provide individual advocacy services; and (2) mechanisms to enhance necessary accountabilities to help increase public confidence in Alberta’s approach to child and youth advocacy. In working towards findings and recommendations in these areas, the Committee recognized that the Advocate operates in the context of a much larger system of supports and services for children and youth in Alberta.

While critically important and at the core of how the Advocate operates, individual advocacy is but one advocacy “function” in a broader system. Measures to enhance individual advocacy can be as much about strengthening the whole system and its capacity to serve children and youth effectively as it is about improving the ways that the Advocate provides services. Similarly, strengthened accountability of the Advocate requires a broader understanding of the “system of advocacy” in Alberta and the roles of the Advocate in that larger system.

The Committee believes that implementing the recommendations proposed in this report would put Alberta on a path to a new system of child and youth advocacy; a system that is specifically designed to meet the needs of children and youth while building on the strengths in Alberta’s broader child welfare system. Figure 7 outlines the Committee’s “vision of collective advocacy” in Alberta. The remainder of this section explains the vision and seeks to clarify the role of the Advocate in the context of core functions of the system.

Figure 7: *Vision of Collective Advocacy in Alberta*



The Committee’s vision for a system of advocacy in Alberta is built on three basic elements:

- Children and youth at the centre of the model
- A foundation of shared ethics and values, system policy directions and supports, and management systems
- Four core functions: (1) provide individual advocacy; (2) identify and address systemic challenges; (3) optimize professional advocacy; and (4) enhance natural or community advocacy.

Children and Youth at the Centre of the Model

The Committee had the privilege of receiving input from a group of youth with experience “growing up in the system”, many of whom had accessed services of the Advocate. Although the youth group had several excellent recommendations, their strongest message was to reinforce the unique expertise of youth and the central importance of involving children and youth in designing, delivering, and improving advocacy services. Accordingly, the Committee’s vision for Alberta’s system of advocacy places children and youth at the centre of the model and signifies the importance of involving children and youth in all core functions of advocacy.

“We are the experts; we dream to make a difference for children and youth of the future.”

- Alberta Youth -

Foundation for Advocacy

Advocacy is the collective responsibility of everyone involved in a child or youth’s life. This fundamental ethic is at the core of the Committee’s vision and lays the foundation for a culture of respect, partnership, and continual improvement of all aspects of the system. By definition, a “system of collective advocacy” requires a culture that emphasizes “we” as opposed to a more adversarial “us versus them” approach to all aspects of advocacy. Also included in the foundation for advocacy is alignment with policy directions in Alberta. Finally, management systems are a key enabler of role clarity, evidence-informed decision-making, effective delivery of services toward outcomes that are shared by all stakeholders involved in the system, and coordination between the Advocate and other important stakeholders across the system.

Core Advocacy Functions

A comprehensive system of advocacy includes the following four core functions, all of which are required for an effective and sustainable system:

- Provide individual advocacy
- Identify and address systemic challenges

- Optimize professional advocacy
- Enhance natural or community advocacy

Based on the understanding that advocacy is a collective responsibility, it is important to describe each of the core functions and to identify the appropriate role for the Advocate.

1. Provide individual advocacy services

Strong individual advocacy is fundamentally important as one service option among a series of dispute resolution mechanisms that should exist, including processes that are inherent in effective case work and alternative dispute resolution. In this regard, the Advocate should be both a team member (in the context of mechanisms that exist within service provider organizations) and a safety net to provide strong individual advocacy when it is required.

Advocate role in individual advocacy:

- Provide** individual advocacy services
- Participate** in dispute resolution procedures

2. Identify and address systemic challenges

The nature of systemic challenges is that no one player can address them on their own. The “system” must build processes and procedures for identifying and addressing such challenges that involve a wide range of stakeholders. The Committee strongly believes that the Advocate should be an enabler of system solutions and a partner with other stakeholders to collectively address system challenges.

Advocate role in systemic challenges:

- Inform** discussions to identify challenges
- Profile** challenges and potential solutions
- Validate** suspected challenges by bringing forward evidence
- Facilitate** system solutions

3. Optimize professional advocacy

All professionals working in Alberta’s child welfare system have an ethical and professional obligation to advocate for those children and youth with whom they are involved. Widespread acceptance of this obligation, combined with a consistent focus to ensure the voices of children and youth are heard is central towards a system of collective advocacy. The Advocate has a critical role to play in helping professions and professionals to understand this obligation and ways to strengthen advocacy.

Advocate role in professional advocacy:

- Enable** a cultural shift towards collective advocacy
- Inform** and **educate** about professional advocacy obligations
- Influence development** of social work and other professions who serve children and youth

4. Enhance natural or community advocacy

In a system of collective advocacy, models must exist beyond individual advocacy, including both informal advocacy and youth-to-youth advocacy. This is particularly important to ensure cultural relevance and to increase system capacity for provision of advocacy services among under-served populations. The Advocate should be a champion and educator for enhanced natural or community advocacy across Alberta.

Advocate role in natural advocacy:

Participate in design of new service delivery models

Educate the public about natural advocacy

Appendix A: Terms of Reference

Scope of the Review

Working within the current mandate of the Office of the Child and Youth Advocate (Advocate) as set out in legislation, the Committee will examine the following:

- Appropriate accountability measures that both facilitate effective individual advocacy and enhance the ability to identify and report on issues to help improve child welfare services;
- Best practices and promising approaches regarding transparent and accountable child and youth advocacy through a review of literature and consultation with other jurisdictions; and
- Ways to enhance public reporting to help increase public confidence in Alberta's approach to child and youth advocacy.

Key Deliverables

The Committee will present a report and recommendations to the Minister concerning:

- Recommended measures to enhance/maintain the Advocate's ability to effectively provide individual advocacy services for children and youth; and
- Mechanisms to enhance necessary accountabilities to help increase public confidence in Alberta's approach to child and youth advocacy, including mechanisms for regular public reporting.

Accountability

- The Minister will appoint the Chair and members
- The Chair is accountable to the Minister

Membership

Committee members include:

- Mark Hattori (Chair), Acting Assistant Deputy Minister, Program Quality and Standards Division, Alberta Children and Youth Services
- Stephen Clarke, Youth
- Cortney Garnett, Youth
- Phil Goodman, Senior Policy Advisor, Alberta Children and Youth Services
- Susan Wismer, Director of Legal Services, Alberta Children and Youth Services
- Bonnie Johnston, Chief Executive Officer, Calgary and Area Child and Family Services Authority
- Loïselle Arcand, Band Designate, Alexander First Nation

- Bruce Rivers, Chief Executive Officer, Community Living Toronto; Past President, Child Welfare League of Canada; President, International Forum for Child Welfare
- Bruce MacLaurin, Assistant Professor, Faculty of Social Work, University of Calgary

Subject Matter Experts

The following key subject matter experts will be invited to make formal presentations to the Committee to inform the development of findings and recommendations:

- Child and Youth Advocate
- Alberta Foster Parent Association
- Alberta Association of Services for Children and Families

In addition, a process will be implemented by which to gather input from former youth-in-care, Child and Family Services Authority (CFSA) Chief Executive Officers, Delegated First Nation Agency (DFNA) Directors, and the Departmental Senior Management Team.

Confidentiality

- The *Freedom of Information and Protection of Privacy Act* and the *Child, Youth and Family Enhancement Act* apply to all information and records transferred or collected, created or maintained or stored for this review.
- All records submitted to the Minister and in the custody or under the control of Children and Youth Services are subject to the provisions of the *Freedom of Information and Protection of Privacy Act*.

Appendix B: Summary of Jurisdictional Comparisons

Models for child and youth advocacy are developed in each province and territory to best fit the unique structure and needs of the jurisdiction. Although every office is unique, many of the processes and requirements for child and youth advocacy across Canada are similar. Table 1 summarizes key features and the reporting relationship for models in each of Canada’s provinces.

Table 1: Jurisdictional Comparisons

Province	Highlights	Reporting Relationship
Alberta	Office of the Child and Youth Advocate: Mandate is to represent children and youth receiving services under the <i>Child, Youth and Family Enhancement Act</i> and the <i>Protection of Sexually Exploited Children Act</i> .	Minister of Children and Youth Services
British Columbia	Office of the Representative for Children and Youth: Mandate is to represent all children and youth under age 19. Some of the main functions are to help children and youth access and receive services from any government department or agency, and to review those services in terms of effectiveness and responsiveness.	Legislature
Saskatchewan	Children’s Advocate Office: The mandate is to represent all children and youth who receive services from any government department or agency.	Legislature
Manitoba	Office of the Children’s Advocate: The mandate is to represent the rights, interests, and viewpoints of children and youth who are receiving, or should be receiving, services as prescribed under child welfare and adoption legislation.	Legislature
Ontario	Office of the Provincial Advocate for Children and Youth: The mandate includes children and youth who are seeking and/or receiving services under their child welfare and/or education legislation.	Legislature
Quebec	Human Rights Commission: All children and youth are protected under the Quebec Charter of Human Rights and Freedoms. Under the Human Rights Commission, there is a specific focus on children and youth who receive services under their child welfare legislation and their youth justice legislation.	Legislature
Nova Scotia	Office of the Ombudsman: The Office established a specialized child and youth mandate. It represents children and youth receiving services in child custody and child protection systems and intends to expand its mandate to all provincial and municipal child and youth serving systems.	Legislature

Province	Highlights	Reporting Relationship
New Brunswick	Office of the Ombudsman and Child and Youth Advocate: In 2007, New Brunswick passed legislation that created a Child and Youth Advocate. The Advocate represents all children and youth who are receiving government services. The administrative operations are shared with the Ombudsman’s office.	Legislature
Newfoundland and Labrador	Office of the Child and Youth Advocate: The office represents all children and youth who are entitled to receive or are receiving government services.	Legislature
Prince Edward Island	No office mandated to advocate for children and youth	Not Applicable

After careful consideration, the Committee decided to initiate additional consultations with five provincial jurisdictions by which to review contrasts, comparisons and promising practices: British Columbia; Saskatchewan; Manitoba; Ontario; and, Newfoundland and Labrador.

The primary finding from this research is that the system in each province has evolved differently and there is no consistent pattern to explain core services, reporting relationships or other accountability mechanisms. However, while comparability is challenging, there are a few variables that were examined by the committee, one of which is scope.

Most of the other jurisdictions with an advocacy function have mandates related to children and youth served by more than one Ministry, and some have mandates related to all children served by government. Based on the size of their mandates, the offices do relatively less individual advocacy and more systemic investigation work.

The Committee’s conclusion from this review is that Alberta’s system must be designed to meet the unique needs of Albertans.