

MONITORING PLACEMENT RESOURCES: FOSTER HOME INVESTIGATIONS

Policy no: 4.13

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Policy Cross References: Placement Resources: Non-Relative Foster Home Approval Process; Placement Resources: Relative/Significant Other Foster Home Approval Process; Monitoring Placement Resources: Annual Review of a Non-Relative Foster Home; Positive Discipline

Legislative References: s.63(3) Agreement of service and s.65 Change of placement of a child or youth without notice.

PURPOSE: To outline the process for assessing and investigating allegations of maltreatment and/or quality of care concerns regarding a child or youth in care placed in a foster home.

POLICY:

1. All referrals regarding the quality of care or the maltreatment of a child or youth placed in a foster home shall be assessed on the same day of receiving the information to determine what action is necessary to ensure the safety and well-being of the child or youth and to determine whether a foster home investigation is required.
2. All referrals of physical and sexual abuse shall be referred to the local police on the same day of receiving and assessing the information.
3. When it is determined that an investigation is necessary, the foster parent(s) shall be notified of the decision to investigate and whether the concerns are quality of care, maltreatment or both, as soon as possible. This notification shall occur the same day of determining that an investigation is required.
4. The safety of the child or youth currently placed in the foster home shall be assessed on the same day that the investigation decision is made to determine if the child or youth should be moved to an alternate placement while the investigation is being completed. This shall include face-to-face contact with the child or youth and the foster parent(s).
5. A social worker and clinical program supervisor shall be assigned to complete the investigation. The persons assigned shall not be responsible for the foster home or any child or youth placed in the foster home.
6. If the child or youth is in a protective care agreement, interim care, or interim or

temporary custody, the parent(s) shall be notified of the investigation. If the child or youth is in continuous custody, the parent(s) may be notified depending on their level of involvement with the child or youth.

7. The foster home investigation, including all required documentation and the final decision regarding the continued approval or closure of the foster home, shall be completed within 45 days of determining that an investigation is required.
8. Foster home payments (i.e. basic rate, level fee and block funding) shall continue to be paid to the foster home for the period of the investigation up to 45 days.

DEFINITIONS:

Maltreatment in a foster home placement includes physical, sexual or emotional harm of a child or youth that is non-accidental and is as a result of an action, inaction or lack of appropriate action by a foster parent. Examples include, but are not limited to, the following:

- a) deliberately using force against a child or youth in such a way that the child/youth is injured or at risk of being injured;
- b) hitting, shaking, pushing, kicking and dangerous or
- c) harmful use of an approved restraint, (the use of a restraint in a foster home can only occur where such behavior management strategies have been requested by a Behavior Management Specialist and approved by a Regional Manager, as part of formal Behavior Support Plan. The foster parent(s) must be trained in Non-Violent Crisis Intervention® prior to engaging in physical restraints).
- d) verbal threats, social isolation, intimidation, exploitation, and unreasonable demands;
- e) family violence;
- f) sexual assault including kissing, touching, intercourse, exposure to or involvement in pornography; and
- g) serious, ongoing or chronic quality of care issues.

Quality of Care in a foster home placement refers to the provision of a level of daily care which ensures that a child or youth's basic and developmental needs are addressed by the foster parent(s) in a safe and supportive environment. Examples of quality of care concerns include, but are not limited to, the following:

- a) lack of age and developmentally appropriate supervision;
- b) absence of an adequate and healthy diet (including nutritious meals, snacks and school lunches);
- c) lack of adequate and seasonally appropriate clothing;
- d) insufficient or unexplained delays in access to education, health or medical

- services;
- e) absence or lack of support for children and youth to maintain family, community, social and cultural connections: and
- f) absence or lack of support for children and youth to participate in age and developmentally appropriate activities.

PROCEDURES:

Assessing and Determining the Response to a Referral

1. When a referral is received that a child or youth in care is or may be at risk of maltreatment or there are quality of care concerns in a foster home, the information shall be documented on the *Referral on a Placement Resource* form.
2. When there is an allegation of physical or sexual abuse a social worker shall refer the allegation to the local police immediately, using the *Referral on a Placement Resource* form, and, in consultation with the local police, make a joint decision regarding how to proceed with the investigation.
3. A clinical program supervisor shall screen the referral information on the same day the referral is received and make one of the following decisions:
 - a. **No Action Required** - If no action is required the social worker responsible for the foster home shall document the decision in the foster home case notes and place a hard copy of the referral on the paper file. The foster parent(s) shall be informed of the referral information as soon as possible following the decision that no action is required.
 - b. **Follow up by a Social Worker (No Investigation Required)** - Where it is determined that an investigation is not required, but follow-up with the foster parent(s) is necessary, the social worker responsible for the foster home shall:
 - i. Document the decision in the foster home case notes and place a hard copy of the referral on the paper file;
 - ii. Meet with the foster parent(s) within 7 days of the screening decision to discuss the referral information, provide an opportunity for the foster parent(s) to respond to the referral, and identify any outstanding issues or concerns that may require follow up. Where necessary, the social worker and foster parent(s) will identify ways to address any issues or concerns and/or supports that may be required and the social worker shall document any tasks or activities requiring follow up, in the case notes.
 - iii. Conduct a follow up private, in person interview with the child or youth

- (where age and developmentally appropriate) within 7 days of making the decision that no investigation is required. The purpose of this contact is to determine if/how the referral information has impacted the child or youth.
- iv. If a child or youth cannot be interviewed due to their age or developmental level, the social worker shall observe the child or youth.
 - v. If the social worker responsible for the foster home receives additional information as a result of meeting with the foster parent(s) or interviewing the child or youth placed in the foster home, and the additional information indicates that an investigation may be necessary, the social worker responsible for the foster home shall discuss the additional information with the clinical program supervisor and, where necessary, complete a new *Referral on a Placement Resource* form, and screen the information received.
- c. **Investigation Required** -Where it has been determined that an investigation is required, an investigating social worker and clinical program supervisor shall be assigned within 3 days of making the decision to investigate.
- i. The persons assigned to conduct the investigation shall not be responsible for the foster home or any child or youth placed in the foster home.
 - ii. The investigating social worker and clinical program supervisor shall also be trained in **Structured Decision Making (SDM)** and knowledgeable of the five *PRIDE* competencies.
 - iii. The investigating social worker shall conduct a thorough investigation with the clinical program supervisor monitoring and overseeing the investigative process.
 - iv. If the referral information alleges that a child of the foster parent(s) is or may be at risk of maltreatment, the information shall be assessed under s.12 (1) of the *CYCP Act* to determine whether a protective intervention investigation is required. If a protective intervention investigation is required, the standards set out in SDM shall be followed.
 - v. Where it is determined that both a foster home investigation and a protective intervention investigation are to occur at the same time, the two assigned social workers shall collaborate to avoid any unnecessary duplication and to ensure the integrity of the investigations is not compromised.

Assessing the Immediate Safety of Children and Youth in Care Residing in a Foster Home

- 4. The social worker for the foster home, in consultation with the clinical program supervisor, determines whether the child or youth can safely remain in the home while the investigation is being completed on the same day the decision is made to investigate.

5. The social worker responsible for the foster home shall use the *Alternate Care Provider Safety Assessment (ACPSA)* to guide and document the safety decision and determine whether the child or youth should be moved to another placement location.
6. The social worker for the foster home shall familiarize themselves with the items included in the *ACPSA* in SDM and shall use their clinical social work skills to gather information to inform the *ACPSA*. In making the decision of whether the child or youth is safe, the social worker for the foster home shall have face-to-face contact with the child or youth and the foster parent(s). The social worker may also speak to other foster family members, and other social workers who have been involved with the child or youth, and other collateral contacts.
7. When it is determined that a child or youth cannot safely remain in the foster home during the investigation, the social worker shall notify the foster parent(s) of the decision immediately and ensure that another placement is located for the child or youth and that the child or youth is supported during the transition.
8. The social worker shall complete the *ACPSA* in ISM by the end of the next business day following the first face-to-face contact with the child or youth and place a hard copy of the *ACPSA* on the foster home file.
9. Where a decision is made to **not** move a child or youth during the investigation process and where additional information is received that indicates the child or youth may be unsafe, a subsequent *ACPSA* shall be completed by the social worker for the foster home in consultation with the clinical program supervisor. A second *ACPSA* is not required if additional referral information is received and the child or youth has already been moved to another placement.

Providing Information and Support to the Child or Youth

10. The social worker for the child or youth shall provide regular, ongoing support to the child or youth throughout the investigation process. The nature of this support should be assessed on a case by case basis depending on the age and developmental level of the child or youth. Support may also include referring a child or youth to counselling services, arranging medical appointments, etc., if necessary. Where it is assessed to be in the child or youth's best interest, the social worker may arrange contact between the child or youth and the foster parent(s)/foster family (e.g. telephone calls, supervised visits).
11. The social worker shall also provide the child or youth with age and developmentally appropriate information about the status and progress of the investigation.

Providing Information to the Parent(s) of the Child or Youth

12. If the child or youth is in a protective care agreement, interim care or interim or temporary custody, the social worker shall **immediately** notify the parent(s) of the plan to investigate, and the placement plan for their child or youth, unless the integrity of the investigation could be jeopardized by this notification.
13. If the child or youth is in continuous custody, the parent(s) may be notified depending on their level of involvement with the child or youth, unless the integrity of the investigation could be jeopardized by this notification.

Providing Information and Support to the Foster Parent(s)

14. The social worker for the foster home shall meet with the foster parent(s) on the same day that the decision is made to investigate and inform them whether the concerns are quality of care, maltreatment, or both, unless there are documented concerns that providing this information will interfere with the investigation process (e.g. interfere with the police investigation, if applicable). Where possible, the foster parent(s) shall also be provided with details of the nature of the concerns outlined in the referral. The timeframe for the provision of this information shall not exceed two days unless there are documented reasons why this information should not be provided.
15. The social worker for the foster home shall provide information and support to the foster parent(s) throughout the investigation process. This shall include but is not limited to:
 - a. Explaining and clarifying the role of the social worker for the foster home and how that differs from the role of the investigating social worker;
 - b. Providing policy information regarding the investigation process including the Department's responsibility to investigate, how decisions are made, and when they can expect to receive updates regarding the progress of the investigation;
 - c. Providing the contact information for the Newfoundland and Labrador Foster Families Association (NLFFA), explaining the nature of allegation support that is available through the NLFFA, and providing them with the *NLFFA Allegation Support Card*;
 - d. Maintaining regular contact with the foster parent(s) and responding to questions raised by the foster parent(s);
 - e. If a child or youth has been moved during the investigation process, the social worker shall discuss the parameters around continued contact with the child or youth and where contact is determined to be in the child or youth's best interest, develop a plan with the foster parent(s);
 - f. Informing the foster parent(s) of the policy regarding the financial remuneration that will be received during the investigation process; and,

- g. Acknowledging and respecting the foster parent(s) feelings and concerns regarding the investigation process and remaining neutral while providing support, so as to not interfere with the outcome of the investigation process.

Conducting an Investigation on a Foster Home

16. The assigned investigating social worker, in consultation with the assigned clinical program supervisor, shall be responsible for conducting the foster home investigation. The clinical program supervisor is required to provide ongoing, regular, clinical direction and support to the investigating social worker.
17. The investigating social worker, in consultation with the clinical program supervisor shall develop a plan regarding the investigation process. The plan should include a clear focus on the nature of the concerns and what is being investigated, the role of the police, what information will be gathered and from whom, the approach regarding how information will be gathered, critical timelines for the investigation, information compilation process and other steps or information deemed to be relevant in the investigation process.
18. In determining who should be interviewed, the investigating social worker should include all children or youth in care currently residing in the foster home (where age and developmentally appropriate), the foster parent(s), other individuals residing in the home (if possible), parents of the child or youth (where deemed appropriate), the social worker(s) responsible for the foster home and/or for the child or youth placed in the foster home, children or youth in care who previously resided in the foster home, and other collaterals and professionals working with the child or youth currently residing in the home.
19. In situations where the referral information has been forwarded to the police and the police are also investigating, the investigating social worker shall contact the police to determine how both parties can collaborate to conduct a joint investigation. Where the time frames of the police investigation do not correspond with the time frames required by the Department, the zone manager shall consult with the police to determine whether the Department can proceed with their investigation to ensure the investigation is concluded in a timely manner.
20. The outcome of a foster home investigation is not dependent or contingent on the outcome of a police investigation. The social worker, in consultation with the clinical program supervisor may make a recommendation to the zone manager to close the foster home prior to the conclusion of the police investigation.
21. In a situation where the Department has concluded its investigation and the allegations

were not verified, and the police are continuing to investigate the allegations, the zone manager may place the foster home on hold, pending the outcome of the police investigation. It is the responsibility of the zone manager for the foster home to make the final decision regarding the continued approval of the home.

22. If during the process of investigation new referral information is received, the investigating social worker shall consult with the clinical program supervisor and develop a plan to address the new referral information.
23. The investigating social worker, in consultation with the clinical program supervisor shall complete the investigation and document all information regarding the investigation, and the outcome, on the *Investigation on a Placement Resource* form.
24. This form shall contain all information regarding the investigation, which shall include, but is not limited to:
 - a) summary of the referral information;
 - b) length of time fostering;
 - c) children or youth who have resided in the foster home;
 - d) training completed (*PRIDE* or other);
 - e) ability to meet the *PRIDE* competencies to date;
 - f) date and recommendations of last annual review (if applicable);
 - g) list of person(s) interviewed;
 - h) summary of interviews completed;
 - i) summary of files reviewed;
 - j) nature of police involvement;
 - k) clinical assessment and analysis of the information gathered related to the referral information;
 - l) whether the referral was verified;
 - m) the foster parent(s) ability to continue to meet the five *PRIDE* competencies; and,
 - n) findings, conclusions and recommendations regarding continued approval (including any restrictions or conditions) or closure of the foster home.
25. The social worker shall submit the completed *Investigation on a Placement Resource* form to the clinical program supervisor assigned to the investigation for review.
26. The clinical program supervisor shall review, recommend and forward the *Investigation on a Placement Resource* form to the zone manager responsible for the foster home.
27. The zone manager responsible for the foster home shall make the final determination regarding the continued approval (including any restrictions or conditions) or closure of the foster home. In making this determination, the zone manager may request a meeting with the investigating social worker and clinical program supervisor to discuss the

outcome of the investigation and the recommendations regarding the continued approval of the foster home. When the zone manager responsible for the foster home has made the final decision regarding the continued approval or closure of the foster home, the investigating social worker shall notify the social worker(s) for the foster home, who shall notify the child and youth, and the parent(s), (where applicable), of the outcome of the investigation.

28. The investigating social worker, the social worker for the foster home and, the clinical program supervisor responsible for the investigation, shall meet with the foster parent(s), within 2 days of the conclusion of the investigation, to notify them of the outcome of the investigation and provide them with a letter regarding the outcome. This letter shall contain the following information:
 - a) Nature of the allegations;
 - b) Findings/outcome of the investigation;
 - c) Department's decision regarding the foster home;
 - d) Reasons for the Department's decision, including how this relates to the *PRIDE* competencies; and
 - e) Any conditions or restrictions (if applicable).
29. If the continued approval includes conditions and/or restrictions, the conditions and/or restrictions shall be discussed with the foster parent(s), as the foster parent(s) will need to agree to and comply with the conditions and/or restrictions as part of continued approval. All restrictions and/or conditions shall be documented on the foster home file and regularly monitored by the foster home social worker as part of the ongoing work with the foster family.
30. The child or youth (where age and developmentally appropriate) shall be informed of the outcome of the investigation and shall be consulted regarding any continued placement decisions in the foster home. Where a home does not close as a result of an investigation it shall be determine if this placement continues to be in the child or youth's best interests.
31. The child or youth's parent(s) (if notified of the investigation) shall be informed of the outcome of the investigation and any placement change that has occurred as a result.
32. A hard copy of the *Investigation of a Placement Resource* form shall be placed on the foster home file and on each child or youth's in care file.
33. A case note shall be entered on the parent(s) file documenting the outcome of the investigation.

EXCEPTIONS TO POLICY:

1. If there are extenuating circumstances that interfere with the completion of an investigation **within the 45 day** time frame an extension may be granted with the approval of a zone manager. This extension request must outline the reason for the extension and the anticipated additional time required for completion, including the new anticipated completion date. The foster parent(s) shall be immediately notified in writing, by the investigating social worker, of the extension and the new anticipated completion date.
2. Where the time frame for the completion of the foster home investigation by the Department has been extended beyond the 45 day period, the foster home payments (i.e. basic rate, level fee, block funding) shall continue to be paid for the period of the extension.

RELEVANT DOCUMENTS:

- *PRIDE Facilitators Manual*
- *Foster Parent Competency Chart*
- *Structured Decision Model (SDM) Manual*
- *Memorandum of Understanding with RNC/RCMP*
- *Working Relationship Agreement*