

HANSARD

NOVA SCOTIA HOUSE OF ASSEMBLY

COMMITTEE

ON

COMMUNITY SERVICES

Tuesday, June 5, 2018

Committee Room

**Department of Community Services
Foster Care Funding**

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COMMUNITY SERVICES COMMITTEE

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In Attendance:

Mrs. Darlene Henry
Legislative Committee Clerk

Ms. Nicole Arsenault
Assistant Clerk, Office of the Speaker

WITNESSES

Department of Community Services

Ms. Nancy MacLellan, Associate Deputy Minister
Mr. Leonard Doiron, Executive Director, Child, Youth and Family Supports



House of Assembly
Nova Scotia

HALIFAX, TUESDAY, JUNE 5, 2018

STANDING COMMITTEE ON COMMUNITY SERVICES

10:00 A.M.

CHAIRMAN

Mr. Chuck Porter

VICE-CHAIRMAN

Ms. Rafah DiCostanzo

MS. RAFAH DICOSTANZO (Chairman): Good morning everyone. I would like to start the meeting. This is the Standing Committee on Community Services. I'm the Chair today. I would like to introduce the presenters here. We have from the Department of Community Services: Nancy MacLellan, Associate Deputy Minister; and Leonard Doiron, Executive Director of Child, Youth and Family Supports. Welcome to both of you.

I would also like to ask the committee to introduce themselves.

[The committee members introduced themselves.]

MADAM CHAIRMAN: Thank you. I'd like to do some housekeeping items. The washrooms and coffee are just outside, please help yourselves. In case of emergency the exit is on Granville Street and we would proceed to Grand Parade Square.

Please make sure your phones are on silent, that's really important. Just to remind everybody that only the media is allowed to take pictures and videos.

Please wait for me or for the light to come on and then I will introduce you for Hansard's purposes, to make sure we know who is speaking.

I welcome everybody and we'll start with the presentation by Mr. Leonard Doiron.

MS. NANCY MACLELLAN: I think it will be me who starts.

MADAM CHAIRMAN: Oh, I'm sorry.

MS. NANCY MACLELLAN: Not to worry. Thank you very much, Madam Chairman and committee, for inviting us to come today to talk about foster care funding. I do have a couple of slides to give a bit of a profile and then a few speaking notes. I like to think of the slides as being kind of the science of it and the speaking notes being a little bit of the art of the work we do.

To begin with, DCS protects some of Nova Scotia's most vulnerable population. There are about 1,055 kids in care who rely on DCS to keep them safe and to provide them with a range of supports to meet their basic needs. You'll see on the slide that about 29 per cent of the kids in care are aged four years or younger; about 26 per cent between five and 11; about 20 per cent between 12 and 15; and about 22 per cent between the ages of 16 and 19. Placement options available for children include 663 foster homes and 19 residential child-caring facilities. Foster families provide day-to-day care for approximately two-thirds of the kids in the care of the minister and the province.

When a child cannot safely remain in parental care and there are no other options available within the child's extended family, foster family placement is the next best option. Foster care is the most therapeutic placement resource for most children in care. Maintaining a viable pool of trained, competent, and approved foster families is the work of the foster care program. Foster families do provide temporary but stable, nurturing care to children who are unable to remain with their birth families while parents work with the child protection program to ameliorate any concerns that brought them into care.

Foster parents do provide 24/7 care and, in doing so, accept a high degree of scrutiny from the department and from government into their lives. In return they need and expect support, development opportunities, and a respectful relationship with their partners at every level.

There are three kinds of foster care: general foster care provides temporary, stable, nurturing family care to children in care who are unable to remain with their birth families; kinship care, which is temporary care provided to the child by a relative or someone who has an established relationship with the child; and contracted care for children with extraordinarily high needs is provided by foster families who have specialized skills and ability to commit to meeting the needs of these special needs kids.

There are several streams of funding for foster parents. They receive financial support in the form of a monthly payment to offset their expenses associated with providing day-to-day care to children. The payment is based on a per diem rate of either \$19 or \$27.50, and is called what we refer to as the board rate.

In addition to that, approved foster parents receive financial recognition through competency payments for their participation in ongoing training and demonstration of knowledge and skills within the five PRIDE competency categories.

The third funding stream is maintenance of children in care. All children in care, regardless of their placement, are eligible to receive funding that addresses their developmental and other needs. It could be rec or therapeutic services. All decisions on purchases for children in care are consistent with ongoing planning for the child and are reviewed during the case planning process, which involves a social worker, casework supervisor, the child, as appropriate, and the child's caregiver.

Slide 6 is a chart that gives a snapshot of the children in care by region and the type of foster care provided to those children. You'll see the numbers vary quite distinctly from one region to the other. There are some significant differences that I would point to. For example, the proportion of kinship care in Eastern is quite a bit higher than you would see in Central, and quite a bit lower proportionately than you would see in Northern. These are just a sample and some of the stats that we monitored so that we can determine trends, and so that we can augment our program development to anticipate any changes or needs for kids.

The budget and cost by funding stream for foster care, total cost is about \$15.7 million, made up of per diem payments, competency payments, and maintenance of children in care. In addition to that, reimbursement for other payments in 2017-18 was \$15.7 million.

Quite a few years ago - I think as far back as 2011 - the department initiated what we refer to as a dialogue with foster parents. It really was an initial kick-off of making sure that we had an open and frank relationship with foster parents, and understood what was important to them and what they needed. Out of that came 13 recommendations for us to make improvements, and all those recommendations have been implemented or are in the process of being implemented.

Some examples of those include the mentoring program for new foster parents and an on-call peer support program, supported by the Federation of Foster Families; after-hours support for foster parents, leveraging our provincial after-hours response team, so that the foster parents have a single point of contact for children in care issues that arise after regular business hours; immediate provision of emergency funding of \$200 per child to foster parents to get basic necessities when a child initially enters care. I would say this is one that I personally heard a lot about from foster parents. As children are taken into care and as that is an emotionally charged emergency placement, the ability for us to be able to place the child and provide the foster parents with some immediate relief in terms of anything the child may need really made a big difference for foster families.

In addition to that, three new automatic payments that don't require receipts for foster parents - \$30 per month for non-prescription items, up to \$150 a month for infant

needs, and \$50 a month for child's travel, with the ability to submit receipts if more than those amounts is required. In addition to that, there's an increase in the respite rate of \$56 per day and the babysitting rate to \$10.60 per hour for the first child and \$4 per hour for each additional child, for up to four children in the household, and the daily per diem for children up to nine years of age to \$19, and for children 10 years of age and older to \$27.50. These are pretty material increases, and still, we're imperfect and want to do more.

A streamlined financial reimbursement process makes submitting expense claims easier and faster for foster parents, with an average processing time now of three business days. A new quarterly auto-payment for a child's recreational expense is \$90 for children zero to four and \$150 for children five to 18 years of age.

Efforts are ongoing to recruit more foster parents, including reducing the time from application to approval, targeting recruitment efforts in African Nova Scotian communities, upcoming rebranding of foster care, and rapid respite approval process, which allows us to fast-track promising candidates as they complete their training to offer respite services to foster parents and to introduce them to the foster care system. These measures contributed to an increase of more than 80 foster parents in the last year. If I may provide a bit of a commercial, we're always looking for more foster parents, for anyone in the room who's interested in becoming one.

What's next? We will introduce a foster parents screening and approval process to make it faster and more efficient to approve foster families. We continue the dialogue with foster parents with a focus on strengthening the foster care program. I would say, on that dialogue with foster families, the single-best referral for foster parents is other foster parents. To the extent that we have been able to improve that relationship over the last four years, the feedback that we get from foster parents is that while we're imperfect, they are certainly embracing the changes that we've made and are helping us to continue to improve over time.

There's the completion of a foster care handbook for easy reference and consistency, targeted recruitment of contracted foster care providers for specific child-in-care populations, foster parents from the African Nova Scotian community, and new marketing campaigns aimed at rebranding foster care with targeted recruitment via social media outlets and chains.

In addition to the slides, I have just a few comments. I have outlined several changes that we have introduced in recent years to improve how we support foster families. In wrapping up, I want to specifically note how these changes are affecting the lives of foster families. In 2017, government committed an additional \$1.6 million so that we could augment how we support foster families. Changes I have noted - such as increasing the per diem per child, raising the babysitting rate, and raising the amount foster families receive for recreation - have resulted in the average foster family receiving about \$900 more per family per child. We have heard from foster families that the changes have been helpful in covering the cost of supporting children in care.

Another recent change that's having a huge impact on foster families is the introduction of the provincial after-hours response team. This enables foster families to reach out for support after business hours and on weekends. Families can also ask a team member to visit their home for further support. The provincial after-hours team is the team of folks who, when our offices are closed, take calls from around the province for emergency situations or concerns raised about kids in care, and if required, are able to dispatch a social worker immediately.

That's the team that we have leveraged to support foster families if they have an immediate situation while our offices are not open. This team's work complements the new peer mentoring program offered through the Federation of Foster Families, which offers telephone support to new or struggling foster families.

Foster parents now have greater clarity and consistency, which they have been asking for, in the new guidelines around respite rates, and they can confidently use funds that they need to support the kids that we have asked them to care for. Both foster parents and DCS staff are benefiting from the forums that take place in each region on an annual basis. Through these forums, foster parents and our child welfare staff share the joys and challenges of helping children in care grow, develop, and prosper.

[10:15 a.m.]

A few weeks ago, Minister Regan had the opportunity to meet with foster parents during the federation's annual general meeting. Throughout the event foster parents told her how the automatic payments saved "hours and hours of paperwork each month" and how that enables them to spend greater time with the kids. For our staff, it means they can invest more time in the relationship with families and working directly with families and children who require supports, instead of tracking payments and paperwork.

The last time I was here we spoke to the status of the recommendations of the dialogue with foster families. One of the original members of the dialogue committee for that report, who was also at the federation's AGM a couple of weeks ago, said she never thought that all 13 recommendations would be adopted and implemented. To hear that nearly all the recommendations had been completed, with several already set in policy, was beyond anything she could have dreamt. She is retired and no longer fostering children but is thrilled to see her work as a committee member benefiting the new generation of foster parents.

We are not perfect yet but the changes we have introduced so far are making a positive difference in the lives of foster parents and, more importantly, in the lives of children in their care. Thank you for that time.

MADAM CHAIRMAN: Thank you, Ms. MacLellan. We can start question period, but if you don't mind, I want to make sure that we wrap up around 11:30 a.m. because we have quite a bit of business and agenda setting at the end. I'll start with Mr. Wilson.

MR. GORDON WILSON: Thank you, Ms. MacLellan and Mr. Doiron. I believe I've had a chance previously to hear you present. I have to say that probably one of the first things I encountered as an MLA back in 2013 - and I'm sure that a lot of the members here had the same thing - it was a privilege to actually sit down with all the foster family parents in my riding, and it was quite an eye-opener. I think one of the things that we, as MLAs, get privileged with every now and then is the understanding of what's going on in our community more and more. I also heard the challenges they had at the time too.

I think the question I'm going to ask isn't an easy one but I certainly would like to know - and I really respect the fact that in 2012, it was the previous government that was in power when these recommendations were brought forward and I think they were admirable. I haven't had a chance to see what they were, but I would ask if I could, could you go through those recommendations and tell us where you are with them?

You say a lot of them are completed; it would be interesting to know at what stage they are, if possible.

MR. LEONARD DOIRON: Thank you very much for the question, I'd be happy to share it with you. For everyone's benefit, the Dialogue with Foster Parents is the name by which we refer to this consultation process that we initiated, as the ADM mentioned, in 2011, when the minister at the time directed us to seek opinions and collect feedback from foster parents in response to concerns about the number of foster families that were closing and the challenges we were having about recruiting families.

I'm sure it's no surprise to anybody here that the foster parent situation at that time was largely dominated by those who were at retirement age and had devoted much of their adult life to caring for children. They were looking at retiring, and attracting new families to that program area was proving to be quite a challenge for us. Because of the demographics, there was a growing pressure to do something and do it quickly.

The Dialogue with Foster Parents working group was created. Essentially it involved basically the head of the Federation of Foster Families and the ED at the time for the Child, Youth and Family Supports. We had Mi'kmaw Family and Children's Services, as well as the foster care coordinator and the different associations that were involved.

As I say, the purpose was really to get together and have a discussion and provide an opportunity for all the foster parents in Nova Scotia to actually provide us with what's working well, what isn't, how we can change, and what needs to happen - to make those recommendations so that we could improve our policy and our practices.

Essentially what happened was a whole lot of surveys were sent directly, asking those very poignant questions. We ended up with about 129 or so different responses. They generated over 1,600 different comments. We put those into eight major themes. Of those eight themes, 13 key recommendations came out of those. Those recommendations have since guided the work of the program.

The first recommendation was that tools be developed that support the foster parents in caring for children placed in their homes. As the ADM has already mentioned, the child in care handbook was developed for them and it outlines very clearly the roles and responsibilities of social workers and foster parents about court processes, care status, delegated authorities - all those kinds of things that are very important bits of information.

This book is called the foster parent handbook, and it includes all the information that I just spoke about and much more. It has a quick reference guide with regard to that, and they can easily refer to it.

There is also a child placement booklet, which provides information about the child that's required to provide that quality care. The ADM also mentioned that these things often happen on an urgent basis. We're not necessarily aware that a child is going to come into care. In the flurry of all that activity - you can imagine sometimes very difficult circumstances in which those children are removed from their home - we don't have a lot of information. When we arrive at a foster parent's home, they have very little information to go on at the early stage, so it's imperative that we prepare them and provide them with as much detail about that child as we can - right down to the simple things like if they have a blanket that they like to sleep with every night or so on.

I can remember actually - it sticks with me forever and it shapes everything we do - but one of the first apprehensions I ever did was about three o'clock in the morning, I placed a young fellow in a foster home way out away from all his friends, family, community, and the last thing he said to me when he was put in his bed was, are you going to be here when I wake up? For me, that says it all. Every time we place them - so needless to say, the great people who work in our program, that foster parent allowed me to stay overnight, too, so that I was there when that little boy woke up in the morning. That's the kind of thing - it's prepping the foster parent for what they're receiving. To be honest, we often didn't do a good job of that. We're doing a much better job.

MR. GORDON WILSON: I don't mean to interrupt, but I know I'm going to get in trouble from colleagues if I don't ask you . . .

MR. DOIRON: If I don't move it along?

MR. GORDON WILSON: Yes. We only get maybe one or two questions. If you could just summarize each one of the 13.

MR. DOIRON: Sorry about that. It's near and dear to my heart. The child in care policy has been revised to define frequency and purpose of social workers with children. That has all been tightened up, and so there is a great deal more contact and clarity about who is going to be doing what. We ensure that children-in-care social workers are available by phone at all times - again, we spoke about the after-hours program - so now they have an immediate line of contact; that we develop a policy and procedure in child in care arising after business hours and weekends - that's the whole after-hours system; that an efficient

and effective form of reimbursement for foster parents be developed to eliminate handling of receipts as much as possible. Again, we've already referenced the fact that we have really made it much less administratively burdensome for foster parents to make claims if they have to, but we went beyond that. We actually provide them in advance automatically, so they get automatic payments now. They don't have to provide receipts.

The next one - a delegated authority regarding decisions for children in care be clearly identified, and that's recognizing the child's right to influence their decision. Again, that has been clarified so the child gets their handbook. They know what their rights are. They know who gives direction in their file.

Roles and responsibilities - tightened up. I shared that with you already.

The respite program has been developed to support foster parents. Again, you can imagine these people devoting their lives. A lot of them need time for their own families and themselves, so a respite program has been developed and supported so that these families can get some downtime, because they are obviously doing a very challenging job.

I'm trying to quickly go through the 13. Transition planning, very important - as you know, it's a temporary measure. Our focus is to return the child to their family as soon as it is possibly safe to do so. Always, from the get-go, from the minute the child comes into care, social workers are actually planning with the foster parent and the child and the people in their environment to transition them back home. That's very important, and the foster parents are a key partner in our child care planning team. That recruitment and retention practices be renewed - so right now, as the ADM mentioned, we're really looking at rebranding the whole thing and trying to attract.

The ultimate thing is, who is ideal to be a foster parent? Anybody is ideal to be a foster parent, to be honest with you, we need everyone. It's also to basically just explore its current capacity to provide increased supports. We've done that on various different levels. We've encouraged them, we've supported their website, we could have welcome wagons, we undertake a needs assessment and we're always reviewing our training, which is fairly extensive for foster parents.

The last and final recommendation was that we develop a complaints review process, which we've done. It's proving to be very good and it continues to be augmented. We've taken on what we call a restorative approach to any kind of relationship or concerns, so that has proven to be highly successful. That really summarizes all 13 of them.

While we've got them all in effect and working through them, I'd be the first one to say the system is not perfect yet, and we'll continue to have that dialogue and that close working relationship.

MADAM CHAIRMAN: Thank you, Mr. Doiron. I didn't state that I will ask each person to have a question and then a supplementary, as well, and this is the supplementary from Mr. Wilson.

MR. GORDON WILSON: My apologies, I did my best. (Interruptions) I am interested - truly, it's important. I think you answered the question in your final statement, 13 recommendations in a world that's ever-changing, which means you have to continue to change to address these. What do you have as a process to try to keep up with this world as it changes, to make sure that these 13 recommendations stay current and keep being the best that they can?

MS. NANCY MACLELLAN: Thank you for the question. Part of what has been set up through the dialogue with foster parents is an annual meeting in each of our regional areas where foster parents and social workers come together to talk about the work we share. That's the formal process in addition to the Federation of Foster Families meeting annually with the minister and meeting with their own members to make sure that we're hearing everything they need us to know about the work they are doing.

In addition to that, in each area of the province, I would say our internal focus with social workers on the importance and care of our foster families and making sure that we're being as responsive as we can be on a local level, so I would say our work continues at a local level to hear direct feedback about individual situations.

It continues on a regional level with groups of foster families providing that feedback and it continues on a province-wide, department-wide basis for us to formally go back and look at where we are with what we said we would do and what has emerged in the last little while that we need to respond to.

MADAM CHAIRMAN: Thank you, Ms. MacLellan. I move on to the PCs, Mr. Orrell. I am keeping a list so just let me know.

MR. EDDIE ORRELL: Thank you for your presentation. I guess my question is kind of sensitive. When a child goes into care, the delegation of the duties and decisions is given to the foster parents for decisions to make for care, I guess, is the biggest thing.

Just a while back, we had an article in the newspaper that a young family by the name of Dunnington adopted a young lady by the name of Chrissy, and they fostered her for the best part of her life until they could no longer care for her at home. After that happened, the family found out that they were not considered to be Chrissy's family in any legal sense of the word. After caring for her for 38 years, they had no say in what care was going to be done for her.

Is this situation something that's normal for older foster care, or is it something that's happening today? Is it happening much today compared to what it used to be then? What is being done to help alleviate that?

[10:30 a.m.]

MR. DOIRON: Did I hear you correctly when you said 38 years of caring for her?

MR. ORRELL: Yes.

MR. DOIRON: Foster parents are given the day-to-day authority to make decisions in consultation with the child care worker. The way the system actually works is, once we place a child in a foster home - again keep in mind that these situations are generally meant to be temporary, although unfortunately sometimes we actually do have to plan for permanency. It really depends on how well the family is able to actually reduce the risk in their home and return the child.

That obviously didn't happen in this case, and the child had to remain in a foster home. Then we actually start to move towards permanency. I can't speak to individual cases, unfortunately. Generally speaking, we would then look at permanency. Given the historical nature of this particular scenario you are providing me, one of the options would have been a permanent foster home as opposed to an adoption, as opposed to returning, as opposed to independent living, and that kind of thing. That might have been the situation here.

The other thing in this particular case of a 38-year-old is that we actually lose any jurisdiction over a file once the child becomes an adult. Then it's up to the adult to make their own determination about who is their guardian. I don't know if that has answered your question or not, Mr. Orrell.

We try to work very intently with the foster parent. The way it works now - not in an historical nature - is that foster parents are actually given standing before the court after a period of time so that they can actually make a plan if they're interested. Most foster parents start off with the intention of it being temporary, but whatever the circumstances, if they actually fall in love with this child and want to be their forever guardian, they may want to adopt. That is an opportunity at some point if the plan is for permanency.

MR. ORRELL: I think what I heard is that that situation doesn't happen as much today because there is more permanency in adoption after a certain age. I know families at home that have had probably hundreds and hundreds of foster children and adopted them afterwards. They would become their guardian, and they would have all the decision-making.

What I would like to know is, for those people who basically put their lives on hold and do this fostering and adoptions, what are we doing, other than reimbursing them financially, to recognize what they do in this province? I'm going to tell you, without them, there are a lot of children in my community who would have no family life. They would be subject to a life of who knows - crime, the streets, whatever it would be. These families take them in and develop these children into the people that they deserve to be. What are

we doing to help recognize families like the Dunningtons who devoted their lives to looking after people for us in general as a community?

MR. DOIRON: Clearly, we're not doing enough, to be honest with you. I actually don't know how much we could ever do.

MR. ORRELL: We couldn't ever do enough. There's no doubt about that.

MR. DOIRON: These people are amazing. You used the word "devoted," and that's exactly what they are. They're absolutely devoted.

If you could see - and you probably have seen, but I don't think the public realizes just how challenging some of these situations truly are and how much these people actually give up of their lives and are totally devoted to the care of these children. They do that, in many instances, knowing that they're actually going to have to witness the death of these children in their care because they're so medically fragile, et cetera.

You're right - how do we go about it? We do our best. We actually receive lots of internal messages of recognition, basically, from staff who are identifying, and they get circulated up through to the minister or whomever.

We do have the annual banquet, where we try to recognize and reward people. It probably wouldn't surprise you to learn that foster parents are some of the most difficult people to recognize because, as you know, everybody likes to be recognized and rewarded in a very personal and different way. Some people just like a very quiet pat on the back and a thank you or whatever. Most of them do not want to be publicly identified or made a fuss over in any public kind of way.

It is complicated to do, but we take the time and the effort to make sure that we do, in every way we can, recognize them for the work that they do. What they have told me, and what I'm working really hard to ensure, is that the best way to recognize and reward them is to respect them, to listen to them, and to let them be part of that management team. They know these children better than anybody. They want to be heard and understood. That's the message that is loud and clear throughout our program area, but it will never be enough.

MS. NANCY MACLELLAN: I would just add to that that we do have the annual awards, the minister attends whenever she's able to, and staff come out and recognize. I have to say, it is profoundly humbling recognizing seven couples who have been foster parents for 45 years, six couples who have been - it is a humbling, humbling experience.

One of the things that we do and can do and continue to do is to make things easier for them to be foster parents. That has really been the focus for us over the last couple of years in terms of making the expedited payments, not having to gather receipts, not requiring a level of paperwork, so that they are able to support kids who are in their care.

I have seen, as I'm sure you have - I had occasion to talk about this family in the last few days. One foster family had sibling groups, both of which were medically challenging. By the time they got to be five and seven, they said they couldn't keep both of these foster kids who are so medically fragile. The respite babysitter took one of them, bought a house two doors down, and is raising them together. It's just profound, and it's the kind of story or experience that keeps us able to do the work that we do on the harder days. It's an opportunity for us, even within our department, to celebrate the work that we do.

MADAM CHAIRMAN: I'll move on to Ms. Adams.

MS. BARBARA ADAMS: This is an amazing organization that you have, and every time there are improvements to the system, I know that it increases the likelihood that somebody will step forward. I'm thrilled to have heard that just over the last year, you have increased the numbers because they had been going down.

I know a number of foster parents, and I know that none of them would want to be publicly acknowledged - also for the children's sake, because they don't want people knowing that those children are not theirs.

I do want to go back to the example of Christine Dunnington. As a health professional myself - I ran a home care physiotherapy company for 10 years - I know there are so many rules and regulations around who is allowed to say what to whom, to the point where it's getting a little - well it's becoming a barrier all by itself. But there is what we call a circle of care where in the old days I had to have written permission from the family to talk to the social worker, to the dietitian, whomever, and the Act was changed so that we could communicate with each other without needing that written documentation. It made it a lot easier and frankly, I don't know of a single case where somebody's rights were infringed on because we shared information, because we were all there to try to help.

In the case of Chrissy, that was something that should not have happened. As a health professional, I know the issues she faced and that brought her - what happened to her should not have happened. To have a family - and I'm calling them her family - who were trying to advocate on her behalf, they were not considered part of her circle of care and they should have been. In terms of recommendations, I realize you're saying that once they've aged out, they are no longer under your jurisdiction.

My first question is, and I've raised this before because I have five sets of parents in my constituency who are grandparents, who are struggling with the legal costs and the lack of legal knowledge to move forward to taking over custody of their grandchildren. In this case where somebody is about to age out but they have been with a family for so long, I never saw any mention of any legal fees to help the foster parents deal with any legal issues or, in this case, in retrospect, what could have been done to help this family is to give the foster child, in this case Chrissy, the legal fees to identify an alternate decision

maker and the power of attorney and all the other things that would need to be done to ensure that the foster family could continue to have the legal authority.

What happened to her we don't ever want to happen again. No blame to go around, it's just what we do differently, moving forward, so that foster families who are willing to continue on after somebody is an adult, still have the ability to provide that care. That's my question.

MR. DOIRON: I couldn't agree with you more with regard to the frustration around the difficulties to share information. That being said, I'm very respectful of the need for privacy and confidentiality. However, I applaud your support in making that something that is - I love the idea of the circle of care, but needless to say, these types of situations require a multi-disciplinary approach and the sharing of that information on a need-to-know basis is required, so I appreciate your support.

With regard to the legalities, I think you would be very pleased to know that any child who comes into care has a right to legal counsel. We would provide that counsel for them. If they are unable to instruct counsel, we actually provide a guardian ad litem that will act in their best interests. Very often the child's expressed desires and wants and needs are somewhat divergent from what their parents or others may think, so the guardian actually acts as someone who will take their best interests in mind and make the decision on behalf of the children. They have standing before the court and we would provide that.

With regard to parents and/or grandparents who also want to come before the court, we would do everything we could to enable them, through legal aid or any other means possible, to get them to be heard before the court. Court is very prescribed, as you can imagine, and there are some situations in which they would be given party status and some situations in which they wouldn't, but legal counsel should not be a prohibiting factor for them.

[10:45 a.m.]

MS. ADAMS: I do appreciate it is a major struggle. In these historical cases, like the Dunningtons', where they have been looking after somebody for so many years, we want to see if we can't show more respect to them in terms of helping them become the ultimate decision-maker or the power of attorney.

In one of the cases where grandparents were wanting to apply for legal custody of the children, DCS gave them a 30-minute visit with a lawyer. That was all they were eligible for. I spent five hours in my office filling out the paperwork for them. I'm pleased to say it went through, and I don't mind that at all. But I'm not as good as a lawyer, and had something gone wrong I would have felt sick. Half an hour to help somebody fill out papers that are going to change the lives of two children just isn't enough.

I didn't hear you respond about when foster children are getting to the point where they're about to age out. Could there not be funded legal services put in place for them should they want that foster family to continue having the ability to intervene, especially for those with intellectual or physical disabilities where that's not going to change? In this case, this girl developed issues that she shouldn't have developed. Had the family been allowed to intervene legally, this might have been prevented. I'm looking at something we could do proactively. To me, legal fees are one of the biggest options that we might look at.

MS. NANCY MACLELLAN: I will start by saying that we have some work under way right now. A space exists between our children in care in our Child, Youth and Family Supports program and our Disability Support Program. One of the things that is becoming quite acute for us is that the Child, Youth and Family Supports program has appropriately prescribed legislation and regulations under which we can intervene. We actually don't have a prescribed process around children with disabilities.

So what is happening - and you're experiencing it, I'm sure, with your constituents - is the emergent escalating situation of the 15-year-old who has always been home and the parents are loving, caring people who just can't manage the escalated behaviours. Child, Youth and Family Supports program is for children at risk of abuse and neglect - not the case with the child with disabilities at all. It's not an abuse or neglect situation. It doesn't fit our DSP program because they're not at an age of majority.

We do have a piece of work under way. We have an all-hands-on-deck SWAT team doing two and a half days a week just on this issue and how we bridge that.

While I say that, I would also say that in both DSP and Child, Youth and Family Supports, as youth become adults and are able to make decisions on their own or are assessed as able to make decisions on their own, we continue to support youth beyond the age of majority, particularly those who have been in care, with care plans, legal supports and services, and things that they want to accomplish in their lives. That is sometimes in conflict with what a parent or foster parent would want for them. As a parent, I can tell you that is kind of normal. What I would choose for my kids might be different from what they would choose. I would like to wrap them in bubble wrap most of the time.

You are correct that there is a requirement for us to make sure that the child/young person/youth/emergent adult is supported to define the things they want or, if they're not capable of making those decisions, that somebody is appointed to support them to make those decisions. Both of our programs do support people in those regards.

MADAM CHAIRMAN: I was going to move on to Mr. Horne, but I didn't announce at the beginning that we're just taking requests. I didn't see you, but I'm going to go to Ms. Leblanc right now, and then we'll move on to the other Liberals.

MS. SUSAN LEBLANC: It's not like a Party-by-Party thing?

MADAM CHAIRMAN: No.

MS. LEBLANC: I did put my hand up, I thought I had your eye contact.

MADAM CHAIRMAN: Oh, sorry.

MS. LEBLANC: Thank you. I wanted to ask about the payments. I think the work you've been doing in this program is really admirable, and every time I hear you talk about it, I think that I want to be a foster parent but then I think about the realities of my life.

MS. NANCY MACLELLAN: Leonard has some applications with him.

MS. LEBLANC: I would have to do some bunk-bedding or something.

I wanted to talk about the way you've come to those amounts. Obviously, people need assistance, for all those reasons that you've outlined, especially the emergency - like quick care and all that stuff.

I want to know how you come to those rates and if they are at all connected with the IA rates of families in the province for families with children. Can you talk a little bit about that, about how those rates are determined essentially?

MR. DOIRON: Thanks for the question, it's an interesting question and it's one that we're actually giving a great deal of thought. I'm not sure if you're aware but DCS is going through some major transformation initiatives. One that is directly affecting me is what we're calling our future state, in terms of our residential continuum, so when a child does have to come into care for whatever reason, or if the family is at risk of a child coming into care, what are the placement options that would best suit the needs of those children under all those various, different circumstances?

Historically foster care has been considered a volunteer program, that's how it originated. They're not paid for the service they provide, they're volunteers. The daily per diem rate that is assigned, based on the age of the child, is really a stipend to meet the extraordinary expenses they might have.

As the ADM presented earlier, there's actually a number of different funding streams for a foster parent at the moment. There's the per diem, which could be X amount of dollars per day, depending on the child. Then there is the level of training that the foster parent has received. We have what we call a PRIDE training program and there are various gradients of training. The higher up the training you get, obviously the more capable you are of dealing with more extraordinary needs and likewise receive much higher levels of a daily rate to take care of those children, and that can actually be quite significant. Then on top of that, for the most extreme cases, we actually provide what we call a contracted level of care. All those things are cumulative, so the amount of money per day that you actually

get to care for them can be significant. But make no mistake about it, the needs of those children are significant to compensate for that. That's what's currently in place.

What we're looking at is again, that sort of a legacy kind of developed kind of thing. But are there other ways to actually - so for instance, could you actually have a career as a foster parent? Could we pay you to stay home and care for children? That kind of thing. We're looking at many different kinds of ways of adjusting our system. Do you actually have to take a child into care and place them in care with a grandparent or a brother or sister, and financially pay those people to take care of those children on a temporary basis, until the family resolves their problems?

We're looking at a number of different options as we go forward in the future, that will try to take these nuances into account. I don't know if I've answered your question. I'm trying to set the context for you.

MS. NANCY MACLELLAN: I'll add to your question, is it linked to IA rates? No, and part of the solid answer that Leonard gave is that it's a volunteer service that we supplement the cost of. It's not an income-tested program as IA is. As most of our programs have, it has evolved over decades to layer on \$20 for this and \$15 for that. What Leonard described and what we're doing in all of our programs is stepping back and seeing what we could do that is a more proactive, immediate thing and limit the number of receipts required, still manage the risk associated with that, and still have a process if people exceed that so they could actually have an augmented payment. That's what we're moving to in all of our programs. That's what we're doing now with foster families.

Some of the remuneration for recreational activities and those kinds of things is rooted in actual costs. If you play soccer, it's a pair of sneakers and some cleats or some shin pads. If you play hockey, it's a lot different than that. That's one of the things we try to take into consideration. It's this much automatically, but if the child has a different need that is more expensive or a more therapeutic intervention for them, then there's a process by which folks can be compensated for that as well.

MR. DOIRON: I will just add to that, so we are really clear, all of the expenses related to the maintenance of the children are covered by government. The foster family is never expected to provide. All of those other amounts - the per diem, the contracted care, the specialized training - go directly to the foster parent to provide this voluntary service, and that's non-taxable income. If we pay them, then it takes on a whole different relationship. I just wanted to point that out, that that's done purposely because, otherwise, we're actually paying them. They will be charged income tax and those kinds of things. It adds another level of complexity to the problem. At the moment, that's non-taxable income.

MS. LEBLANC: Thanks for that. It's a little bit clearer. One of the reasons I'm asking is because we know that one of the definitions of neglect in the Act is the chronic and serious failure to provide adequate food, clothing, or shelter. We know that many of

the children who are being taken into care - and I know it's not completely, but it's many - are from families with low incomes or lower incomes. We also know that housing situations are difficult. We had this conversation the other day on the phone. It's basically impossible to find a place to live, at least in HRM, for the rates that are provided right now for people on income assistance.

I wonder about that. I know it's a different ballgame when a child is taken out of their home. I also know that I delayed having children because I was not ready financially or felt I wasn't ready financially. It's very complicated. The reason I'm asking is because it feels somehow difficult when a definition of neglect can be about clothing and food, but people who are in those circumstances aren't provided with that on the front end. It might protect some families from being taken apart.

My actual supplementary question is this. (Laughter) The federal child benefit - when a child is removed from care, I always thought the benefit moves with the child. If it's a temporary situation, so you might just be taking them out for a week or maybe six weeks, how is that determined? When does the federal government get given a new name for that benefit to go to? Can you explain how all that works?

MR. DOIRON: Do you mind if I circle back to that first one? I'm so mindful of the sensitivity around neglect and the whole notion of those unfortunately living in poverty - sometimes extreme poverty - being overly represented in terms of protection involvement. Needless to say, people may, in fact, make those referrals more readily in that situation, but I can't stress enough that it's really around intent.

[11:00 a.m.]

If we go to a home and we find that children are not clothed or not being fed or have inadequate housing or those kinds of things, that's a concern. There's no doubt about it. We want to help those families. If that's done intentionally, that's a very different file than if the parents are struggling to make ends meet. We'll do everything in our power to assist that family and connect them, reattach them to the labour market, provide services to help the family meet the needs of the children, do whatever we have to do - absolutely.

I just wanted to make sure it wasn't seen as though the definition of neglect inadvertently places these people at greater risk. It doesn't.

It has a lot to do with parental intent. Are they purposely abusing and neglecting, causing significant harm to their children so that the state needs to be involved? If that's not the case, then we actually don't have a child protection file, to be honest with you, unless they want us to be involved to help support them.

On the child tax benefit, when a child comes into care, the federal government insists that whoever is caring for the child is the recipient of that benefit. We have to notify them immediately when a child comes into care, and there is a transfer of those funds to

us. The minute the child is returned, we are no longer the recipient. The degree of difficulty where this has really been a rub and what we're looking into is that the parent actually has to file to receive it back. When we take the child into care, we notify. Sometimes the child is not going back to their family; they're going elsewhere. Wherever they're placed, whoever that is has to notify. There's that component, and it takes a couple of weeks for the federal government to respond to that notification.

The problem is also whether or not that individual who's notifying has actually filed an income tax return. If they haven't, that creates another layer of difficulty. It's complicated, to say the least.

I'm happy to say that we're working very hard with our federal counterparts now to see if we can't figure out a way to ease the burden when the child is returned that won't unnecessarily create difficulties for the family.

MADAM CHAIRMAN: Next is Mr. Horne. We're going to do one question (Interruption) Okay, you're allowed two - a supplementary as well.

MR. BILL HORNE: I might add a few along there when I'm asking the question. I'm interested in how often and how many foster children are sent back to the original family, their actual parents. I guess it's really talking about the transition from foster parents back to parents. How does that mechanism work? How often does it happen? Is it happening enough to make it very worthwhile that parents get their children back? How do they have to perform to show that they have the ability to take back their children?

MR. DOIRON: The vast majority of children who come into care are actually returned. That's the simple answer.

We have basically had a very steady number of children in care throughout our history. It's slowly declining, which I'm happy to see. However, that probably has more to do with the fact that we have fewer and fewer children in Nova Scotia. The demographics change. We have actually had consistently around 1,000 children in care at any given time, and that's slowly, slowly coming down. It can vary anywhere from 1,200 to - right now it's around 1,066, and we've seen a steady decline.

We have, as you may or may not know, in the vicinity of 12,000 to 19,000 referrals a year that we get involved in. Nova Scotia has what we call a very low threshold on the duty to report, so anybody who has even a suspicion that a child is in need of protection needs to make that report. Then we go through a very onerous process to determine whether or not there's grounds for us to investigate.

Once we investigate, we go out and determine whether or not we can validate those concerns and verify them. If we can, then we have to do what we call a risk of future harm. Even though it has occurred, is it likely to occur again? Only if there's a risk of future harm do we actually make a case. In those extreme cases where the risk is so high that we can't

leave a child in the home, we actually remove them, hopefully on a temporary basis, put services in place with the family to ameliorate that risk, and return the child as quickly as we can. All the while, they're in care, keeping those vital relationships healthy and connected.

When we do take a child into care, we're in court within five days to prove why we did that. The court monitors our progress, and presumably we're going to get to a point within, say, six weeks to three months, and return that child. We're largely successful in doing that.

MR. HORNE: I just wanted to touch base on a similar question. The actual parents, are they mostly giving up their children because of lack of money? Or is it social problems, a breakup of marriage, or that sort of thing?

MS. NANCY MACLELLAN: I would say it's complicated, it's varied. As Leonard described, there's a process by which we receive referrals, a high degree of responsibility, duty to report. Those are triaged and assessed by social workers and investigated. In the extreme cases where a child is taken into care, it can be any number of factors. It could be family instability, it could be mental health, or it could be addiction. It could be any number of factors.

I would say one of the other files that we have in our purview on behalf of government is facilitating the poverty strategy in Nova Scotia and across all of our colleague departments. There's a number of initiatives under way to support families and folks who are living in poverty. While a lack of money can certainly be a factor in family strife, it is not a single factor that would present a child to be in care with us.

MADAM CHAIRMAN: Happy with it?

MR. DOIRON: I am absolutely happy with it. The only thing I would add to it is that in all my time, there is never a question about how the family cares for the child. There are very complicated, multiple factors for why they can't adequately care and what places the child at risk, but it's rarely because they don't love their children.

MADAM CHAIRMAN: Mr. Jessome.

MR. BEN JESSOME: I would like to reference Slide 9 with respect to recreational expenses. I'm just kind of curious about - I'll just read it here for the benefit of the committee - a new quarterly autopayment for a child's recreation expense of \$90 for children ages zero to four and \$150 for children ages 5 to 18 years of age.

I'm curious about the administration and distribution of that portion of funding program. Is that money given directly to the foster parent? What are the requirements in terms of demonstrating that the child is, in fact, engaged in some form of recreation?

MS. NANCY MACLELLAN: Everything starts with a plan of care for the child. A social worker supports foster families and the child if they're at an age where it's appropriate to have a plan for that child while they're in foster care. That would include some of the culturally connected things. It would include family relationships and family visits and maintaining contact with parents if that's appropriate. It would also include their recreation or other extracurricular activities. The payment, however, is automatic. It goes directly to foster families without receipts and without any requirement for them to submit something that says this is the registration form.

Our social workers are working directly with foster families to make sure that the kids are in those activities. Our access and transportation staff provide some support to folks to get them to those activities. We have several ways of making sure that kids are connected to their communities and participating in extracurricular things.

MR. JESSOME: If I am understanding, there is a reliance on the social worker to ensure that the child is, in fact, participating in some form of recreation. I'm trying to consider, is there merit in some type of relationship through Sport Nova Scotia, as an example, whereby that money would be paid directly to Sport Nova Scotia, and the families would be incentivized to put their kids in sport? I guess I'm unclear about how we ensure that these kids are, in fact, exposed to these recreation opportunities that are out there. Is there merit in funnelling those resources in a different direction?

MS. NANCY MACLELLAN: I would start by saying the professional social worker is the person who is accountable for making sure that there is a plan and that the plan is followed through on. We have an amazing group of people who are dedicated to this work. They carry a caseload and interact with kids and make sure that they're thriving and doing all of the things that they need to do.

I would add to that that the foster parent is the parent and, therefore, has some influence and control over making sure that the child in their care is participating in things.

The third thing I would say is, I'm all for subsidized rec. It would be very challenging for us to single out these kids in a rec situation and say this money is earmarked for these less advantaged kids or kids who are in care. We can't identify kids in care. If we were to give it to Sport Nova Scotia or sport and rec or any city rec, it would have to be a payment that is spread over all of the kids who participate in that program so, therefore, not targeted for the kids in care.

MR. DOIRON: The only thing I would add to that - I think she covered it nicely - is that some of the activities that the foster parent may choose to utilize some of that funding for wouldn't be registered recreational programs. They may choose to take the children hiking or camping on the weekend or horseback riding or skating at the rink or whatever.

Again, through the dialogue with foster parents, what we heard loud and clear was that they needed to have more autonomy and have more resources to engage their foster

children like they would their own children in any of the activities that connect them with their community, their culture, and that kind of thing. For all of those reasons that were mentioned by the ADM, I also want to overlay that many of the activities that they undertake are not actually registered recreational activities.

MR. JESSOME: Understood, thank you.

MADAM CHAIRMAN: Mr. Wilson.

MR. GORDON WILSON: I think Hansard would like to have his mike closer, if at all possible.

MR. DOIRON: Any time it gets closer, I tend to hit it. I speak with my hands.

[11:15 a.m.]

MADAM CHAIRMAN: We'll move on to Ms. Adams and now we're down to one question at a time, no supplements. We need to wrap up in 15 minutes.

MS. ADAMS: We've talked about the changes to what's going on when the kids are in care and I alluded to my concern for when they age out. According to my numbers, if there's 1,055 and there's 3 per cent that are over 19, that's about 31 people who have aged out. I am hoping we can look at those who might have intellectual, behavioural, or physical limitations. We reference the fact that the kids can have legal counsel but we didn't say that the foster family could have legal counsel and that's what I am going to suggest, that we need to do that because I think they deserve that as much as the kids do, so I'm putting that out there.

My question for you is, we're always interested in prevention as to keeping kids from needing to be taken out of the home, and I know you referenced that it's really complex, but what I think would be really useful, certainly at a future time or in future slides, is a breakdown of the reason that the complaint was filed, whether it was the parents in jail, there was abuse, neglect, or they were just too young to have the skills to look after them, because I think it's really important to us as a society to know why the kids are being taken out in the first place so that we, as a society, can move in to try to support them before they reach the point where they're taken out. I think, as you mentioned, most go back. In cases that I know, there was a lot of addiction or they were just plainly too young and they were not around family.

I guess my question is, the social workers who are involved with them, once they've reached the stage where they've had to intervene, the social workers must have a really good idea as to what needs to be done to the parent of the child to help speed up them going back home. I'm just wondering, what funding is in place to help get the parent whatever help and education or support they need to perhaps speed up the process of going back? It's the supports for the parents themselves.

MS. NANCY MACLELLAN: I would start by saying that one of the cornerstones of the transformation program that we initiated in the last couple of years is to shift our focus from emergency, urgent crisis to prevention and early intervention. To normalize prevention and early intervention to the point where it's not stigmatizing, where we're actually supporting low-income people and supporting high-income people, we have community-based programming and we're supporting service providers with some consistent programming so that everybody is a better parent and better community to be able to support kids everywhere.

That shift is in progress. With that does come a funding shift and we're creating that while we're still doing what we've always done. We're in that tough space in between where we are still responding to all the interventions and crises that emerge while we're building up this programming.

Part of what we've received in funding is that transformation funding that allows us to create that programming and see us decline in the referrals and the requirements that we have on the urgent emergent side and increase our engagement with families on the prevention and early intervention side.

We have a team of folks who are incredibly skilled, who work directly with the family organizations around the province to support families in that regard.

In addition to that I would say in terms of documenting the reasons the kids come into care, they are pretty vast and pretty diverse. When you speak to families that don't have extended family in close proximity and all those things that create a situation - a lot of times when we get referrals it is just young folks or folks for whom parenting is new and it's overwhelming. Those are the folks you want to reach on a prevention and early intervention basis.

We have some programming with the IWK and the VON. We have other relationships with other providers that are able to signal to us when a situation appears to be emergent where we want to get involved. We're working to change the "we're from DCS and we're here to help you," because I think historically that hasn't necessarily been welcomed. What we're finding now with the families that we're working with is we're starting to see a change that we are actually supporting families so that they can stay intact.

MR. DOIRON: The only thing I'd add to that was you were curious about the nature in which children come into care. As I told you, and as the ADM has already referenced, there's a very low threshold and there are very specific requirements under the Act under which we can become involved.

It has always been a bit of a curiosity to me, to be honest with you, just how even those actually work out. The primary reasons for children coming to our attention are sexual assault, physical assault, and emotional harm. The less visible one, which is the one that we're always talking about when it's concerning poverty, is neglect. They actually

even out strangely that they're actually almost equally represented in terms of the ones that we can actually substantiate.

You wanted to know, where do they come from? Our primary referral sources are professionals - schools, police officers, doctors, that kind of thing. Then of course relatives, family, friends, and neighbours kind of pull up a close second in that. But the vast majority of our referrals, of which there are many, as I told you, roughly between 12,000 and 19,000, depending on the year.

The other thing I want to mention, just so it's really crystal clear in everyone's mind, is the last resort is to actually remove a child from their family setting. The primary objective is to get them back there as quickly as possible, because we know that children actually do their best when they're with their family and we want to keep them there as best we can.

The only thing I want you to kind of remember is that our duty is to balance the rights of that child with the parents, so if the parents can't make the change fast enough to meet the needs of that child, we have to take action in the best interests of the child. At some point the courts say the parents have had enough opportunity and they're not improving; therefore, we can no longer punish the child.

When you asked what supports are available to the parents - I don't want to scare anybody in the room - we will basically turn over every stone we possibly can to support the parents. If they need counselling - we will do everything we can to try to get them to a point where they can actually resume the care of their child. It's only when they have tried and failed with the help of those services that we have to move on in a different direction.

MADAM CHAIRMAN: I know as the Chair I'm not supposed to speak, but I would really like to take this opportunity to say I've worked with at least 20 of your social workers. I have never met more dedicated, more wonderful people. It brings tears to my eyes because I know so many of them. You have so many wonderful programs to teach new parents and parents who have different ways of living on how the Canadian system works. I think our social system here is spectacular. I've worked with it for years and I am so proud of it. Sorry, that was mine.

I'll move to Ms. Leblanc. We only have five minutes, if we can make it short.

MS. LEBLANC: We understand that Community Services is officially unable to track race, gender, cultural backgrounds, and those kinds of things of clients and children. I understand that social workers are able to make notes in their files, but there's no systematic way of tracking those things. I'm wondering if that is being looked at. If that's true, what I just said, if that is the case, then how is the department able to make sure that the children are getting the culturally appropriate care they need and that they're not falling victim to some kind of systemic racism that we may not see on the surface?

MR. DOIRON: As you're probably aware, the recent amendments to our legislation actually greatly enhance the responsibility and accountability for social workers and the department in general to have a very clear and emphasized focus on cultural connections - anyone's race, religion, cultural heritage. That was always in the Act. I just want to point that out. But now the Act has actually made it even more cumbersome - not cumbersome, more forceful - and a stronger requirement. It's a shame that that has to happen. We actually had to build that even tighter.

I could be corrected, but I want to clarify for you that I believe our integrated case management system actually does allow for the social worker to indicate the cultural heritage of our clients. The problem is that when you're in the midst of a difficult encounter, often very adversarial, parents are not highly collaborative and don't necessarily provide you with a great deal of information. What happens is, workers often make their own assessment. They might ask the child, how do you like to be known? What's your race, religion, culture? They may not. If the child's not able to tell them, they may make their own assumptions. I guess what I'm trying to say is that I think the opportunity is there to identify it. We can't always do it, and when we do it, it's not always 100 per cent reliable because sometimes it's based on someone's assumption.

That being said, what we are doing particularly now is, we have augmented that process. They actually have to do cultural connection plans. They have to ask very specific questions. It's built into the whole case management system. All that information, if it isn't gathered at the time we are introduced to the family, it's picked up along the way, and greater efforts are made to do it. In the interim, we also send out directives to the field on occasion and say, go through your caseload, identify this, that, or the other thing and provide us with that information. That's very laborious and time-consuming, and it should be a lot easier to do. That's how we're dealing with it at the moment.

The final point I would make about systemic racism is that, to be honest with you, and I don't think I would be the first one to admit it, that's inherent in our system. It's something we have to be very mindful of and address on every level. It means being very conscious and open; looking at our policies, practices, and procedures; and working with organizations like the restorative inquiry on what it looks like, how we can better ourselves from past practices, and those kinds of things. It's an ongoing endeavour that we can't forget about. It's there, and often we don't know what we don't know.

It's really about being open. As we work more on the preventive side, our teams are working very, very hard with community groups to give them voice and choice and inform us about what their needs are. That has been very enlightening for all of us.

I thank you for raising the question because I think it is an ongoing issue that we will all struggle with.

[11:30 a.m.]

MADAM CHAIRMAN: Just quickly, if you don't mind.

MS. NANCY MACLELLAN: I'll just quickly add to that. Leonard mentioned the restorative inquiry, staff are actively involved and engaged in the restorative inquiry. In addition to that, I was approached by a group of African Nova Scotian social workers specifically, who have said that both how we operate as a department and how we interact with families and kids in care who are of African Nova Scotian descent - it isn't meeting the mark. So I met with that group, some of our senior leaders have met with them, they have met as a group - their third meeting is this Saturday - and they're coming forward with a report for us about how we can do better.

In addition to diversity committees and all of the work we have underway, we have this other stream of work that is specific to Community Services to make sure that we continue to meet the mark for both our staff who are represented in diversity groups but also the people that we serve.

MADAM CHAIRMAN: We're going to wrap up now and we're going to do one-minute closing remarks for each of you, please and thank you. Ms. MacLellan.

MS. NANCY MACLELLAN: Thank you for taking the time with us this morning. As you would all know, we have a number of significant transformation initiatives under way in all three of our big programs - in addition to some of the work as a large service organization we're trying to do - to give a high level of service excellence to the people that we serve when we interact with clients and when we interact with staff, to make sure that we are enablers so that folks are able to live their best lives.

In addition to that, it's always a great opportunity for us to be able to come and speak publicly about the work of our foster parents and the work they do with children in care and how important that is for all of us as Nova Scotians, but also to celebrate the work of our staff - 1,700 strong - around the province who support Nova Scotia's most vulnerable citizens so thank you for this opportunity.

MADAM CHAIRMAN: Mr. Doiron.

MR. DOIRON: I simply wish to express my thanks for being invited here - much appreciated.

MADAM CHAIRMAN: I thank both of you very much and I thank you for the work you do. You are free to leave, we are doing some committee business, if you don't mind.

We can start the committee business. I guess we're starting with correspondence and the request to appear from the Benefits Reform Action Group, and agenda setting - that's what we're working on. We can start with Mr. Irving.

MR. KEITH IRVING: So we're beginning with setting the agenda, did I understand you correctly?

MADAM CHAIRMAN: Yes, setting the agenda.

MR. IRVING: Thank you. Yes, there are five suggested topics here and I'd like to propose three of those for consideration by the committee. I would like to make one amendment to the last item on CCH and change the topic slightly to the impact that sport and recreation has on communities, just making it a little broader than the economic.

I would like to move the following three topics for the future work of the committee. First, DCS with respect to youth employment programs with the witness being Deputy Minister Lynn Hartwell.

Secondly, just following that, DCS again - the subject being building strong and vibrant communities, an update on building income security, and an update on the poverty blueprint. The witnesses for that would be Deputy Minister Lynn Hartwell from DCS, and Deputy Minister Tracey Taweel from CCH.

The last item, which I referred to earlier, the Department of Communities, Culture and Heritage - the subject being the impact that sport and recreation has on the communities, and the witness there would be Deputy Minister Tracey Taweel. I so move.

MADAM CHAIRMAN: Is it agreed?

It is agreed.

Next is the PCs, if you would like to propose your agenda - Mr. Orrell.

MR. ORRELL: We have two items. One is the Department of Community Services and the Department of Internal Services on the protection of confidential information of the Department of Community Services. The other one is the Department of Community Services, on supports for income assistant recipients who are trying to return to work.

MADAM CHAIRMAN: Mr. Wilson.

MR. GORDON WILSON: I do believe, in regard to the first one that was brought forward with the Department of Internal Services on the protection of confidential information - as most of you are aware, this is something that certainly we have asked the Auditor General and the Privacy Commissioner to look into through the Public Accounts Committee, and are awaiting a report to come back from there. Certainly, as I think

everybody is also aware, we've had requests to have them come into that committee. That has been moved until the AG's Report comes back.

So I would suggest the same thing here. Certainly to have a fulsome, fruitful conversation around that, it would be important to have the AG's Report back, and I would say that we wouldn't be supporting that agenda item.

MR. ORRELL: With all due respect, until the recent breaches in data, these departments have been performing within the rules and guidelines that they work under. This is more or less an idea to see where they were and before anything changes or gets changed - to see that they were falling within the standards that they were asked to perform at the time.

That will change with the Auditor General's Report, but to find out where that is now, that they are performing that there was probably no chance of that, is the idea of bringing these witnesses forward.

MADAM CHAIRMAN: Mr. Irving.

MR. IRVING: I was just going to ask for further information on the topic of Ombudsman. There is no sense of what the subject matter of that is.

MR. ORRELL: That was one that we were thinking of that just didn't go forward.

MR. IRVING: Well, then I would suggest that the motion be split into two parts.

MADAM CHAIRMAN: We will do a vote on the motion.

MS. LEBLANC: Can you clarify the motion?

MR. IRVING: I move that the motion on the table be split into two parts - that we vote on the two topics independently.

MADAM CHAIRMAN: The best thing right now is to vote on Mr. Orrell's motion. Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is defeated.

We'll go back to Mr. Orrell, to the PCs.

MR. ORRELL: I guess we have the Department of Community Services, support for income assistance recipients who are trying to go back to work.

MADAM CHAIRMAN: Ms. Adams, please. Just clarify it for us.

MS. ADAMS: Since the first motion was defeated, we would like to add in the Ombudsman's Report. We want clarification of all of the complaints that were filed in that report and to have a discussion about the complaint process and the types of complaints that were put forward in the previous years and what has been done about those complaints.

MADAM CHAIRMAN: Is everybody in agreement with this? Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

Now we move to Ms. Leblanc of the NDP.

MS. LEBLANC: Can I clarify, is there a limited amount of topics I'm allowed to introduce?

MADAM CHAIRMAN: You get one.

MS. LEBLANC: I'm going to put a motion forward that our topic be the United Way Halifax and the Halifax Regional Municipality regarding building poverty solutions, focus areas for changes and ideas for action.

MADAM CHAIRMAN: Mr. Wilson.

MR. GORDON WILSON: Yes, could I also just ask if the Deputy Minister of Community Services be added to that as a witness?

MS. LEBLANC: If that is the way we're going to get this topic on the agenda, I suppose you can ask that. (Laughter)

I think we hear a lot from the Department of Community Services on almost every other subject so I thought it would be good to give the United Way and HRM - since they would be invited guests sort of outside of government - an opportunity to speak for longer. That's why I think it would be more welcoming to them to have more time.

MR. GORDON WILSON: I just always like to see a balanced conversation when we have it in here and I think that certainly we want to hear the United Way Halifax and the Halifax Regional Municipality, but I do feel that the Department of Community Services can bring something to the table here also, if you are in agreement with that.

MS. LEBLANC: I would just like to point out that for all the topics you introduced, the witness is only Community Services so that doesn't seem so balanced. I'm just wondering if that's the case, if you like to see a balance of conversation, then is it possible that after today's agenda setting, we might also suggest people on those certain topics - I'd like to add guests.

For instance, if the first one, the Department of Community Services on youth employment programs - is it possible to suggest a witness who might be in complement to that at a later date, to create a balanced conversation?

MR. GORDON WILSON: So you asked the question. I do want to make a statement for the record that I am a little bit disappointed with our agenda lists when we do get them, that sometimes they are very vague and we don't specify who the witnesses are. Sometimes we don't even specify what the topic is. I think we need to be a little bit more formal in determining, when we do come here, that we're prepared so that we don't get into this position where we're in this, well who's that and what's on first?

I think at this point in time to move forward with this agenda setting, we would really like to see Community Services as part of that presentation. Maybe that's a conversation for another agenda setting or prior to one, if you don't mind. It's a good point.

MADAM CHAIRMAN: Before we vote on it, I have just Mr. Orrell who wants to comment as well.

MR. ORRELL: In saying that, they do want the United Way and the Halifax Regional Municipality. That's pretty focused - there's no ifs, ands or buts who is going to do the presentation. So it's balanced, that's what they're looking for. That's the balance that they're looking for and that's what they want to bring forward.

I think we should be giving them the right to bring those forward and not having us or you guys or whoever else influence who they want to bring as witnesses.

MR. GORDON WILSON: Again, I don't know what the concern would be of having the Department of Community Services here - I have heard no argument against that. We have no argument at all against who they are presenting. I would be very interested in knowing why they do not want the Department of Community Services to come in and be here on that.

MS. LEBLANC: I just think that if we're bringing in guests as esteemed as members of the United Way and the Halifax Regional Municipality on poverty strategy - we have often very limited time to hear from guests and witnesses and limited time to ask questions, so I thought two witnesses are better than three witnesses, in terms of the focus of the information that they provide. That's all.

[11:45 a.m.]

MADAM CHAIRMAN: If I may say so, they could be here and not have to answer any questions. They can just be there for reference for questions that may come up. That's all.

Mr. Irving.

MR. IRVING: I think the NDP have made a good point here. I would suggest that we leave it as it stands there. I think it's a topic that we're all on board with and behind. I don't think there's any reason to complicate it. Let's give them the airtime - I would suggest you put your motion forward as it stands.

MADAM CHAIRMAN: Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

We have one other thing, the request to appear from the Benefits Reform Action Group. Who would like to speak to that? Mr. Irving.

MR. IRVING: We have the letter in our package from the Benefits Reform Action Group. There seem to be some letters going back and forth for the last six months here. I would like to suggest that rather than dealing with this witness again - and I know they have been here a few times - I would like to move that, with the permission of the sender of that April 16th letter, the Benefits Reform Action Group, that letter be sent to DCS and that we ask the department to sit down and meet face-to-face to discuss the concerns brought forward.

MADAM CHAIRMAN: Ms. Leblanc.

MS. LEBLANC: I really think it's important that this new committee - and I know that the committee itself has heard from the Benefits Reform Action Group but not in this current session of the Legislature. There are several new MLAs - three at least, four.

This organization is a group of First Voices witnesses as opposed to people from the department, who we hear from a lot, and as opposed to people from the United Way, who we're going to hear from. I really think that this committee could benefit from hearing from First Voices people that our policies and regulations affect directly.

I also note that this particular thing that is being talked about - this annual review of ESIA clients - is something that I hear about very often, definitely on a weekly basis in my own constituency office. I think it is really important that we start listening to suggestions about this particular policy.

MR. IRVING: I appreciate the honourable member's attempt to get two topics on the agenda rather than one. I do note that it is one of the four that you put forward. Again, I let my motion stand. I think there are some benefits for a conversation to happen between them and the department, rather than it going through this table. I think it's time that they sit down face-to-face.

MADAM CHAIRMAN: If you don't mind repeating the motion, Mr. Irving, so we can vote on it.

MR. IRVING: You need it repeated?

MADAM CHAIRMAN: We're voting on your motion, just to clarify it.

MR. IRVING: It may not be the exact wording I threw out last time. The motion is to ask the clerk to seek permission from the senders of the April 16th letter, the Benefits Reform Action Group, to have that sent to the Department of Community Services and ask the department to meet face-to-face with the Benefits Reform Action Group to discuss the concerns raised.

MADAM CHAIRMAN: Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

We'll move on to the next thing on the agenda, which is the next meeting date, September 11th. The presenters are the College of Social Workers on the changes to the Children and Family Services Act.

With that, we conclude this meeting. Have a wonderful summer, and we'll see you in September.

[The committee adjourned at 11:49 a.m.]