



# ENTITLEMENTS OF FOSTER AND KINSHIP CAREGIVERS

July 1, 2017

## INTENT STATEMENT

The Ministry of Children’s Services, in partnership with the foster and kinship caregivers of Alberta, is committed to the belief that “all children have an inherent right to a loving and nurturing home environment and a right to belong to a family and know where they came from”.

The intent of this document is to honor the role foster and kinship caregivers play in providing a temporary place a child in care can call home. Foster and kinship caregivers are critical partners in supporting and implementing case planning outcomes for children in care and, although the rights of the child placed in a foster or kinship home is paramount, respect must be also be given to the entitlements of the foster and kinship caregivers who care for these children. Critical to the success of the permanency planning process is mutual respect and appreciation for each member of the service planning team and the value they bring to the permanency planning process.

## PREAMBLE

- WHEREAS Foster and kinship caregivers provide loving homes enabling children to endure the hardship associated with separation and loss of family; and
- WHEREAS Foster and kinship caregivers provide safe and loving homes to these children, ensuring their mental, emotional and physical needs are met; and
- WHEREAS Foster and kinship caregivers demonstrate extraordinary patience and provide support to help these children and their families overcome hardships; and
- WHEREAS By offering the services of one's family, foster and kinship caregivers commit to tremendous sacrifice and selflessness; and
- WHEREAS Foster and kinship caregiving can be a lifetime commitment to a child or a meaningful commitment to a child during his or her lifetime; and
- WHEREAS Foster and kinship caregivers' commitment to providing care to Alberta's children is a valuable contribution that is recognized and appreciated by the Province of Alberta; and
- WHEREAS Foster and kinship caregivers, by assuming responsibility for the care of a child, endeavor to make the child aware of his or her familial, cultural, social and religious heritage; and
- WHEREAS Foster and kinship caregivers, when caring for an Indigenous child, do consider and respect the child's unique Indigenous culture, heritage, spirituality and traditions and endeavor to preserve the child's cultural identity.
- WHEREAS the ENTITLEMENTS OF FOSTER AND KINSHIP CAREGIVERS are included in the policy of the Ministry of Children's Services in order to recognize the unique nature of the foster or kinship caregiving relationship, as well as the foster and kinship caregiver communities.
- WHEREAS the inclusion of the ENTITLEMENTS OF FOSTER AND KINSHIP CAREGIVERS in the policy of the Ministry of Children's Services will encourage province-wide uniformity in foster and kinship care in Alberta.

## INTERPRETATION

In this document:

"At risk behaviours" means...	"behaviours that might reasonably be expected to present an imminent danger to the child and others"
"Authority" means...	"the authority as established under the Child and Family Services Act"
"Child" means...	"a person under the age of 18 years"
"Child in care" means...	"a person who is in need of protective services for the purposes, described under the Child, Youth and Family Enhancement Act"
"Compensation" means...	"payment for goods, services, or loss"
"Court" means...	"the Provincial Court of Alberta, or in the case of an appeal from that Court, the Court of Queen's Bench or the Court of Appeal of Alberta"
"Director" means...	"a person designated by the Minister as Director under the Child, Youth and Family Enhancement Act"
"Documentation" means...	"any record of information in any form, inclusive of books, documents, maps, drawings, photographs, letters, vouchers and papers and any other information that is written, photographed, recorded or stored in any manner"
"File" means...	"paper or electronic record"
"Foster caregiver(s)" means...	"a person approved and licensed as a foster caregiver in the Province of Alberta by a director, under the Child, Youth and Family Enhancement Act, or through an agency that has been delegated by a Child and Family Services Authority or Delegated First Nation Agency"

"Kinship Caregiver(s)" means...	"an extended family member of a child, or a person who has a significant relationship with the child or is a member of the child's cultural community."
"Placement" means...	"the temporary home that a child with legal status under the Child, Youth and Family Enhancement Act is placed"
"Policy" means...	"a preferred course or method of action selected from among alternatives in light of given conditions, whether orally or in writing, to guide and determine present and future decisions as determined by the Minister of Children's Services from time to time, in order to protect the safety and best interests of children"
"Respite" means...	"the temporary placement of a child outside of the foster or kinship home or the provision of a person in the foster or kinship home for the purpose of providing short term rest or relief to the foster or kinship caregivers or foster or kinship family"
"Case Plan for the care of the child" means...	"a document that specifies the placement objectives and goals to be accomplished by completion of all tasks in order to meet the needs of the child"
"Supports for Permanency" means	"services to eligible families who adopt or take private guardianship of children under the permanent guardianship of the director"
"Support services" means...	"support services defined in policy to assist the foster or kinship family to maintain a stable placement for the child"

## 1. INVOLVEMENT IN DECISION MAKING

(Subject to the laws of the Province of Alberta such as the Child, Youth and Family Enhancement Act)

- (1) Foster and kinship caregivers are entitled to representation and involvement as:
  - (a) members through their Provincial Association, being the Alberta Foster Parent Association (AFPA); and
  - (b) members through their local Associations.
- (2) Foster and kinship caregivers are entitled to involvement as members of the multi-disciplinary decision making team, for the children in their care, and are entitled to actively participate in the decisions affecting the children in their care such as case planning, conferences, reviews, and education planning.
- (3) Foster and kinship caregivers are entitled to communicate directly with the professionals who work with the children in their care such as teachers, counselors and therapists.

## 2. SUPPORT

- (1) Foster and kinship caregivers are entitled to be treated with dignity, respect and consideration in the following matters:
  - (a) acceptance or refusal of a placement;
  - (b) a request for the removal of a child from their home when all other efforts to sustain the placement have been unsuccessful;
  - (c) the maintenance of the day-to-day management, structure and rules of their home subject to the policy of the Ministry of Children's Services;
  - (d) the continuation of their own family values and beliefs, while the Foster and kinship caregiver also honor the rights, values and beliefs of the child(ren) in their care;
  - (e) if the return of the child to his or her parents or guardians is not possible and no extended family placements are available or appropriate, consideration for permanent placement should be given to the current caregivers prior to any general adoption or private guardianship placement options;

- (f) consideration as the first choice for placement when a former child in care returns into care;
- (g) to support continuity and stability of relationships, foster and kinship caregivers should be considered as a first choice for placement if a sibling of a child already in their home, comes into care;
- (h) adequate supports to ensure their safety and their family's safety, when dealing with a child who is exhibiting at risk behaviors, including the provision of respite care in accordance with policy;
- (i) foster and kinship caregivers are entitled to support to manage loss and separation issues associated with termination of a placement or the death of a child in their care that honors their privacy and if it is in accordance with policy.

### 3. INFORMATION

- (1) Foster and kinship caregivers are entitled to disclosure of information pertaining to their foster or kinship home and the children in their care, as permitted by present legislation such as the Freedom of Information and Protection of Privacy Act, and the Child, Youth and Family Enhancement Act:
  - (a) a plan, for children placed in their home within timelines set out in policy;
  - (b) access to written and/or oral recorded information regarding a potential placement (including but not limited to the child's birth family, cultural heritage, health history and behavioural needs). In the case of an emergency placement, the foster or kinship caregiver shall receive the information when it becomes available;
  - (c) timely notification of all meetings and case conferences that foster or kinship caregivers are permitted by policy to attend affecting a child in their home;
  - (d) notification of all decisions pertaining to a child in their care;
  - (e) notification of any court hearings, including the time and location of the hearing in accordance with the Child, Youth and Family Enhancement Act. The Foster and kinship caregivers acknowledge that the Court may not permit them to attend court hearings;

- (f) timely notice of changes made in the case plan for the care of a child in their care;
- (g) timely updates on all significant information relevant to a child in their care;
- (h) earliest possible notification of the termination of a placement;
- (i) a clear explanation of the expectations for involvement with the child's birth family;
- (j) upon request, access to legislation, policy, procedures, protocols and documents pertaining to fostering or kinship care.

#### 4. COMPENSATION

- (1) Foster and kinship caregivers are entitled to receive compensation to provide for the needs of the children in their care.
- (2) Foster and kinship caregivers are entitled to reimbursement for the following expenses, incurred as a direct result of fostering or kinship care if in accordance with policy and in such amounts as permitted by policy:
  - (a) all core training related expenses inclusive of meals, mileage, parking, accommodations, and childcare;
  - (b) the consideration of requests for compensation for willful damage by a child in care;
  - (c) pre-approved reimbursement of expenses incurred as a result of the death of a child in care; as outlined in policy;
  - (d) approval to bring the child's clothing up to a reasonable standard, graduation costs, driver training and pre-approved funding for recreation costs.

#### 5. FOSTER HOME ASSESSMENT OF CARE CONCERNS

- (1) Foster caregivers are entitled to fair and equitable treatment in the event of conflicts, allegations and investigations, including closure, or suspension of the operation or licensing of their foster home, including;
  - (a) to insist that the recommended investigation process as set out in policy shall be adhered to and;



- (b) to be advised in writing, within 30 days of the completion of the investigation, of any decision or recommendation together with any reasons, including decisions relating to foster home closures, suspensions or licensing;
- (c) to be informed of resources and processes that are available for conflict resolution such as Mediation, Administrative Review or Appeal as set out in legislation, when faced with an investigation, closure, suspension or other proceeding as set out in the preceding paragraph;
- (d) to be informed of and have access to the Foster Allegation Support Team (FAST) when under or following completion of investigation;
- (e) to be accompanied by a FAST advocate at any and all meetings and proceedings during or following an investigation.

#### 6. KINSHIP HOME ASSESSMENT OF CARE CONCERNS

- (1) Kinship caregivers are entitled to fair and equitable treatment in the event of conflicts, allegations and investigations, including closure, or suspension of the operation or licensing of their kinship home, including;
  - (a) to insist that the recommended investigation process as set out in policy shall be adhered to and;
  - (b) to be advised in writing, within 30 days of the completion of the investigation, of any decision or recommendation together with any reasons, including decisions relating to kinship home closures;
  - (c) to be informed of resources and processes that are available for conflict resolution, such as Mediation, Administrative Review or Appeal as set out in legislation, when faced with an investigation, closure, or other proceeding as set out in the preceding paragraph;
  - (d) to be informed of and have access to the Foster Allegation Support Team (FAST) when under or following completion of investigation;
  - (e) to be accompanied by a FAST advocate at any and all meetings and proceedings during or following an investigation.