

# Provincial/Territorial Protocol

On Children, Youth and Families Moving  
Between Provinces and Territories

April 1, 2016



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# Provincial/Territorial Protocol on Children, Youth and Families Moving between Provinces and Territories

## 1. Introduction

The purpose of the *Provincial/Territorial Protocol on Children and Families Moving between Provinces and Territories* (Protocol) is to outline the roles and responsibilities of statutory child welfare organizations (including government ministries, agencies, boards and societies and may include First Nations, Inuit and Métis child welfare organizations) when working together to provide child welfare services to children and families moving between provinces and territories (PTs). In this document these entities will be referred to as “the child welfare organizations”.

The Protocol applies to a wide variety of legislation, policies, governance structures, and service delivery models throughout Canada. To accommodate these variations, it is necessary for this document to be written using generic terminology and should be interpreted in a way that is consistent with the principles described in Section 1.1, Protocol Principles. The Protocol is mandatory for all PTs that are signatories; however, if there is a conflict between the Protocol and the legislation or policies within a PT, the latter shall prevail.

The Protocol covers child protection, children and youth in care, children and youth in out of care placements, and, adoption services. Within these service areas the Protocol addresses:

- coordinating services, including information sharing and case management;
- financial responsibilities; and
- dispute resolution.

Sections 1-6 are general sections that apply to all services and will assist PTs in understanding the terms used and their respective roles and responsibilities when cases are shared. The nature and scope of the services to which the Protocol applies are specifically outlined in Sections 7-10. Section 11 addresses Protocol administration and forms are appended which will assist to operationalize the Protocol.

The Protocol reflects the commitment of the signatory provinces and territories to:

- promote and support all PTs in meeting their statutory responsibilities under their child welfare legislation;
- support the ongoing operation of the Protocol, including where required, developing PT specific procedures or other materials to assist in interpreting the Protocol;
- provide PTs with an updated list of its interprovincial coordinators/contacts and Directors of Child Welfare;
- monitor the placement of children and youth in care placed outside their PT;
- ensure child welfare organizations providing statutory services to children, youth and families who move between PTs understand their roles and responsibilities under the Protocol;
- facilitate dispute resolution;
- address any systemic issues between the PTs related to the Protocol; and
- consider changes to its legislation and policy that will enhance the provision of services under the Protocol.

## **1.1 Protocol Principles**

- the safety, best interests and well-being of children and youth is the paramount consideration in all decisions;
- this Protocol shall be administered so that the rights of children and youth as defined in the United Nations Convention on the Rights of the Child (1990) are respected;
- the originating PT always maintains the legal responsibility for children and youth in their care, custody or guardianship and this legal responsibility ends in accordance with the originating PT's legislation; however, both PTs have responsibilities for delivering required services to children, youth and families;
- in unique situations, exceptions to the Protocol can be made where necessary to promote the best interests of a child or youth;
- in unforeseen circumstances where the Protocol does not provide sufficient direction, the PTs will work collaboratively to promote the child or youth's best interests consistent with both PTs' legislation; and
- services are not delayed due to budgetary, administrative or jurisdictional issues or disputes and, where these do arise, a timely and effective resolution is promoted.

## 2. Definitions

**aboriginal** – includes all First Nations, Inuit and Métis children, youth and families.

**adoptive applicant** – a person or persons who have applied to adopt a child or youth in care, but who have not received a child or youth for purposes of adoption.

**adoptive parent** – a person or persons who have received a child in care for purposes of adoption or who have been granted an order of adoption of a child or youth.

**case plan** – a planning process used by case workers in the receiving and originating PTs when providing services to a child and/or family. The format will depend on the case circumstances, should be mutually agreed and meet the policy requirements of the originating PT. The minimum case plan requirements must address the goals of the child protection services and/or placement, itemization of the services to be provided, and detail on the roles and responsibilities of the various parties.

**child in care** – a child or youth who is in the care, custody or guardianship of a child welfare organization by court order, agreement or adoption consent. This includes a child or youth under apprehension status.

**child in out of care placement** – a child or youth who is not in care but whose placement is financially supported and/or supervised by a PT.

**child protection alert** – a communication issued to another PT when a person or family cannot be located or there is knowledge that a person or family has moved to another PT and a child or youth is or may be in need of protection.

**child protection alert form** – a standardized document used when a child protection alert is issued to another PT.

**child welfare** – statutory services relating to support services, child protection services, services to children or youth in care and in out of care placements, adoption and post-adoption services.

**child welfare organizations** – organizations with the statutory authority to deliver child welfare services, including government ministries, agencies, boards and societies.

**children and youth** – persons who are under 16, 18 or 19 years of age pursuant to child welfare legislation in an originating PT.

**custom adoption** – an adoption that has occurred by way of aboriginal customary law and has been recognized by the PT in which the adoption took place.

**days** – all references to “days” in the Protocol refers to calendar days.

**foster parent** – an individual, other than a parent or guardian of a child or youth, approved by a child welfare organization or foster care licensee to provide care for a child or youth in care. This individual may or may not be related to the child or youth (e.g. kinship).

**home study** – the assessment of caregivers being considered to provide care and supervision for a child or youth.

**interprovincial placement agreement (IPPA)** – a standardized agreement negotiated between two PTs that describes their respective roles and responsibilities in serving a child or youth.

**interprovincial coordinator/contact** – the person(s) designated by each PT with responsibility for facilitating the coordination of interprovincial/territorial services and for resolving issues and disputes between the PTs.

**maintenance and service expenditures** – financial assistance, subsidies and other services (refer to 4.2 and 4.3).

**originating PT** - the child welfare organization in the province or territory that requests services from a receiving PT or agrees to the repatriation of a child or youth from a receiving PT.

**PT** – means province and territory and refers to the government ministries, agencies, boards or societies and First Nations, Inuit and Métis agencies (child welfare organizations) within each province or territory with statutory authority for the delivery of child welfare services.



**receiving PT** - the child welfare organization in the province or territory that agrees to provide child welfare services at the request of an originating PT or repatriates a child or youth to an originating PT.

**residential facility** – a PT approved or licensed residential placement, other than a foster parent placement, that provides care and supervision of a child or youth in the care of a PT.

**serious occurrence/incident** – reportable incidents for children and youth in both in care and out of care placements, including but not limited to: the death or serious injury of a child or youth; alleged abuse or mistreatment of a child or youth by family members, foster parent, staff, volunteers or others associated with providing the service; serious complaints made by or about a child or youth, or any other serious occurrence involving a child or youth that is considered to be of a serious nature in a receiving PT.

**service delivery costs** – salaries and operating costs (refer to 4.1)

**temporary placement** – an approved temporary and transitional placement or place of safety that may be used prior to a planned placement.

**temporary residential treatment facility** – an approved facility used for the care and treatment of a child or youth. These are typically short term (up to six months) treatment facilities (e.g. medical, mental health or addictions treatment).

## **3. Co-ordination of Services**

### **3.1 Information Sharing**

Each PT agrees to share information with respect to persons needing or receiving services to the extent permitted by its legislation and policy. Personal information is shared with the consent of the persons who are the subject of the information where possible.

However, legislation in all PTs authorizes the sharing of confidential information without the person's consent where necessary to ensure the safety and well-being of a child or youth. This may include, conducting child protection investigations, obtaining child welfare record prior contact checks, carrying out guardianship duties for a child in care and assessing the suitability of potential caregivers.

### **3.2 Case Management Roles and Responsibilities**

Case management begins after an Interprovincial Placement Agreement has been completed in consultation with the receiving PT. Ensuring that the appropriate services are provided to meet the child's or youth's needs is a shared responsibility of each PT. Files must be opened in both PTs and each must comply with its respective file and records management policies.

The child welfare organization in the originating PT maintains the legal responsibility, guardianship or statutory authority and case management role through collaboration and regular or as needed conferencing with the child welfare organization in the receiving PT.

The child welfare organization in the receiving PT is responsible for the day to day monitoring and supervision of the case through collaboration and regular or as needed conferencing with the child welfare organization in the originating PT.

## 4. Financial Responsibilities

### 4.1 Service Delivery Costs – Receiving Province/Territory

In providing services under the Protocol, a receiving PT is responsible for salaries and operating costs normally incurred in the delivery of child welfare services including:

- child protection investigations;
- arranging for the signing or renewal of voluntary service or placement agreements;
- serving child welfare court documents;
- preparing safety assessments and home studies;
- participating in case planning;
- monitoring and supervising placements; and
- adoption and post-adoption services.

### 4.2 Maintenance and Service Expenditures – Originating Province/Territory

In requesting services from a receiving PT, an originating PT agrees to directly pay for:

- in care maintenance and service costs at the receiving PT's rates;
- out of care maintenance and service costs at the originating PT's rates;
- youth receiving post-care services – maintenance and service costs at the originating PT's rates, and in accordance with the originating PT's legislation and policies;
- residential facilities at the receiving PT's rates;
- temporary residential treatment facilities (where not covered by health insurance or other publicly funded sources in a receiving PT);
- dental, optical and prescription drugs not covered by the receiving PT publicly funded sources;
- psychological and psychiatric services not paid for by health insurance or other publicly funded sources in a receiving PT;
- adoption subsidy payments;

- where required by the receiving PT's legislation and policy, adoption court completion costs; and
- other expenditures as negotiated on a case by case basis between the originating and receiving PTs.

### **4.3 Maintenance and Service Expenditures – Receiving Province/Territory**

In providing services requested by an originating PT, a receiving PT agrees to pay for:

- expenses related to repatriating children or youth pursuant to Section 7.5; and
- other expenditures as negotiated on a case by case basis between the originating and receiving PTs.

### **4.4 Document Translation Services**

When receiving requests for services from Quebec, Quebec will ensure required documentation is translated to English. When requesting services from Quebec, the requesting PT will be responsible for the translation of required documents to French.

## 5. First Nations, Inuit or Métis Child Welfare Organizations

- 5.1.1 In some PTs, First Nations, Inuit or Métis child welfare organizations have varying levels of authority for the delivery of child welfare services depending on the legislation of the PT. In those circumstances where services from an First Nations, Inuit or Métis child welfare organization is required, the interprovincial coordinator in the receiving PT must be contacted by the originating PT to confirm that the level of statutory authority, capacity, resources and funding models available to the First Nations, Inuit or Métis child welfare organization is consistent with the case plan for a particular child and/or family.
- 5.1.2 When providing services to aboriginal children, youth and families under this Protocol, the receiving PT agrees to follow legislative requirements and existing protocols of the originating PT with respect to aboriginal children, youth and families to the extent possible under the receiving PT's legislation and policy.
- 5.1.3 As part of negotiations to develop the Interprovincial Placement Agreement to move a child or youth in care who is First Nation or Inuit to another PT, the originating PT shall advise the receiving PT whether any service or maintenance expenditures for the child or youth are currently being funded by the federal government.
- 5.1.4 When applicable, the originating PT shall determine whether the federal government will continue to pay for maintenance and service expenditures for the child or youth in care moving to the receiving PT and advise the receiving PT of financial arrangements for the child or youth.
- 5.1.5 If the federal government is unable to continue to pay maintenance and service expenditures for children and youth in care after the move then the originating PT is responsible for these costs.

## 6. Dispute Resolution

### 6.1 Dispute Resolution at the Local Level

It is expected that most issues arising between PTs will be resolved between caseworkers and/or supervisors/managers directly involved in the matter.

### 6.2 Involvement of Interprovincial Coordinators

In the event that a dispute or other issue cannot be resolved in a timely fashion at the local level, the matter shall be referred to the interprovincial coordinator for each PT with a view to negotiating a mutually satisfactory resolution of the matter **within 14 calendar days of receiving the matter**.

### 6.3 Involvement of Provincial and Territorial Directors of Child Welfare

In the event that the dispute or issue cannot be resolved between the interprovincial coordinators for each PT as described in 6.2, the matter shall be referred to the PT Director of Child Welfare in each PT. A mutually satisfactory resolution of the matter will be determined and communicated **within 14 calendar days** of the PT Directors receiving the matter or longer time period agreed to by both PT Directors.

## **7. Child Protection Services**

### **7.1 Introduction**

Section 7 applies to:

- a. child protection alerts issued to one or more receiving PTs;
- b. child protection requests for services from another PT;
- c. child protection referrals to another PT; and
- d. repatriation of children and youth from a receiving PT to an originating PT.

### **7.2 Interprovincial Child Protection Alerts**

#### **7.2.1 Criteria for Issuing Child Protection Alerts**

An originating PT may issue a child protection alert when a child, youth, adult or family is missing or there is knowledge that a person or family has moved to another PT and a child or youth is or may be in need of protection. Circumstances that may lead to the issuing of a child protection alert include, but are not limited to the following:

- a. a family, family member or guardian leaves the PT prior to the conclusion of a child protection investigation;
- b. a family, family member or guardian receiving child protection services leaves the PT prior to closing the case;
- c. a family under court-ordered supervision leaves the PT without approval from the PT or court;
- d. a parent or guardian takes a child or youth in care to another PT without prior approval from the originating PT or court;
- e. a child or youth in care is missing from his or her placement and is believed to have left the PT;
- f. a high-risk pregnant person has or is suspected to have left the PT; and
- g. a child or youth is taken or has fled to another PT for a variety of reasons, including child trafficking, sexual exploitation, so called 'honour based' violence or illegal adoption.

## **7.2.2 Issuing and Receiving Child Protection Alerts**

Each PT agrees to implement a process for ensuring that child protection alerts are issued and received in a secure and timely manner. At a minimum, each PT shall designate one or more provincial contacts responsible for issuing and receiving child protection alerts.

## **7.2.3 Content of Child Protection Alerts**

When issuing an alert, the originating PT shall use the Interprovincial Child Protection Alert Form appended to the Protocol. The content of the Interprovincial Child Protection Alert may include, but is not limited to the following information:

- a. the name and birth date of each subject of the alert;
- b. the name, address, email address, telephone number and facsimile of the child welfare organization that issued the alert and the date sent;
- c. if applicable, the name of the interprovincial contact, worker and supervisor, who issued the alert and how to contact them or their alternates;
- d. the reason(s) for issuing the alert including sufficient details of the child protection concerns and risk factors related to the child or youth;
- e. possible destinations and other information that may assist a receiving PT in locating the person or family;
- f. specific actions requested of the PT and, if required collateral agencies/hospitals in the receiving PTs;
- g. known history or risk of violence; and
- h. expiry date if less than nine months.

## **7.2.4 Responding to Child Protection Alerts**

Upon receiving an alert, the receiving PTs shall:

- a. request additional information from the originating PT if needed, including sufficient information about the child protection concerns and risk factors;
- b. distribute the alert in accordance with the legislation/policy of the receiving PT;
- c. inform designated contacts in the originating PT when the missing person or family is located;
- d. develop a plan of action in consultation with contacts in the originating PT; and
- e. close the alert when it expires or extend it for a further period if requested by the originating PT.



### **7.3 Interprovincial Requests for Services**

#### **7.3.1 An originating PT may request a receiving PT to provide services in a child protection case including:**

- a. child welfare record checks;
- b. interviews with alleged perpetrators or victims of abuse;
- c. service of court documents;
- d. supervision of visits or contacts between children or youth and family members; and
- e. other services agreed to by the receiving PT.

7.3.1.1 When requesting services, the originating PT shall use the Interprovincial Request for Services Form appended to the Protocol. Upon receiving the request, the receiving PT agrees to provide services based on the originating PT's case plan if in accordance with the receiving PT's legislation and policy.

### **7.4 Interprovincial Child Protection Referrals**

#### **7.4.1 Criteria for Child Protection Referrals**

An originating PT shall refer an individual or family moving to a receiving PT for services when:

- a. the individual or family has requested the referral;
- b. the originating PT is in the process of conducting a child protection investigation;
- c. there is an open child protection case;
- d. child protection court proceedings are pending or in process;
- e. there is an order of supervision; or
- f. there is a need for ongoing services to prepare the family for the return of children or youth.

#### **7.4.2 Issuing and Receiving Child Protection Referrals**

7.4.2.1 When making a child protection referral, the originating PT shall:

- a. if appropriate, inform the individual or family of the decision to refer and, if appropriate, obtain consents to share information with the receiving PT;

- b. prior to or as soon as it is known the family is moving, consult with the receiving PT with the goal of reaching an agreement on the services to be provided by the receiving PT; and
- c. send a summary of the case, including investigation reports and findings, risk assessments, case plans, and all relevant court documents to the receiving PT.

**7.4.2.2 Upon receiving a child protection referral, the receiving PT shall:**

- a. accept the referral as an intake using the same intake process as normally provided;
- b. if necessary, advise the originating PT which child welfare organization will be responsible for accepting the referral;
- c. if the referral involves an open child protection case, the receiving PT opens a child protection case, according to its own legislation and policy; and
- d. if required by the originating PT, send copies of documents and correspondence to the interprovincial coordinator in that PT.

## **7.5 Repatriation Services**

### **7.5.1 Eligibility**

**7.5.1.1 Repatriation services may be considered for a child or youth who has fled or been abducted to a receiving PT and who:**

- a. is in care of an originating PT;
- b. is placed in an out of care placement by an originating PT; or
- c. is or may be in need of protection in a receiving PT.

**7.5.1.2 On learning of a child or youth who may need to be repatriated, a receiving PT agrees to accommodate the concerns of an originating PT and the parents or guardians who reside in the originating PT to the extent possible under its legislation.**

**7.5.1.3 When considering repatriation of a child or youth under Section 7.5.1.1 to an originating PT, a receiving PT shall:**

- a. check with police or justice/probation officials in the receiving PT to determine if there is a missing person report filed or if the child or youth is under investigation, charged with or found guilty of an offence, on probation or otherwise involved with the *Youth Criminal Justice Act*; and

- b. collaborate with the originating PT and where required, police and justice officials to arrange appropriate escort services.

## **7.5.2 Exclusions**

This Section does not apply to the return of children or youth who have been abducted and who are the subjects of a custody or access dispute between parents when there are no child protection concerns. These matters should be referred to the appropriate Family Court with jurisdiction by the parent, guardian or police.

## **7.5.3 Children or Youth in Care or in Out of Care Placement**

### **7.5.3.1 With respect to the repatriation of a child who is in the care of or in an out of care placement of an originating PT, the receiving PT shall:**

- a. gather information on the child or youth and his or her present situation;
- b. notify the originating PT as soon as possible to advise of the child or youth's location;
- c. consult regarding a plan to repatriate the child or youth;
- d. provide necessary services pending repatriation of the child or youth;
- e. arrange for the most expedient form of travel appropriate to the needs of the child or youth and for any supervision required by the child or youth while travelling;
- f. contact the originating PT as required to advise of the repatriation arrangements in a timely manner and to provide any follow-up that is indicated or recommended; and
- g. provides the originating PT a written summary of the services provided and any relevant comments, reports or recommendations.

### **7.5.3.2 To assist in repatriating a child or youth under paragraph 7.5.3.1, the originating PT shall:**

- a. provide any relevant information about the child or youth to assist the receiving PT in making appropriate repatriation arrangements;
- b. when necessary, advise the receiving PT which child welfare organization will be responsible for providing services; and
- c. immediately notify the receiving PT when the child or youth arrives as planned or if a child or youth does not arrive as planned.

7.5.3.3 Subject to paragraph 7.5.3.4, the receiving PT assumes all expenses related to the child or youth's care and repatriation, including travel costs for the child or youth (and escort if required) unless otherwise negotiated with the originating PT.

7.5.3.4 Notwithstanding paragraph 7.5.3.3, the originating PT assumes responsibility for all costs directly related to repatriating a child or youth that the originating PT has placed in a temporary residential treatment facility or residential facility in a receiving PT. These costs do not include salaries and operating costs of the receiving PT normally incurred by a child welfare organization in delivering child welfare services.

#### **7.5.4 Other Eligible Children**

7.5.4.1 With respect to the repatriation of a child or youth who is not in care or in an out of care placement in an originating PT, but who is or may be in need of protection in a receiving PT, the receiving PT shall:

- a. gather information on the child or youth and his or her present situation;
- b. contact the originating PT to make arrangements for the child or youth's return;
- c. provide necessary services pending repatriation;
- d. arrange for the most expedient form of travel appropriate to the child or youth's needs and for any supervision required for the child or youth while travelling;
- e. contact the originating PT as required to advise of the repatriation arrangements and of any follow-up that is indicated or recommended; and
- f. provide a written summary of the services provided and any relevant comments, reports or recommendations if requested by the originating PT.

7.5.4.2 When contacted to assist in repatriating a child or youth under paragraph 7.5.4.1, the originating PT shall:

- a. provide any relevant information about the child or youth to assist the receiving PT in making appropriate repatriation arrangements;
- b. advise the receiving PT which child welfare organization will be responsible for providing services; and
- c. immediately notify the receiving PT when the child or youth arrives as planned or if a child or youth does not arrive as planned.

**7.5.4.3 The originating PT is responsible for contacting the parent and determining the parent or guardian's willingness and ability to pay for the costs of repatriation.**

If the parent or guardian cannot or will not cover the cost of the repatriation, the receiving PT assumes the full or remaining cost.

## 8. Children and Youth in Care

### 8.1 Introduction

Section 8 applies to a child or youth who is in the care, custody or guardianship of a child welfare organization by court order, agreement or adoption consent. This also includes a child or youth under apprehension status.

### 8.2 Notification and Negotiation

#### 8.2.1 Child or Youth Moving with Foster Family to Another Province/Territory

8.2.1.1 When planning for a child or youth to move with a foster family to a receiving PT, the originating PT shall:

- a. **60 days prior to the move** (or such shorter period of time as negotiated between the originating and receiving PT's, in accordance with the particular circumstances of the planned move) contact the receiving PT to:
  - confirm the move details;
  - discuss the case plan;
  - provide documentation related to the approval or licensing of the foster family;
  - provide all assessments or reviews of the foster home completed within the past 24 months; and
  - negotiate the Interprovincial Placement Agreement utilizing the form appended to the Protocol.
- b. prior to the move, give the foster family contact information in the receiving PT for the office that will be providing supervision and monitoring services.

#### 8.2.1.2 Approval by Receiving Province/Territory of Foster Family that has Moved with a Child or Youth

**Within 30 days** of the foster family's move, the receiving PT will complete an assessment of the foster family in accordance with its legislation and policy to ensure that the family meets the receiving PT's requirements to provide foster care services in the receiving PT. The receiving PT arranges any further training required by the foster family.

8.2.1.3 Monitoring and Support of a Foster Family that has Moved with a Child or Youth to a Receiving Province/Territory

A foster family approved as a resource in the receiving PT, shall be monitored and supported by the receiving PT in accordance with the legislation and policies of the receiving PT.

8.2.2 Child or Youth Moving to Family (not currently approved to provide care) in Receiving Province/Territory

8.2.2.1 When planning for a child or youth to reside with a relative or significant person in a receiving PT, the originating PT shall consult with the receiving PT and shall provide the receiving PT with **60 days prior** written notice of the plan or such shorter period of time as negotiated between the originating and receiving PTs. The request for a home study will be in writing utilizing the Interprovincial Request for Services Form appended to the Protocol.

8.2.2.2 The receiving PT shall complete a home study in accordance with the receiving PT's legislation, policy and format on the home of the relative or significant person **within 60 days** of receiving notice in writing or such period of time as negotiated between the receiving and originating PTs.

8.2.2.3 The home study must also meet the standards of the originating PT; it is the responsibility of the originating PT to determine what is required to meet those standards. Where the originating PT is not satisfied that the home study conducted by the receiving PT meets the originating PT's standards, and the PTs are unable to negotiate a solution, the originating PT is responsible for making alternative arrangements. Alternative arrangements include, but are not limited to, contracting with a third party approved by the receiving PT to complete the study in accordance with the originating PT's legislation and policy; or, sending an approved delegate from the originating PT to complete the study.

8.2.2.4 If the receiving PT, on completing a home study, recommends that a child or youth not reside with a relative or other significant person in the receiving PT, the originating PT shall not place the child or youth unless the matter is resolved either through the receiving PT's review/appeal process or the dispute resolution process.

8.2.2.5 Decisions must be based on the best interests of the child including any evidence of child protection concerns pertaining to the prospective caregivers as documented by the receiving PT.

### **8.2.3 Placement in a Residential Facility**

8.2.3.1 It is recognized that originating PTs may place children or youth in approved or licensed residential facilities in other PTs. The originating PT will notify the receiving PT in all cases and inform the receiving PT if monitoring and supervision services are requested of the receiving PT. In either circumstance the originating PT retains financial and case management responsibility for the ongoing care of the child or youth.

8.2.3.2 Prior to placing a child or youth in a residential facility when supervision and monitoring have been requested the originating PT shall consult with the receiving PT to:

- a. determine whether the facility is licensed in the receiving PT and the status of the license;
- b. identify any concerns the receiving PT has about the use of the facility by another PT;
- c. determine whether the facility is likely to meet the needs of the child in question;
- d. identify available and appropriate community services and resources in the receiving PT;
- e. negotiate the level of day to day case management services the receiving PT will provide; and
- f. complete an Interprovincial Placement Agreement in consultation with the receiving PT.

8.2.3.3 An originating PT shall not place a child or youth in a residential facility in a receiving PT if the receiving PT confirms that:

- a. a facility must be licensed and the facility under consideration is not licensed or the license has been suspended or revoked; or
- b. it is of the opinion that the residential facility is inappropriate for the child or youth.

8.2.3.4 When a child or youth is placed in a residential facility in a receiving PT and there are supervision and monitoring services being requested of the receiving PT, advance notification and planning must take place verbally and in writing prior to the placement.



8.2.3.5 On agreeing to assist the originating PT in supervision and monitoring the placement, the receiving PT shall complete and provide progress reports to the originating PT according to the legislation and policy of the originating PT.

#### **8.2.4 Placement in a Temporary Residential Treatment Facility (medical, mental health or addictions treatment)**

8.2.4.1 It is recognized that children or youth may attend temporary residential treatment facilities in other PTs. The originating PT must notify the receiving PT only if monitoring and supervision services are requested of the receiving PT. Whether or not supervision and monitoring is requested, the originating PT retains financial and case management responsibility for the ongoing care of the child or youth.

8.2.4.2 When a child or youth is placed in a temporary residential treatment facility in a receiving PT and there are supervision and monitoring services being requested by the receiving PT, advance notification and planning must take place verbally and in writing prior to the placement. The originating PT shall consult with the receiving PT to complete an Interprovincial Placement Agreement. The originating PT retains financial and case management responsibility for the ongoing care of the child or youth.

### **8.3 Case Planning and Management**

#### **8.3.1 Developing a Case Plan**

8.3.1.1 The originating PT shall:

- a. develop a thorough, detailed and long-term plan according to the legislation and policy standards of the originating PT for all children and youth moving to a receiving PT;
- b. consult with the receiving PT regarding the plan, revision of the plan if necessary and implementing the proposed case plan;
- c. in circumstances where the youth is close to aging out of care in the receiving PT, the case plan will include, where required, any transition to adult services including services to young adults or extended care services;<sup>1</sup>
- d. enter into an Interprovincial Placement Agreement prior to the child or youth moving to the receiving PT;

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<sup>1</sup> It is the responsibility of the originating PT to address any gaps in services, including gaps created when a youth ages out of care and the receiving PT's age of majority. This may include the originating PT offering post-care services to the youth in the receiving PT.

- e. where a child or youth has been or is involved with the youth justice system and subject to Part 6 of the *Youth Criminal Justice Act* and policies in the PTs, the originating PT shall:
  - i) share information necessary to ensure the receiving PT is able to meet the child or youth's specific needs; and
  - ii) where required in the originating or receiving PTs, obtain youth justice system involvement and/or approvals.

### **8.3.2 Implementing the Case Plan**

- 8.3.2.1 The case plan should identify the goals of the placement, identify the services to be provided, and the roles and responsibilities of the case workers and any other providers involved.
- 8.3.2.2 In agreeing to a case plan, the receiving PT shall provide supervision and monitoring. The originating PT maintains ongoing contact with the family of the child or youth unless otherwise negotiated with the receiving PT.
- 8.3.2.3 The originating and receiving PT shall review the case plan for a child or youth according to the legislation and policy of the originating PT unless the parties agree more frequent reviews are required.
- 8.3.2.4 The receiving PT will report any significant events such as, serious occurrences, hospitalizations, injuries or other events (e.g. child or youth is missing from their placement, caregiver investigation) to the originating PT immediately or as soon as reasonably possible.
- 8.3.2.5 If a parent or guardian is moving or has moved to the receiving PT, the originating and receiving PTs may agree to terminate a voluntary agreement or allow a voluntary agreement or temporary order to expire. Such decisions should normally be made with the appropriate involvement of the parent or guardian and the child or youth. The receiving PT may subsequently enter into a voluntary agreement with the parent or guardian or proceed to court for a new order if required.

## 8.4 Documentation

### 8.4.1 Information on Child or Youth in Care

8.4.1.1 When a child or youth moves to a placement to be supervised and monitored by a receiving PT, the originating PT shall provide, at a minimum, the following to the receiving PT prior to the move if possible or at the latest **within 30 days** of the move:

- a. a certified copy of the child or youth's birth registration;
- b. an original or certified copy of any orders or agreements with respect to the child or youth's current legal status;
- c. in the case of a voluntary agreement, the written consent of the parent or guardian of the child or youth to the placement;
- d. information relevant to the child or youth's cultural, racial, religious and linguistic heritage;
- e. the child or youth's life book, if available, or a copy of it;
- f. in the case of an aboriginal child or youth, details with respect to their status under the *Indian Act* (Canada) and community of origin;
- g. confirmation that the originating PT has involved the appropriate Indian band or First Nations, Inuit or Métis organization as required under the originating PT's legislation and policy;
- h. a social history including documentation of all services and assessments;
- i. any relevant medical, psychological or educational assessments completed within the past two years or longer if they continue to be relevant;
- j. subject to Part 6 of the *Youth Criminal Justice Act* and policies of the PTs, any relevant youth justice system reports;
- k. up-to-date medical reports if the child is receiving treatment;
- l. a current case plan developed in consultation with the receiving PT if available;
- m. a statement clarifying the type of decisions and consents, including those related to medical treatment, that may be authorized by the receiving PT; and
- n. any additional documentation required by the receiving PT.

8.4.1.2 When monitoring or supervising the placement of a child or youth in a temporary residential treatment or residential facility, the receiving PT may require some or all of the documentation required under paragraph 8.4.1.1.

## **8.4.2 Progress Reports**

8.4.2.1 Unless otherwise agreed to between the receiving and originating PTs, the receiving PT shall complete and provide to the originating PT all progress reports relating to the child/youth (including a copy of all assessments and follow-up reports) according to the legislation and policy of the originating PT or as agreed to in the Interprovincial Placement Agreement.

## **8.5 Placement Disruptions**

### **8.5.1 Temporary or Transitional Placement**

8.5.1.1 When the placement of a child or youth is disrupted, a temporary placement may be used. The PTs agree to renegotiate a case plan that is in the best interests of the child or youth.

### **8.5.2 Placement Decisions**

8.5.2.1 The receiving and originating PTs agree to consider the following factors in determining whether a child should remain in the receiving PT or be returned to the originating PT:

- a. best interests of the child or youth;
- b. needs of the child or youth and the ability of each PT to meet them;
- c. appropriate placement options in both the receiving and originating PTs that would meet the needs of the child or youth;
- d. where parents, guardians or other significant persons reside;
- e. preferences of the child or youth;
- f. length of time the child or youth has resided in the receiving PT;
- g. for an aboriginal child or youth, access to his or her cultural heritage;
- h. confirmation that the originating PT has involved the appropriate Indian band or aboriginal organization as required under the originating PT's legislation and policy; and
- i. any applicable legislative requirements regarding placements that apply.

8.5.2.2 The receiving PT agrees to make all non-emergency placement changes in consultation with the originating PT where possible and to notify the originating PT of an emergency placement as soon as possible or **within seven (7) days**.

8.5.2.3 At the request of the receiving PT, the originating PT shall facilitate the return of a child or youth to the originating PT. Such requests must be based on a review of the factors in paragraph 8.5.2.1.

8.5.2.4 The final decision as to where a child or youth is placed is the responsibility of the originating PT.

## **8.6 Visitation**

### **8.6.1 Temporary Visits to a Receiving Province/Territory**

When a child or youth receiving services will be visiting a receiving PT and the receiving PT is being asked to provide supervision and monitoring services during the visit, the originating PT shall request the required services **at least 30 days prior** to the visit or such shorter period of time as negotiated between the originating and receiving PT. When requesting services, the originating PT shall use the Interprovincial Request for Services form appended to the Protocol. The originating PT shall provide, at a minimum, the following information:

- a. the name, address, birth date, health card information and legal status of the child or youth;
- b. the name, address and phone number of the caseworker in the originating PT;
- c. the name, address and phone number of the person the child or youth will be visiting;
- d. the timeframe for the visit;
- e. an outline of the expectations of the receiving PT for supervision and monitoring; and
- f. any other circumstances that the receiving PT should be made aware.

### **8.6.2 Temporary Return to Originating Province/Territory**

8.6.2.1 Arrangements for the temporary return of a child or youth to an originating PT shall be planned in advance as part of the case plan. If circumstances do not permit advance planning as part of the case plan, as much prior notice as possible should be provided to the other PT.

## **8.7 Services to Young Persons who were formerly in care or in out of care placement**

8.7.1 This section applies to persons formerly in care or in an out of care placement and due to their age are not eligible to be admitted to care but are eligible for and may have entered into an agreement for post care or extended services.

- 8.7.2 The originating PT remains responsible for establishing and maintaining the agreement with the young person, including all payments and supports covered in the agreement.
- 8.7.3 Notification to the receiving PT is not required in situations where supervision and monitoring are not requested of the receiving PT. If an originating PT is requesting supervision and monitoring then an Interprovincial Placement Agreement must be negotiated.

## 9. Children or Youth in Out of Care Placements

### 9.1 Scope of Legislative Authority

- 9.1.1 Children or youth in out of care placements are not in the care of a PT, but whose placement is financially supported and/or supervised by the PT.
- 9.1.2 Some PTs do not have the legislative authority to provide services to children or youth in out of care placements from other PTs. Prior to a move to another PT, the originating PT must contact the receiving PT to determine whether they will be able to assist with case planning, monitoring and supervision.
- 9.1.3 If the originating PT is unable to negotiate an appropriate plan for the child or youth through negotiating an exception in the receiving PT or by the originating PT providing or contracting for the service, the child or youth should not be moved to the PT.
- 9.1.4 In circumstances where a child or youth does move to another PT, the originating PT maintains responsibility for meeting the originating PT's policies and standards for children or youth in out of care placements.
- 9.1.5 Although the legal status of the child or youth is different than a child in care, in those circumstances where supervision and monitoring is being provided by a receiving PT, an Interprovincial Placement Agreement is still required along with the case planning and documentation requirements in Section 8, Children and Youth in Care.

## **10. Adoption and Post-Adoption Services**

### **10.1 Introduction**

Section 10 applies to:

- a. adoption inquiry and application services;
- b. adoption placement services;
- c. subsidized adoptions; and
- d. post-adoption services.

#### **10.1.1 Administration**

When providing services under this Section to persons planning to move to a receiving PT, the originating PT shall:

- a. obtain general information from the receiving PT regarding its policies and services;
- b. inform the person of the information received from the receiving PT regarding its policies and services, noting apparent differences to those in the originating PT; and
- c. provide the person information regarding who to contact in the receiving PT for more information on its policies and services and, the name, address and phone number of the office that will be providing services.

### **10.2 Adoption Inquiry and Application Services**

#### **10.2.1 Originating and Receiving PTs**

The originating PT is the PT where the person who is inquiring about adoption services or an adoptive applicant resides. The receiving PT is the PT to where an adoption inquiry is directed or an adoptive applicant is moving.

#### **10.2.2 Adoption Inquiries**

Section 10.2.2 applies to persons who are inquiring about adoption services and requirements in PTs other than the originating PT and pertains to inquiries about all types of adoptions. The remainder of Section 10 applies to the adoption of children or youth in care of a PT.



**10.2.2.1 In response to an inquiry about interprovincial adoption services in another PT, the originating PT shall:**

- a. provide information to the person about its legislative and policy requirements; and
- b. refer the person to the appropriate child welfare organization in the receiving PT for information about that PT's legislative and policy requirements.

**10.2.3 Adoptive Applicant Referrals**

Section 10.2.3 applies to persons who have applied to adopt a child in care and who are moving from an originating PT to a receiving PT.

**10.2.3.1 With the written authorization of an adoptive applicant who has applied to adopt a child in care in an originating PT and who is moving to a receiving PT, the originating PT shall provide the following to the receiving PT **within 30 days** from the date the authorization is received:**

- a. an original or copy of the applicant's adoption application;
- b. original or certified copies of all documents on file relating to an adoptive applicant's marital status or relationship to a partner including, but not limited to, a marriage certificate, declaration of commitment to a partner, divorce certificate or death certificate;
- c. any preliminary information or assessments on file with respect to the suitability of the adoptive applicant;
- d. if completed, a copy of the most recent home study and any home study updates conducted with respect to the adoptive applicant;
- e. supporting documentation on file including police and other applicable checks, medical reports and personal references; and
- f. other relevant information and documentation on the adoptive applicant's file.

**10.2.3.2 Upon receiving a referral from the originating PT, the receiving PT shall:**

- a. accept the adoption application as if it were made in the receiving PT and place the adoptive applicant on its waiting list, if applicable, as of the date of the application in the originating PT;
- b. open an adoption file as may be required under its legislation and policy; and
- c. accept the home study subject to any updates or further adoption preparation and assessments, if the originating PT has completed a home study on the adoptive applicant, required under the receiving PT's legislation, regulations and policy.

## 10.3 Adoption Placement Services

The originating PT is the PT that has the child or youth in care. The receiving PT is where a prospective adoptive applicant resides or to where a child or youth in care and adoptive applicant are moving.

### 10.3.1 Adopting a Specific Child or Youth in Care

10.3.1.1 When a prospective adoptive applicant in a receiving PT inquires about adopting a specific child or youth in care in an originating PT, the originating PT shall contact the receiving PT **within 30 days** of receiving an inquiry to:

- a. advise if the child or youth is legally available for adoption and may be considered for adoption placement with the prospective adoptive applicant;
- b. advise if the prospective adoptive applicant may be eligible for an adoption subsidy with respect to the child or youth; and
- c. request a preliminary assessment to estimate the capacity of the prospective adoptive applicant to meet the needs of the child or youth.

10.3.1.2 When an originating PT inquires about the possibility of placing a specific child or youth in care with a prospective adoptive applicant who resides in a receiving PT, the receiving PT shall **within 30 days** of receiving an inquiry or such period of time as negotiated between the originating and receiving PTs:

- a. carry out a preliminary assessment to determine the interest and estimate the capacity of the prospective adoptive applicant to meet the needs of the child or youth in care;
- b. advise the originating PT in writing if placement seems viable and if the receiving PT will conduct a home study of the prospective adoptive applicant; and
- c. the originating PT will keep copies on file of all documents sent to the receiving PT.

10.3.1.3 The receiving PT shall complete a home study on the adoptive applicant and provide a copy to the originating PT **within six (6) months** from the date the PTs agree to a tentative plan to place the child in care for adoption, or such period of time as negotiated between the originating and receiving PTs.

10.3.1.4 The originating PT shall develop a written adoption placement plan in collaboration with the receiving PT upon:

- a. concluding that it is in the best interests of the child or youth to be placed for adoption with the adoptive applicant in the receiving PT; and
- b. receiving confirmation that the adoptive applicant has been approved or will likely be approved for adoption by the receiving PT.

10.3.1.5 A written adoption placement plan shall include:

- a. arrangements for pre-placement visits;
- b. provision for the receiving PT to supervise the placement;
- c. if applicable, provision for an openness agreement or agreements;
- d. if applicable, information about the availability of an adoption subsidy pursuant to paragraph 10.4.2; and
- e. a time frame for applying to court for an order of adoption and confirmation as to the PT where the application will be made.

10.3.1.6 Prior to the child in care being placed for adoption with the adoptive applicant who is residing in the receiving PT:

- a. the originating PT shall request in writing that the receiving PT provide supervision of the child as outlined in the adoption placement plan; and
- b. the receiving PT shall confirm in writing that it will provide the requested supervision as outlined in the adoption placement plan.

10.3.1.7 Subject to Part 6 of the *Youth Criminal Justice Act* and the policies of the PTs, the originating PT shall advise the receiving PT of any relevant youth justice system involvement.

### 10.3.2 Child or Youth in Care Moving with Adoptive Parent

10.3.2.1 When it becomes known that a child or youth in care and his or her adoptive parent are moving to a receiving PT prior to a court granting an order of adoption, with the written consent of the adoptive parent, an originating PT shall provide **30 days prior** written notice of the move to the receiving PT if the circumstances permit.

10.3.2.2 At the request of the originating PT, the receiving PT shall as soon as reasonably possible after receiving the notice:

- a. advise the originating PT as to which office has responsibility for providing adoption services in the receiving PT; and
- b. provide the notice to the appropriate office in the receiving PT.

10.3.2.3 The originating PT shall develop a written plan for completion of the adoption in collaboration with the receiving PT. When possible, the plan shall be developed prior to the adoptive parent's move to the receiving PT. The plan shall include:

- a. provision for the receiving PT to supervise the placement;
- b. a time frame for applying to court for an order of adoption and confirmation of the province or territory where the application will be made;
- c. if applicable, information about any additional legal requirements relating to completion of the adoption identified by the receiving PT; and
- d. if applicable, information about the availability of an adoption subsidy.

10.3.2.4 Prior to the adoptive family moving to the receiving PT, if possible:

- a. the originating PT shall request in writing that the receiving PT provide supervision of the child or youth as outlined in the adoption plan; and
- b. the receiving PT shall confirm in writing that it will provide the requested supervision.

10.3.2.5 The originating PT shall provide information on the adoptive parent to the receiving PT **within 30 days** of the adoptive applicant's move to the receiving PT pursuant to paragraph 10.2.3.2.

### 10.3.3 Information on Child or Youth in Care

When a child or youth in care is placed for adoption in a receiving PT or moves with an adoptive parent to a receiving PT, the originating PT shall provide, at a minimum, the following to the receiving PT **within 30 days** of the placement or move:

- a. a certified copy of the child or youth's birth registration;
- b. an original or certified copy of any orders or agreements with respect to the child or youth's current legal status;

- c. information relevant to the child or youth's cultural, racial, religious and linguistic heritage;
- d. the child or youth's life book, if available, or a copy of it;
- e. in the case of an aboriginal child or youth, details with respect to the child or youth's status under the *Indian Act* (Canada) and community of origin;
- f. confirmation that the originating PT has involved the appropriate Indian band or aboriginal organization as required under the originating PT's legislation and policy;
- g. a social history including documentation of all services provided and assessments conducted with respect to the child or youth;
- h. any medical, psychological or educational assessments completed within the past two years or those that remain relevant;
- i. up-to-date medical reports if the child or youth is receiving or has received treatment;
- j. a current adoption placement plan developed in consultation with the receiving PT;
- k. a statement clarifying the type of decisions and consents, including those related to medical treatment, that may be authorized by the receiving PT; and
- l. additional documentation required by the receiving PT if available.

#### **10.3.4 Progress Reports**

With respect to a child or youth in care who has been placed for adoption, or who has moved with an adoptive parent, the receiving PT shall complete and provide to the originating PT:

- a. all reports on the progress of the adoption placement, including a copy of all assessments and follow-up reports, completed according to standards and time frames required by the originating PT;
- b. a copy of the receiving PT's final progress report with a recommendation regarding completion of the adoption; and
- c. if the application to court for an order of adoption will be made in the receiving PT, a request that the originating PT provide to the receiving PT the required written consents to the adoption.

#### **10.3.5 Placement Disruptions**

When an adoption placement of a child or youth in care is disrupted prior to the granting of an order of adoption, the originating and receiving PTs will, subject to applicable child welfare legislation in the receiving PT, renegotiate a case plan that is in the best interests of the child or youth.

### 10.3.6 Application for Order of Adoption

10.3.6.1 Depending on where the application to court for an order of adoption is to be made, the receiving PT or the originating PT shall:

- a. provide the required written consents to the adoption to the PT where the application to court is to be made; and
- b. provide required court documentation with respect to the application for an order of adoption.

10.3.6.2 As a general rule, the PT that assumes responsibility for completion of the adoption shall proceed to court for an order of adoption **within one (1) year** from the date the child or youth was placed for adoption or such period of time as negotiated between the originating and receiving PTs.

10.3.6.3 The PT where the order of adoption is granted shall notify the other PT in writing as soon as possible, but in all cases **within 30 days** of the order being granted; and then **within 30 days** of receiving the physical order, a copy shall be sent to the other PT.

### 10.3.7 Adoption of Child or Youth in Care in Originating Province/Territory

At the request of a PT that requires consent to adoption from a person who resides in another PT to complete the adoption of a child or youth in care, the PT that receives the request shall assist in obtaining the required consents to adoption from the person.

## 10.4 Subsidized Adoptions

### 10.4.1 Child or Youth in Care Placed for Adoption in Receiving Province/Territory

10.4.1.1 In planning to place a child or youth in care with an adoptive applicant who resides in a receiving PT, the originating PT shall:

- a. advise the receiving PT if the child or youth has special needs or whether there are special circumstances that fall within the originating PT's eligibility criteria for subsidized adoption;
- b. request that the receiving PT explain the child or youth's needs or circumstances to the adoptive applicant and ascertain whether the adoptive applicant intends to apply for an adoption subsidy; and
- c. at the request of the adoptive applicant, determine eligibility for an adoption subsidy and the type and amount of subsidy that will be available.

10.4.1.2 In responding to the originating PT's request for assistance, the receiving PT shall:

- a. determine whether the adoptive applicant is prepared to proceed with the adoption of the child or youth in care of the originating PT and whether the adoptive applicant will be requesting an adoption subsidy;
- b. if applicable, advise the originating PT as to the availability of needed services in the receiving PT and provide an estimate of the costs associated with the needed services; and
- c. assist as required in assessing the adoptive applicant's need and eligibility for an adoption subsidy and in negotiating a subsidy agreement on behalf of the originating PT.

#### 10.4.2 Child or Youth in Care or Adopted Child or Youth Moving with Adoptive Parent

10.4.2.1 When it is known that a child or youth and his or her adoptive parent are moving to a receiving PT, with the written consent of the adoptive parent, the originating PT shall provide **at least 30 days prior** notice in writing to the receiving PT if:

- a. the adoptive parent is receiving or is eligible to receive, an adoption subsidy; or
- b. the originating PT requires the assistance of the receiving PT to:
  - i. secure needed services,
  - ii. assist in assessing an ongoing need and eligibility for subsidy, and
  - iii. assist as required in negotiating or renewing a subsidy agreement on behalf of the originating PT.

10.4.2.2 With the written authorization of the adoptive parent, the originating PT agrees to provide to the receiving PT **within 30 days** of the move the following information:

- a. information about available adoption subsidies from the originating PT and the adoptive parent's eligibility;
- b. copies of all documents associated with the approval of the adoption subsidy; and
- c. the most current review of the need for an ongoing subsidy.

#### 10.4.3 Services and Subsidies

10.4.3.1 At the request of the originating PT, the receiving PT agrees to maintain contact with the adoptive parent regarding the need for an adoption subsidy and to provide reports to the originating PT as may be required by the originating PT.

10.4.3.2 The originating PT agrees to continue to pay the adoption subsidy to the adoptive parent, where eligible, following the adoptive parent's move to the receiving PT and to negotiate any changes to the subsidy in consultation with the receiving PT.

## 10.5 Post-Adoption Services

### 10.5.1 Registration

10.5.1.1 When there is no alternative but to request the assistance of a receiving PT to facilitate registering a person for a post-adoption search or reunion, an originating PT (where the adoption order was granted) may request a receiving PT to:

- a. assist in obtaining a signed registration for a post-adoption search or reunion; or
- b. provide information that will assist in the registration process.

10.5.1.2 In responding to the request, the receiving PT shall provide the requested service or information **within 60 days** of receiving the request or such period of time as negotiated between the receiving and originating PTs.

### 10.5.2 Searches

10.5.2.1 When all available alternatives to locate a person have been exhausted and there is information to indicate that the person may have moved to a receiving PT, an originating PT may request a receiving PT to check existing search mechanisms to assist in locating a person who is the subject of a search.

10.5.2.2 Upon receiving a request under paragraph 10.5.2.1 together with a written consent to conduct a search if required, the receiving PT shall advise the originating PT of the results of the search **within 90 days** or such period of time as negotiated between the originating and receiving PTs.

## 10.6 Custom Adoptions

Some PTs recognize aboriginal customary law for adoptions that take place in their PT. This Protocol does not apply to custom adoptions. Where an originating PT has legislation supporting custom adoptions (e.g. *Custom Adoption Recognition Act* in Nunavut), the unique policies and procedures shall be followed.



## **11. Protocol Administration**

### **11.1 Working with Province/Territories that are not Signatories to this Protocol**

This Protocol shall apply to those provinces and territories that have signed the Protocol. The Protocol shall not apply to a party that does not sign the Protocol or subsequently opts out. When dealing with a PT that is not a signatory to the Protocol, planning and services should be negotiated on a case by case basis and, to the extent possible, consistent with this Protocol.

### **11.2 Opting Into Protocol**

A province or territory that has not signed the Protocol on or before the date it comes into force may opt into the Protocol by giving 30 days' notice in writing to all parties to the Protocol together with a copy of the Protocol executed by its proper authority.

### **11.3 Opting Out of Protocol**

A province or territory may opt out of the Protocol by giving 90 days' notice in writing to all parties to the Protocol.

### **11.4 Amendments to Protocol**

Amendments to the Protocol may be made upon the written consent of all the parties executed by their proper authorities.

### **11.5 Review of the Protocol**

A formal review of the provisions in the Protocol must be conducted every five years or sooner at the recommendation of the Provincial/Territorial Directors of Child Welfare Committee.

### **11.6 Commencing of Protocol**

The Provincial/Territorial Protocol on Children and Families Moving between Provinces and Territories (2016) comes into force on April 1, 2016.

### **11.7 Existing Protocol**

This Protocol replaces all previous versions of the Provincial/Territorial Protocol on Children and Families Moving Between Provinces and Territories.

### **11.8 Existing Agreements Under Former Protocols**

Any existing arrangements or agreements completed under former versions of the Provincial/Territorial Protocol on Children and Families Moving Between Provinces and Territories Protocol will be grandfathered and remain unchanged unless re-negotiated under this Protocol.

### **11.9 Signing by Parties**

The Protocol may be executed in several counterparts, each of which, when so executed by all parties hereto, shall be deemed to be an original of the Protocol and such counterparts together shall constitute but one and the same instrument.

## Protocol Signatories

The following provinces and territories endorse the 2016 Provincial/Territorial Protocol on Children and Families Moving between Provinces and Territories and adopt it for use within their province or territory:

Alberta  
British Columbia  
Manitoba  
New Brunswick  
Newfoundland and Labrador  
Northwest Territories  
Nova Scotia  
Nunavut  
Ontario  
Prince Edward Island  
Saskatchewan  
Yukon



## Appendices

### Sample Forms



# Interprovincial Child Protection Alert

**Instructions to Sender**

Completed forms are to be faxed ( insert originating jurisdiction Interprovincial Coordinator fax #) or emailed to the Interprovincial Desk ( insert originating jurisdiction Interprovincial Coordinator email address). The originating Interprovincial Desk will then forward to the relevant provinces/territories or Canada wide.

**Issued By** (province or territory)

<b>Child Welfare Organization</b>			
<b>Caseworker</b>	<b>Telephone</b>	<b>Fax</b>	<b>Email Address</b>
<b>Address</b>		<b>Date of Alert</b>	<b>Alert End/ Expiry Date if less than 9 months</b>

**Subject of Alert**

<b>Full Legal Name</b>	<b>Date of Birth</b>	<b>Last Known Address</b>
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**Others Involved in Alert** (children, legal partners, others in home, etc.)

Name	Date of Birth (if known)	Relationship to Subject	Location/Address/Last Known Whereabouts

**Reason for Alert/Cause for Concern** (check *all* that apply)

<input type="checkbox"/> Maternity	<input type="checkbox"/> Child Sexual Exploitation/Trafficking	<input type="checkbox"/> 'Honour-Based' Violence	<input type="checkbox"/> Illegal Adoption
<input type="checkbox"/> Child protection investigation not concluded	<input type="checkbox"/> Left jurisdiction prior to case closure	<input type="checkbox"/> Left jurisdiction without approval while under child welfare court-ordered supervision	<input type="checkbox"/> Child in Care taken from jurisdiction without approval
<input type="checkbox"/> Child in Care missing believed to have left jurisdiction			

**Known History or Risk of Violence**

**Additional Information**

**Possible Destinations** (where the subject might be going, if known) or  **Canada Wide**

Include other relevant information that may assist in locating the subject, e.g. Aboriginal Band/Community, known family/friend contact information

**Action Required** (e.g. alert local hospitals, investigation required, contact caseworker, etc.)

Distribute copies as follows:

- Originating Interprovincial Coordinator
- Receiving Interprovincial Coordinator
- Receiving Child Welfare Organizations, hospitals, etc.



# Interprovincial Request for Services

**Originating Province/Territory**

<b>Child Welfare Organization</b>	<b>Caseworker (contact person)</b>	<b>Date</b>
<b>Phone Number</b>	<b>Fax Number</b>	<b>Email Address</b>

**Receiving Province/Territory**

(Interprovincial Coordinator will complete this information prior to forwarding to the regional designate if you do not know)

<b>Child Welfare Organization</b>	<b>Address</b>	<b>Postal Code</b>
<b>Phone Number</b>	<b>Fax Number</b>	<b>Email Address</b>

**Type of Request** (check *all* that apply)

<input type="checkbox"/> Child Welfare Record Check	<input type="checkbox"/> Background History/Information
<input type="checkbox"/> Home Study (adoption, foster care, place of safety, etc.)	<input type="checkbox"/> Courtesy Supervision of a Visit
<input type="checkbox"/> Service of Court Documents	<input type="checkbox"/> Interview with alleged perpetrator(s) or victim(s) of abuse
<input type="checkbox"/> Other – describe:	

**Child Information**

Full Legal Name	Date of Birth (if known)	Location/Address

**Parent/Caregiver**

Full Legal Name	Date of Birth (if known)	Relationship to Child or Caregiver	Location/Address

**Reason for Request or Details** (briefly describe and attach a separate sheet if necessary)

Distribute copies as follows:

- Originating Interprovincial Coordinator
- Receiving Interprovincial Coordinator
- Receiving Child Welfare Organization



# Interprovincial Placement Agreement (IPPA Form)

**The Interprovincial Placement Agreement (IPPA):**

- is negotiated prior to a child/youth moving to another jurisdiction: with a foster family; to a family member or other approved care provider; to a temporary treatment or residential facility where there is supervision and monitoring role for the receiving jurisdiction; to an out of care placement; or, a supervision and monitoring role is required with a young person who was a former ward and has entered into an agreement for post care or extended services.
- must be completed after the review and consideration of each jurisdiction’s obligations as outlined in the *Provincial/Territorial Protocol on Children and Family Moving Between Provinces and Territories (the Protocol)*; and
- must be reviewed every 12 months or earlier at the request of either jurisdiction.

**Part A - Instructions**

Completion of this form involves the following steps:

1. Prior to placement the originating child welfare organization initiates contact with the appropriate receiving child welfare organization. The Interprovincial Coordinator in your jurisdiction may assist with identifying the appropriate contact.
2. The case worker/designate in the originating jurisdiction arranges a planning conference with the case worker/designate in the receiving jurisdiction to review and coordinate services and negotiate the IPPA pursuant to the Protocol.
3. Once plans are finalized between the originating and receiving case workers/designates, the originating case worker/designate completes the IPPA and sends two signed copies to the receiving case worker/designate.
4. The case worker/designate in the receiving jurisdiction has both copies of the form signed, returning one copy to the case worker/designate in the originating jurisdiction.
5. The case worker/designate in each jurisdiction sends copies of this form and related documentation to its Interprovincial Coordinator(s) and others as may be required.
6. The IPPA will be reviewed annually or earlier if circumstances change.

**Part B – An Agreement Between:**

**Originating Jurisdiction** (province/territory)

<b>Originating Child Welfare Organization</b>		<b>Contact Person (who can be contacted about this Agreement)</b>	
<b>Address</b>			
<b>Telephone</b>	<b>Fax</b>	<b>Email</b>	
<b>Alternate Contact (name)</b>		<b>Alternate Contact (phone number and email address)</b>	

**Receiving Jurisdiction** (province/territory)

<b>Receiving Child Welfare Organization</b>		<b>Contact Person</b>	
<b>Address</b>			
<b>Telephone</b>	<b>Fax</b>	<b>Email</b>	
<b>Alternate Contact (name)</b>		<b>Alternate Contact (phone number and email address)</b>	

**Part C – Information on Child or Youth** (you must complete a separate agreement for each child/youth)

<b>Full Legal Name of Child/Youth</b>		<b>Alternate Name of Child/Alias</b>
<b>Date of Birth</b>	<b>Gender</b> <input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/> Transgender	<b>Aboriginal Status</b> <input type="checkbox"/> Not Applicable <input type="checkbox"/> Status Indian <input type="checkbox"/> Non-Status Indian <input type="checkbox"/> Inuit <input type="checkbox"/> Métis
<b>Aboriginal Community/Band</b> (include applicable contact information and their level of involvement with the child/youth)		
<b>Legal Status</b> (indicate and attach a copy of order or Agreement)	<b>Expiration Date of Legal Status</b>	
<p>The receiving jurisdiction agrees to support/enforce/defend the status of the child while monitoring and supervising the child/youth's care in the receiving jurisdiction. Any attempt to change this status will be redirected to the originating jurisdiction.</p> <p>The originating jurisdiction agrees to not allow the order/agreement to lapse or terminate without notifying the receiving jurisdiction and the jurisdictions will review/ revise this Agreement in the event there is a significant change in circumstances or placement disruption.</p>		

**Current Placement**

<b>Name(s)</b>	<b>Type of Resource</b> (e.g. family, foster family, residential, out of care placement, etc.)
<b>Address</b>	
<b>Telephone</b>	<b>Email</b>

**Receiving Placement**

<b>Name(s)</b>	<b>Type of Resource</b> (e.g. family, foster family, residential, out of care placement, etc.)
<b>Address</b>	
<b>Telephone</b>	<b>Email</b>

**Part D – Summary of Responsibilities**

<p><b>Notification &amp; Negotiation</b></p> <input type="checkbox"/> Child/Youth Moving with Foster Family <input type="checkbox"/> Child/Youth Moving to Family or Other Approved Provider <input type="checkbox"/> Child/Youth Moving to Residential Facility <input type="checkbox"/> Child/Youth Moving to Temporary Treatment Facility <input type="checkbox"/> Youth Formerly in Care
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<p><b>Case Planning &amp; Management</b> (detail expectations of case workers or any service providers involved and identify schedule/timeframes)</p> <p>In collaboration, the case plan will be developed according to the legislation and policy standards of the originating jurisdiction (e.g. case conferencing, contact standards, progress reports, case plan reviews, visitation, decisions and consents that may be authorized by the receiving jurisdiction etc.) The receiving jurisdiction agrees to immediately or as reasonably possible notify the originating jurisdiction of any serious occurrences/incidents as per the Protocol. Both jurisdictions will maintain a file record on the child/youth and will have a case worker assigned to the child/youth. Jurisdictions must notify the other of any change in the assignment of case workers.</p>
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<p><b>Documentation- 8.4 of the Protocol Outlines information on the child to be shared.</b> (list attachments)</p> <input type="checkbox"/> Certified copy of birth registration <input type="checkbox"/> Legal Order/Agreement <input type="checkbox"/> Copy of Life Book <input type="checkbox"/> Social History <input type="checkbox"/> Medical Assessments <input type="checkbox"/> Psychological Assessments <input type="checkbox"/> Educational Assessments <input type="checkbox"/> Current Case Plan <input type="checkbox"/> Other
<p>i. The originating jurisdiction agrees to provide the required documentation to the receiving jurisdiction pursuant to the Protocol.</p> <p>ii. The receiving jurisdiction agrees to forward to the originating jurisdiction all reports on the progress of a child/youth completed</p>

according to the standards in the originating jurisdiction or as otherwise negotiated.

**Placement Disruption-8.5 of the Protocol outlines placement disruptions and placement decisions in the event of a disruption.**

The receiving jurisdiction agrees to make all emergency and non-emergency placement changes wherever possible in consultation with the originating jurisdiction; following placement disruptions the jurisdictions agree to renegotiate a case plan that is in the best interests of the child.

**Financial Arrangements- Placement and Service Expenditures**

As per the Protocol, the **originating** jurisdiction agrees to:

- i. make maintenance and service payments to the service provider; and
- ii. provide any costs not covered by the receiving jurisdiction's medical plan.

Any expenditure must be pre-approved by the originating jurisdiction.

Other (indicate as negotiated):

Receiving Child/Youth Maintenance Amount	Other	Approved Exceptional Funding

**Current Source of Funding**

Province/Territory  Federal Government (Canada)  Other (indicate):

**Part E – Signatures**

**Local Child Welfare Organization in Originating Province**

Name of Signing Authority (Print)	Signature	Date

**Central Authority in Originating Province** (complete only if required)

Name of Signing Authority (Print)	Signature	Date

**Local Child Welfare Organization in Receiving Province**

Name of Signing Authority (Print)	Signature	Date

**Central Authority in Receiving Province** (complete only if required)

Name of Signing Authority (Print)	Signature	Date

Distribute as follows:

- Copies of IPPA Agreement on files in both originating and receiving jurisdiction
- Copy Originating Jurisdiction Interprovincial Coordinator
- Copy Receiving Jurisdiction Interprovincial Coordinator

