

## **Schedule B**

### **Children in Care**

#### **B1. Schedule Application**

Schedule B applies to:

- a. children who are in care of a child welfare authority or who have entered into a support agreement with a child welfare authority; and
- b. young adults who are or were in the care of, or who have entered into a support agreement with, a child welfare authority, and who continue to receive services from a child welfare authority.

#### **B2. Notification and Negotiation**

##### *B2.1 Child or Young Adult Moving with Family*

When planning for a child or young adult to move with a foster family or care provider to a receiving province, the originating province shall:

- a. notify the receiving province in writing as soon as details regarding the move are confirmed and, time permitting, *at least 30 days prior* to the move;
- b. obtain general information from the receiving province regarding its policies, rates and services;
- c. inform the foster family or care provider of the information received from the receiving province regarding its policies, rates and services, noting apparent differences to those in the originating province; and
- d. give the foster family or care provider information as to who to contact in the receiving province for continued services and, if known, the name, address and phone number of the local authority that will be providing services.

##### *B2.2 Child or Young Adult Moving to Family in Receiving Province*

- B2.2.1 When planning for a child or young adult to reside with a parent, relative or other interested person in a receiving province, the originating province shall consult with the receiving province and shall provide the receiving province with *60 days prior* written notice of the plan or such shorter period of time as negotiated between the originating and receiving provinces.

- B2.2.2 Regarding a child in care, the receiving province shall complete a report on the home of the relative or interested person *within 60 days* of receiving notice in writing under paragraph B2.2.1 or such period of time as negotiated between the receiving and originating provinces. The report must include:
- a. an assessment of the home;
  - b. a statement as to the supervision and support services available; and
  - c. a recommendation concerning the placement.
- B2.2.3 Regarding a young adult, the receiving province shall complete a report similar to a report under paragraph B2.2.2 if requested by the originating province according to:
- a. the specific needs of the young adult; or
  - b. the legislative or policy requirements of the originating province.
- B2.2.4 If the receiving province, on completing an assessment, recommends that a child or young adult not reside with a parent, relative or interested person in the receiving province, the originating province agrees not to place the child or young adult unless and until the matter is resolved either through the receiving province's review process or the dispute resolution process set out in section 7 of the Protocol.
- B2.2.5 A decision under paragraph B2.2.4 must be based on the best interests of the child or young adult or on evidence of child protection concerns as documented by the receiving province.

### B2.3 *Placement in Residential Care Facility*

- B2.3.1 Prior to placing a child or young adult in a residential care facility in a receiving province, the originating province shall consult with the receiving province to determine:
- a. legislation and policy requirements in the receiving province;
  - b. whether the facility is licensed;
  - c. any concerns the receiving province has about the use of the facility by another province;
  - d. whether the treatment program is likely to meet the needs of the child or young adult in question;
  - e. the availability of appropriate community services and resources in the receiving province; and

- f. the ability of the receiving province to adequately provide courtesy supervision.

B2.3.2 An originating province agrees not to place a child or young adult in a residential care facility in a receiving province if the receiving province confirms that:

- a. a facility must be licensed and the facility under consideration is not licensed or the licence has been suspended or revoked; or
- b. the treatment program is inappropriate for the child or young adult.

B2.3.3 When a child or young adult is placed in a residential care facility in a receiving province, the originating province shall notify the receiving province of the placement in writing *within seven (7) days* from the date of placement.

B2.3.4 The originating province shall retain primary case management responsibility for a child or young adult placed in a residential care facility in a receiving province. However, the originating province may request the receiving province to assist in monitoring or supervising the placement.

B2.3.5 On agreeing to assist the originating province in monitoring or supervising the placement of a child or young adult in a residential care facility pursuant to paragraph B2.3.4, the receiving province shall complete and forward progress reports to the originating province *at least once a year* or as otherwise negotiated with the originating province.

#### B2.4 *Temporary Visits to a Receiving Province*

B2.4.1 Subject to paragraph B2.4.2, when a child in care or young adult receiving services will be visiting a receiving province and the receiving province is being asked to assume some level of responsibility during the visit, the originating province shall request the required services *at least 30 days* prior to the visit or such shorter period of time as agreed to between the originating and receiving province. The originating province shall include, at a minimum, the following information:

- a. the name, address, birth date and legal status of the child;
- b. the name, address and phone number of a contact person in the originating province;
- c. an outline of the specific requests for services; and

- d. particular circumstances or problems of which the receiving province should be made aware.

B2.4.2 In the event of an emergency or for humanitarian reasons, an originating province may request services under paragraph B2.4.1 at the time a child or young adult will be visiting in the receiving province.

### **B3. Case Planning and Management**

#### *B3.1 Developing Care or Service Plan*

- B3.1.1 Except for the placement of a child or young adult in a residential care facility, the originating province shall:
- a. consult with the receiving province in developing and implementing a comprehensive care or service plan for all children and young adults moving to a receiving province under this Schedule; and
  - b. enter into a Case Transfer Agreement (Form B-1) attached to this schedule prior the child or young adult moving to the receiving province.

B3.1.2 The originating province shall advise the receiving province when a child or young adult is under investigation, has been charged with or found guilty of an offence, or is on probation or otherwise involved with the law. If the receiving province agrees to the child or young adult moving, the originating province shall obtain approval in writing from police or justice officials in the originating province when required for the child or young adult to move to the receiving province.

B3.1.3 In agreeing to a care or service plan, the receiving province shall advise the originating province as to which local authority will be responsible for providing services and the process for transferring the case to that local authority.

#### *B3.2 Implementing Care or Service Plan*

- B3.2.1 The care or service plan should identify the goals of the placement, any services to be provided, and the roles and responsibilities of the various parties.
- B3.2.2 In agreeing to a care or service plan, the receiving province shall provide, at a minimum, supervision and services as per the negotiated plan. The originating province retains case management responsibility for planning for the child or young adult and for ongoing contact with the family of the child or young

adult unless otherwise negotiated between the originating and receiving provinces.

- B3.2.3 The originating and receiving province shall jointly review the care plans for a child or young adult *at least once a year* unless the parties agree that an annual review is not required.

### B3.3 *Long-term Planning*

- B3.3.1 If a parent or guardian is moving or has moved to the receiving province, the originating and receiving provinces may jointly 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. The receiving province may subsequently enter into a voluntary agreement with the parent or guardian or proceed to court for a new order if required.

- B3.3.2 If it is in the best interests of a child or young adult to remain in a receiving province on a long-term basis, the originating province may transfer its decision-making authority and responsibility for the child or young adult to the receiving province to the extent possible under its legislation and with the concurrence of the receiving province.

## **B4. Documentation**

### B4.1 *Information on Child in Care*

- B4.1.1 Except for the placement of a child in a residential care facility, when a child in care moves to a receiving province, the originating province shall forward, at a minimum, the following to the receiving province *within 30 days* of the move:
- a. a certified copy of the child's birth registration;
  - b. an original or certified copy of any orders or agreements with respect to the child's current legal status;
  - c. in the case of a child in care under a voluntary agreement, the written consent of the parent or guardian of the child to the placement;
  - d. information relevant to the child's cultural, racial, religious and linguistic heritage;
  - e. the child's life book, if available, or a copy of it;

- f. in the case of an Aboriginal child, details with respect to the child's status under the *Indian Act* (Canada) and community of origin;
- g. confirmation that the originating province has involved the appropriate Indian band or Aboriginal organization as required under the originating province's legislation and policy;
- h. a social history including a summary of all services and assessments;
- i. any relevant medical, psychological or educational assessments completed within the past two years;
- j. up-to-date medical reports if the child is receiving treatment;
- k. a current plan of care developed in consultation with the receiving province if available;
- l. a statement clarifying the type of decisions and consents, including those related to medical treatment, that may be authorized by the receiving province; and
- m. additional documentation required by the receiving province if available.

B4.1.2 When monitoring or supervising the placement of a child in a residential care facility, a receiving province may require some or all of the documentation required under paragraph B4.1.1.

B4.1.3 When a young adult to whom this Schedule applies moves to a receiving province, the originating province, with the written consent of the young adult, shall forward, at a minimum, the following to the receiving province *within 30 days* of the move:

- a. a copy of any agreements or orders with respect to continued maintenance and support from the child welfare authority;
- b. information relevant to the young adult's cultural, racial, religious and linguistic heritage including a life book, if available, or a copy of it.
- c. in the case of an Aboriginal person, details with respect to the young adult's status under the *Indian Act* (Canada) and community of origin;
- d. confirmation that the originating province has involved the appropriate Indian band or Aboriginal organization as required under the originating province's legislation and policy;
- e. a social history or assessment;

- f. any relevant medical, psychological or educational assessments completed within the past two years;
- g. a current service plan if available;
- h. an outline of the services being requested; and
- i. additional documentation required by the receiving province if available.

#### B4.2 *Information on Foster Family or Care Provider*

With the written consent of a foster family or care provider who is moving to a receiving province, the originating province shall forward, at a minimum, the following to the receiving province *within 30 days* of the move:

- a. copies of any applicable documentation relating to the approval or licensing of the home;
- b. any assessments or reviews of the home completed within the past 12 months; and
- c. confirmation that the family has been informed of any differences in policy, rates and services in the receiving province.

#### B4.3 *Progress Reports*

B4.3.1 Unless otherwise agreed to between the receiving and originating provinces, the receiving province shall complete and forward to the originating province:

- a. all reports on the progress of a child in care (including a copy of all assessments and follow-up reports) completed according to standards in the receiving province or as otherwise negotiated;
- b. progress reports on a young adult as agreed to by the originating and receiving provinces;
- c. within a year of the move, an evaluation of the foster home or care provider as per the receiving province's legislation and policy; and
- d. copies of ongoing licensing reviews of the foster home.

B4.3.2 Upon agreeing to a long-term plan for a child pursuant to subsection B3.3, the originating and receiving provinces may agree to discontinue progress reports required under paragraph B4.3.1.

## **B5. Placement Disruptions**

### *B5.1 Renegotiating Plan of Care*

- B5.1.1 This section applies to children and young adults placed in a foster home or in the home of a parent, relative or interested person in a receiving province. It does not apply to children and young adults placed in residential care facilities.
- B5.1.2 When the placement of a child or young adult is disrupted, the originating and receiving provinces agree to renegotiate a plan of care or service plan that is in the best interests of the child or young adult.

### *B5.2 Placement Decisions*

- B5.2.1 The receiving and originating provinces agree to consider the following factors in determining whether a child or young adult should remain in the receiving province or be returned to the originating province:
- a. length of time in the receiving province;
  - b. where parents, guardians or other significant family members reside;
  - c. preferences of the child or young adult;
  - d. needs of the child or young adult and the ability of each province to meet them;
  - e. for an Aboriginal child or young adult, access to his or her cultural heritage; and
  - f. confirmation that the originating province has involved the appropriate Indian band or Aboriginal organization as required under the originating province's legislation and policy.
- B5.2.2 The receiving province agrees to make all non-emergency placement changes in consultation with the originating province and to notify the originating province of an emergency placement as soon as possible and *within seven (7) days*.
- B5.2.3 At the request of the receiving province, the originating province shall facilitate the return of a child or young adult to the originating province. Such requests must be based on the best interests of the child or young adult and a review of the factors in paragraph B5.2.1.

## **B6. Financial Arrangements**

### *B6.1 Scope and Limitations*

Except for paragraph A4.3.4 pertaining to children placed in a residential care facility in a receiving province, section B6 does not apply to the repatriation of children under Schedule A.

### *B6.2 Foster Care Placements*

- B6.2.1 The originating province shall pay for a child in foster care for the *first 60 days* from the date a child arrives in the receiving province.
- B6.2.2 *Sixty (60) days* after the child's arrival, the receiving province assumes responsibility for basic foster care at the same rate normally provided by the receiving province. The receiving province shall not bill the originating province for the cost of basic foster care.
- B6.2.3 The receiving province may apply to Canada Customs and Revenue Agency for the Children's Special Allowance if it assumes financial responsibility for the child.
- B6.2.4 When the placement of a child in a foster home is disrupted and a decision has been made pursuant to subsection B5.2 to return the child to the originating province, the receiving province shall continue to pay for the care of the child in an alternate placement at the basic foster care rate and any special rate agreed to under subsection B6.3 for up to *60 days* following the placement disruption.
- B6.2.5 Once a child reaches 18 years of age, the originating province shall assume financial responsibility for the young adult. The originating province shall consult with the receiving province to determine the financial needs of the young adult and to decide on the amount of maintenance and support to be provided to the young adult.

### *B6.3 Special Foster Care Rates*

- B6.3.1 If a child requires a special foster care rate, the receiving province shall pay for the increased rate up to \$10 per day above the basic rate.
- B6.3.2 If the receiving and originating provinces agree to a special foster care rate of more than \$10 over the basic rate, the originating province shall reimburse the receiving province for the amount over \$10.
- B6.3.3 The receiving province shall review the need for and amount of the special rate according to its legislation and policy. The originating and receiving

provinces may agree to more frequent reviews than normally required by the receiving province.

#### B6.4 *Residential Care Placements*

An originating province shall assume full financial responsibility for a child or young adult whom it places in a residential care facility in a receiving province, including all costs directly related to repatriating the child or young adult. Pursuant to subsection 5.1 of the Protocol, these costs do not include salaries and operating costs normally incurred by a provincial or local authority in delivering child welfare services.

#### B6.5 *First Nation and Inuit Children and Young Adults*

B6.5.1 When a child or young adult is First Nation or Inuit, the originating province shall advise the receiving province whether any maintenance and service expenditures for the child or young adult under subsections 5.2 and 5.3 of the Protocol are funded by the Department of Indian Affairs and Northern Development, Canada.

B6.5.2 When applicable, the originating province shall determine whether the Department of Indian Affairs and Northern Development will continue to pay for maintenance and service expenditures for the child or young adult moving to the receiving province and advises the receiving province of financial arrangements for the child or young adult.

#### B6.6 *Financial Resources of Children and Young Adults*

B6.6.1 When applicable, the originating province shall inform the receiving province of the financial resources of a child or young adult as follows:

- a. income and assets including pension benefits, insurance benefits, trust funds, registered education savings plans and other savings plans; and
- b. when applicable, account numbers and the names of financial institutions managing the accounts on behalf of the child or young adult.

B6.6.2 When funds from the financial resources of the child or young adult are available for maintenance and service expenditures listed in section 5.3 of the Protocol, the originating province shall advise the receiving province as to:

- a. what amount the originating province is receiving; and
- b. what funds can be transferred to the receiving province for maintenance and service expenditures.

## **B7. Visitation**

### *B7.1 Temporary Return to Originating Province*

Arrangements for the temporary return of a child or young adult to an originating province shall be planned in advance as part of the plan of care or service plan. If time or circumstances do not permit advance planning as part of the plan of care or service plan, the receiving province shall provide in writing *30 days prior* notice or such shorter period of time as negotiated between the receiving and originating provinces of the temporary return of the child or young adult to the originating province.

### *B7.2 Visits to Third Province*

**B7.2.1** When a child or young adult under the supervision of a receiving province will be visiting in a third province and the third province is being asked to assume some level of responsibility during the visit, the receiving province shall request the required services in writing *at least 30 days* prior to the visit. The receiving province shall include, at a minimum, the following information:

- a. the name, address, birth date, and legal status of the child;
- b. the name, address, and phone number of a contact person in the receiving province;
- c. an outline of the specific request for services; and
- d. particular circumstances or problems of which the third province should be made aware.

**B7.2.2** The receiving province shall send to the originating province a copy of correspondence and related documentation sent to the third province under paragraph B7.2.1 at the same time as this information is sent to the third province.

**B7.2.3** The originating province shall immediately notify the receiving province if it has concerns about the planned visit to a third province. The receiving province shall not authorize the planned visit unless and until the concerns raised by the originating province are addressed to the satisfaction of both provinces.

**Case Transfer Agreement  
Schedule B – Children in Care  
Provincial/Territorial Protocol on Children and Families  
Moving Between Provinces and Territories**

**INSTRUCTIONS:**

This agreement is used when a child in care or young person receiving services is moving with a foster family to a receiving province (see subsection B2.1) or to a foster home in a receiving province (see subsection B2.2). *Originating province* refers to the province or territory requesting a transfer. *Receiving province* refers to the province or territory to which the child or young person may be moving.

An agreement is required for each child or young person moving to a receiving province under subsection B2.1 or B2.2 of Schedule B. Completion and use of this form involves the following steps:

1. The local authority (agency or regional office) in the originating province initiates contact with the appropriate local authority in the receiving province.
2. Once plans are finalized between the originating and receiving provinces, the local authority in the originating province completes this form and sends two signed copies to the local authority in the receiving province.
3. The local authority in the receiving province signs both copies of the signed forms, returning one copy to the local authority in the originating province.
4. The local authority in each province sends copies of this form and related documentation to its central authority and others as may be required.

**LOCAL AUTHORITY (AGENCY OR REGIONAL OFFICE):**

(Enter name and address, phone and fax numbers, e-mail addresses, contact persons etc.)

ORIGINATING PROVINCE:

RECEIVING PROVINCE:

**INFORMATION ON CHILD OR YOUNG PERSON:**

(Complete an agreement for each child or young person)

**Full Name:**

**Also Known As:**

**Date of Birth:**

**Gender:**

(When applicable, indicate if child is transgender)

**Legal Status:**

**Aboriginal Status:**

(Indicate whether status Indian, non-status Indian, Metis, or not applicable)

**CURRENT PLACEMENT OR LIVING ARRANGEMENT:**

(Enter name, address, phone, and e-mail if available. Note type of resource: family, foster home, residential care facility)

**FINANCIAL INFORMATION:**

(Indicate current child maintenance amounts and whether the province or Indian and Northern Affairs Canada is funding)

**RESPONSIBILITIES UNDER SCHEDULE B OF THE PROTOCOL**

(Provide brief information pertaining to relevant provisions in Schedule B)

SECTION B2 – NOTIFICATION AND NEGOTIATION:

SECTION B3 – CASE PLANNING AND MANAGEMENT:

SECTION B4 – DOCUMENTATION:

SECTION B5 – PLACEMENT DISRUPTION:

SECTION B6 – FINANCIAL ARRANGEMENTS:

**SIGNATURES:**

(Print name of signing person above signature line)

**LOCAL AUTHORITY IN ORIGINATING PROVINCE:**

\_\_\_\_\_  
Name of Signing Authority

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**CENTRAL AUTHORITY IN ORIGINATING PROVINCE:**

(Complete only if required by the central authority in the originating province)

\_\_\_\_\_  
Name of Signing Authority

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**LOCAL AUTHORITY IN RECEIVING PROVINCE:**

\_\_\_\_\_  
Name of Signing Authority

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**CENTRAL AUTHORITY IN RECEIVING PROVINCE:**

(Complete only if required by the central authority in the receiving province)

\_\_\_\_\_  
Name of Signing Authority

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date