

Volume 1: Agency Standards
Chapter 2: Services to Families
Section 2: Voluntary Family Services

1.2.2

Approved: 2005/11/01

Last Revised: **2020/06/30**

Introduction

Section 1.2.2 contains provincial standards for voluntary family services under Part II of *The Child and Family Services Act* including services to expectant and single parents. It applies to child and family services agencies.

Chapter 6, [Adoption Services](#), contains additional standards regarding services to birth parents under *The Adoption Act*.

[Legislation](#)

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Legislation

[The Child and Family Services Act](#)

[The Family Maintenance Act](#)

[The Adoption Act](#)

[The Child and Family Services Authorities Act](#)

The Child and Family Services Act

[Section 1](#) of the Act defines:

- a *child* as a person under the age of majority (under 18 years of age)
- a *family* as a child's parent, step-parent, siblings, grandparent, aunt uncle, cousin, guardian, person in loco parentis and a spouse of any of those persons
- a *parent* is a biological or adoptive parent of a child

[Section 7](#) lists the duties of agencies. They include providing services to families to prevent circumstances requiring the placement of children and for the protection of children.

[Subsection 9\(1\)](#) states that a family member may apply to an agency and may receive services to aid in the resolution of family matters. These services are at the request of a

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person or family member and are therefore voluntary. Agencies must provide these services, but have discretion as to what services are needed and when to provide them.

[Sections 9\(2\) to \(4\)](#) pertain to services to minor parents. Agencies must provide or provide referrals to community or agency services on application by a minor parent. Child welfare agencies are expected to work collaboratively with the health care system to ensure the minor parent has access to and are informed of all necessary services. Hospitals or other institutions (maternity homes) must notify the director (Director of Child and Family Services) or an agency when a minor is admitted for care during pregnancy. Hospitals must also report the birth of a child born to a minor to the director on prescribed form CFS-3, Notice of Maternity, in Schedule A of the [Child and Family Services Regulation](#).

[Section 10](#) pertains to special needs services and emergency assistance. Section 5 of the [Child and Family Services Regulation](#) prescribes the special needs services and emergency assistance that agencies must provide.

[Section 76](#) of *The Child and Family Services Act* deals with confidentiality of and access to records. Subsection 76(12) contains specific provisions with respect to voluntary service records.

The Family Maintenance Act

[Section 1](#) of *The Family Maintenance Act*, defines a *parent* as a biological parent or adoptive parent of a child and includes a person declared to be the parent of a child under Part II of the Act.

[Part II](#) of the Act contains provisions relating to declaratory orders:

- [Section 19](#) states that any person having an interest may apply to court for a declaratory order that a woman is or is not the mother of a child.
- [Subsection 20\(1\)](#) states that any person having an interest may apply to court for a declaratory order that a man is or is not in law the father of a child whether born or unborn. Notice of the application must be served forthwith on the Director of Child and Family Services (director).

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- [Subsection 20\(8\)](#) states that the court shall not allow an application under section 20 where the director files with the court a certificate stating that the child has been placed for adoption and the director received the notice of application more than 21 days after the subject of the application:
 - gave a consent to the adoption of the child under *The Adoption Act*
 - signed a voluntary surrender of guardianship (VSG) under *The Child and Family Services Act*.

[Part III](#) pertains to recognition of extra-provincial determination of paternity.

[Part IV](#) contains provisions relating to child support:

- [Section 36](#) sets out parental obligations to provide reasonably for the child's support, maintenance and education, whether or not the child is in that parent's custody.
- [Subsection 37\(1\)](#) states that a court may make an order requiring a parent, or any other person having an obligation to provide for the support of the child to pay for the support of any and all children of the parent.

The Adoption Act

[Section 1](#) of *The Adoption Act* defines a *birth parent* as birth mother or birth father.

[Section 26](#) of the Act pertains to notices to birth fathers, when they are not required, and when the court may dispense with them.

Sections 7 to 9 of the [Adoption Regulation](#) list the services that child and family services agencies and licensed adoption agencies must provide to birth parents.

The Child and Family Services Authorities Act

[Section 19](#) of *The Child and Family Services Authorities Act* lists the duties and powers of child and family services authorities. Clauses (a) and (h) pertain to services to families.

[Subsection 23\(1\)](#) of the Act gives authorities the power to enter into service agreements for the provision of services.

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Part 2 of the [Child and Family Services Authorities Regulation](#) sets out the processes for determining the authority of record and authority of service.

Policy

[Services to Families](#)
[Services to Birth Parents Recording Practices](#)

Services to Families

Services to families under [Part II](#) of *The Child and Family Services Act* are, for the most part, provided on a voluntary basis, that is, at the request of a person or family.

While child and family services agencies must provide services under Part II of the Act, they have discretion under subsection 9(1) as to when and how these services are provided to a specific family. Service decisions should be based on the needs of the family within the services and resources available to the agency.

Agency discretion is more limited with respect to services to minor parents. Under subsections 9(2) and (3) of Act, agencies must provide services to minor parents who request them. They must also work with other professionals and institutions to ensure minor parents are informed of services available to them. They may carry out their duty to work with other interested professionals and institutions with the assistance of their mandating authority and in collaboration with other agencies.

In providing services to families, agencies are expected to mobilize available extended family and community resources to meet the physical, emotional, social and cultural needs of parents and their children.

Services to Birth Parents

Agencies are required to support and work with expectant parents towards a goal of keeping newborns with parents, extended family, or community. Apprehensions are a last resort. This approach aligns with national standards under federal legislation, An Act respecting First Nations, Inuit and Métis children, youth and families.

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Child and Family Services Authorities may develop additional standards and practice models related to voluntary service provision to expectant parents, including standards which address the unique cultural identity, traditions and teachings of the people served by their agencies.

Following the birth of a child who remains in the care of a parent, an agency may continue to provide voluntary family services, or refer the family to Health services, community program and supports or Indigenous community.

Recording Practices

The policy statement in this section is limited to recording transitions from voluntary family services to child protection interventions and vice versa. Section 1.1.1, [Intake](#), contains policies and standards with respect to the intake process and, in particular, the use of the Intake Module and the Child and Family Services Information System (CFSIS). Section 1.7.1, [Service Records](#), contains policies and standards regarding service records to be kept by child and family services agencies and licensed adoption agencies.

[Section 76](#) of *The Child and Family Services Act* deals with confidentiality of and access to records. The Act clearly differentiates between voluntary service and child protection records. Under subsection 76(3), agencies may disclose information without the consent of the subject of the record. However, under subsection 76(12), information cannot be disclosed from a voluntary service record without the consent of the subject of the record. In addition, the right to access to a record under subsection 76(4) applies to a voluntary service record, but not to a child protection record.

Agency recording practices must reflect the intent and provisions of the Act. When a family or birth parent requests services and there is no reason to believe that a child is in need of protection, or the child is not yet born and the expectant parent wants prevention services, the case should be opened as a voluntary family service case.

An already open child protection case may be opened as a child protection case, but change to a voluntary family service case when there are no ongoing protection issues and the person or family has requested ongoing voluntary services from the agency.

The [case categories](#) in CFSIS are consistent with the Act and facilitate the transition process noted above. If there is a change from voluntary family service (VFS) to child protection intervention (PRT), the VFS case record is closed and a PRT case record opened and vice versa.

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Standards

1. **Family Service Policies** – An agency or its mandating authority has written policies regarding services to families that are consistent with provincial legislation and standards. These policies may also reflect culturally relevant standards of the mandating authority. The policies are distributed to or are available on-line to agency board members and staff and are available on request to the general public.
2. **Annual Plans for Services to Families** – An agency prepares and submits an annual service plan to its mandating authority regarding services to families. At a minimum, the plan includes goals and activities pertaining to voluntary family services and services to expectant and single parent. The plan may be part of an overall plan that includes child protection services, services to children in care, resource development, and adoption and post-adoption services.
3. **Prevention and Early Intervention Initiatives** – Agency initiatives in prevention and early intervention are clearly articulated in agency planning processes including specific target populations, goals, strategies and anticipated outcomes.
4. **Family-Centred Services** – All agency field service staff receive in-service [training](#) in family-centred services *within six months* from the date they are hired. An agency may meet this standard through sending staff and supervisors to Core Competency Training, Core 101, or an equivalent course recognized by the Director of Child and Family Services (Child Protection Branch) in consultation with the agency's mandating authority.

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5. **Continuum of Services to Families** – An agency provides the full range of services to families under [Part II](#) of *The Child and Family Services Act*. These services are available to families for whom it has responsibility to provide ongoing services as the authority of service under Part 2 of the [Child and Family Services Authority Regulation](#) or through an service agreement under [subsection 23\(1\)](#) of *The Child and Family Services Authorities Act*.
6. **Opening a Voluntary Family Service Case** – An agency's [family service policy](#) states that a case is opened as a voluntary family service case unless one or more of the following situations apply:
 - a [safety assessment](#) indicates a child is or might be in need of protection
 - a [family assessment](#) indicates a high or medium [risk](#) to a child
 - a [child protection investigation](#) concludes that a child is in need of protection
 - an expectant or birth mother is [under 14 years of age](#)
7. **Opening a Voluntary Family Service Case – Expectant Parent**

Agencies will work with expectant parents as a voluntary family service case as follows:

- a. Expectant parent over the age of 18, no children in the home:

During the period prior to the child's birth, an intake worker or case manager will open an intake and continually engages with the expectant parent(s) to:

 - Conduct appropriate assessments to determine the level of risk for the child when born
 - Undertake joint planning with expectant parent(s) to address assessed risk and supports identified as needed, involving extended family and supports with expectant parent(s) consent, which may include creation of a safety plan for after the birth of the child

- Refer the expectant parent(s) with consent to local Public Health to provide prenatal supports, and to other appropriate community or cultural supports to connect families with resources in our communities that can offer safe and trusted pre-natal supports

Multiple attempts to connect with expectant parent(s) may be required, as well as multiple attempts to seek consent for health and community referrals. These attempts should be documented per existing Standards. Agencies must provide expectant parent(s) with information on agency and community supports available that will provide services to address concerns and keep families together, where possible.

Files shall be opened as a Voluntary Family Service (VFS) case, and may not be opened as a protection (PRT) case. Once the child has been born, review standards 6 and 8 for consideration of whether the file remains as a VFS case or if the case category should change to PRT.

Should the expectant parent(s) refuse to engage with the intake worker or case manager, and refuse appropriate referrals, these supportive attempts should be documented.

After the birth of a child, case planning and responses to community referrals should be done in a timely manner, and in keeping with existing Standards and practice.

b. Expectant parent over the age of 18, children in the home:

- i. If there is already an open file for the family:
Service to the family will continue in the VFS or PRT category already determined by the assessment respecting the children currently in the home. Referrals or consultations with collaterals respecting the protection needs of the children can occur.
An updated assessment of need and updated planning may be required for the expectant parent. These services should be provided as outlined in standard 7.a. above, and would be tracked in a new intake attached to the existing case, by the case worker. Services related to planning for the expected birth would be voluntary.
- ii. If there is not already an open file for the family:
If the case is opening solely to provide services to the expectant parents in preparation for the child not yet born, see category a. above. A separate family file is not required if there are no protection concerns regarding the other children in the home.

c. Expectant parent under the age of 18 years:

- Responding to a Notice of Maternity – Upon receiving a notice under subsection 9(4) of The Child and Family Services Act, an intake worker or case manager will contact the birth mother to offer services or to conduct a child protection investigation related to the minor expectant parent. The response time is consistent with intake standards.
- When the expectant parent is under the age of 18 years, intake workers and case managers may contact other community supports and public health without the consent of the expectant parent for the purposes of seeking services for the expectant parents.
- A case manager or intake worker creates an intake to document the expected pregnancy. If services will be provided, an expectant parent services case (EPS) for minor expectant parent(s) as a voluntary family service (VFS) is opened and the VFS case is closed following the birth of the child. The case manager closes the VFS case if ongoing services are not requested or required.

d. Expectant parent under the age of 18 years, who is a child in care:

Service provision related to the pregnancy and anticipated birth is the same as noted under c. Additionally, the child in care file will remain open, and services will continue to be provided to the minor expectant parent in this capacity as outlined in existing policy and standards.

8. **Transition to Child Protection Services** – An intake worker or case manager, as the case may be, records by date and reason when there is change in the [case category](#) from voluntary family service (VFS) to child protection (PRT) or from PRT to VFS.
9. **Services to Birth Fathers** – An agency offers counselling and support services to a birth father named by a birth mother who agrees to the agency contacting him or when serving a Notice to Birth Father (Form AA-1) under [section 26](#) of *The Adoption Act*. At a minimum, the agency advises the birth father of his right under [section 20](#) of *The Family Maintenance Act*.