

## ***A Parent's Responsibility: Government's obligation to improve the mental health outcomes of children in care***

### **RCY Annual Review Year 1**

The Representative released her report *A Parent's Responsibility: Government's obligation to improve the mental health outcomes of children in care* in September 2022. The report contained six recommendations to address mental health outcomes through improved screening, assessment and intervention services for children in care. The recommendations in this report are offered to both Ministry of Children and Family Development (MCFD) and Indigenous Child and Family Service Agencies (ICFSA) who are responsible for services to more than half of the Indigenous children in care. The intention of the Representative's recommendations is to enhance the knowledge and understanding about mental health concerns experienced by all children who are in care or at risk of admission into care, and to ensure that systematic action is taken to screen, assess and address mental health concerns in a timely, trauma-informed and culturally attuned way.

MCFD and ICFSA Directors have not submitted an action plan or annual report of progress in response to recommendations made in this report as of the one year review. Instead, the Representative received a written update from MCFD and ICFSA Directors on October 31, 2023 to serve as evidence for the year one annual assessment, as such, the assessment below reflects the limited information provided and limited progress to date.

#### **RCY Assessment Definitions:**

- **Complete** = All activities that directly support the implementation of the recommendation are complete
- **Substantial Progress** = Most of the activities that directly support the implementation of the recommendation are complete
- **Some Progress** = Some of the activities that directly support the implementation of the recommendation are complete
- **No Progress** = None of the activities that directly support the implementation of the recommendation are complete (pre-planning may be underway but there has been no progress in formal planning or implementation).

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Recommendation	
#1	<p>The Ministry of Children and Family Development (MCFD) and Indigenous Child and Family Services Agency (ICFSA) Directors, in collaboration with the Ministry of Mental Health and Addictions (MMHA), co-lead comprehensive research to identify the prevalence of the range of mental health disorders amongst children in care in B.C., and thereafter utilize these disaggregated data to inform service planning.</p> <p>Research to be completed by Dec. 31, 2023.</p>
Ministry's Response	RCY Assessment
Year 1 Evidence – Received October 2023	Year 1 Assessment
<p>The Ministry of Children and Family Development (MCFD), the Indigenous Child and Family Service Agencies (ICFSA) and the Indigenous Child and Family Service Directors' Our Children Our Way Society (Secretariat) have developed and formalized an <i>Agreement to Collaborate</i> in July 2023 to establish a process for developing a draft action plan.</p> <p>The ICFSA Director leads, with the support of its Secretariat, have developed and presented MCFD with content for a draft action plan. Following two action plan development meetings, the three parties met with the Ministry of Mental Health and Addictions (MMHA) in October 2023 to initiate discussions about implementing recommendation #1. Further working meetings are planned.</p> <p>No action plan, timeline or evidence of prevalence research was provided to RCY in the annual progress report.</p>	<p><b>No Progress</b></p> <p>The ICFSA Directors/MCFD have established an Agreement to Collaborate, signed July 18, 2023, that is guiding work on this recommendation. ICFSA Directors/OCOW developed and presented MCFD with proposed content for joint action plan in late summer 2023, and two planning meetings have been held in August and September 2023 between MCFD and OCOW society however, RCY notes that the action plan is now six months overdue.</p> <p>The first initial meeting with MMHA for the joint action plan development was held on October 13, 2023, with further working group meetings scheduled. As no evidence of progress towards an action plan, or to addressing the intention of the recommendation has been provided, RCY has assessed this as no progress given the parties remain in the pre-planning activities.</p>

Recommendation	
<b>#2</b>	<p>MCFD and ICFSA Directors, in collaboration with the MMHA, co-lead the development and implementation of policies and processes for initial mental health screening by qualified professionals of all children who are at risk of admission into care, or who have been admitted into care, with periodic and situational screening after initial screening, as required. This screening is to be carried out in a trauma-informed and culturally safe and relevant manner – including the potential development of validated Indigenous-specific screening instruments over the longer term – with disaggregated data being centrally collected and analyzed to inform service planning on an ongoing basis.</p> <p>Screening processes to be implemented by Dec. 31, 2023.</p>
Ministry's Response	RCY Assessment
Year 1 Evidence – Received October 2023	Year 1 Assessment
<p>The Ministry of Children and Family Development (MCFD), the Indigenous Child and Family Service Agencies (ICFSA) and the Indigenous Child and Family Service Directors' Our Children Our Way Society (Secretariat) have developed and formalized an <i>Agreement to Collaborate</i> to establish a process for developing a draft action plan.</p> <p>The ICFSA Director leads, with the support of its Secretariat, have developed and presented MCFD with content for a draft action plan. Following two action plan development meetings, the three parties met with the Ministry of Mental Health and Addictions (MMHA) in October 2023 to initiate discussions about implementing recommendation #2. Further working meetings are planned.</p> <p>No action plan, timeline or evidence of policy development for mental health screening was provided to RCY in the annual progress report.</p>	<p><b>No Progress</b></p> <p>MCFD and ICFSA Director leads have reported that they are in the preplanning/initiation stages of action planning to address this recommendation. No action plan, timeline or evidence of policy development for mental health screening was provided to RCY in the annual progress report. The <i>Agreement to Collaborate</i> to support action planning was provided to RCY, and details what MCFD and the ICFSA Directors will collaborate on and how. This includes guiding principles to be respectful, proactive, and efficient in developing an action plan, implementing the recommendations from the report, and working collaboratively. This is a positive step towards more relevant and robust policy development that is inclusive of ICFSA Directors' perspectives however RCY notes that the action plan is six months overdue and meetings with MMHA have just begun, more than a year after the recommendations were issued. RCY is concerned to see this delay given that this recommendation was to have been addressed – with screening processes in place – by December 31, 2023. The annual progress report indicates that ICFSA Directors have developed and presented MCFD with content for a draft action plan but no joint-action plan has been completed to date. The Representative will be monitoring how MCFD and ICFSA Directors will use their new <i>Agreement to Collaborate</i> to work together in a timely manner to respond to recommendations.</p>

Recommendation	
<b>#3</b>	<p>MCFD and ICFSA Directors, in collaboration with MMHA, co-lead the development and implementation of plans for targeted, voluntary assessment services (where indicated by screening) and evidence-based, voluntary mental health program services for children in care and children at risk of being brought into care, with particular attention to culturally appropriate and trauma-informed services for First Nations, Inuit, Métis and Urban Indigenous children. These plans should be incorporated into the operational planning for MMHA’s Pathway to Hope and MCFD’s Child and Youth Mental Health Service Framework.</p> <p>Plans to be completed by Dec. 31, 2023, with full resourcing included in Budget 2024/25 and implementation beginning by April 1, 2024.</p>
Ministry’s Response	RCY Assessment
Year 1 Evidence – Received October 2023	Year 1 Assessment
<p>The Ministry of Children and Family Development (MCFD), the Indigenous Child and Family Service Agencies (ICFSA) and the Indigenous Child and Family Service Directors’ Our Children Our Way Society (Secretariat) have developed and formalized an <i>Agreement to Collaborate</i> to establish a process for developing a draft action plan.</p> <p>The ICFSA Director leads, with the support of its Secretariat, have developed and presented MCFD with content for a draft action plan. Following two action plan development meetings, the three parties met with the Ministry of Mental Health and Addictions (MMHA) in October 2023 to initiate discussions about implementing recommendation #3. Further working meetings are planned.</p> <p>No action plan, timeline or evidence of policy development for voluntary assessment services was provided to RCY in the annual progress report.</p>	<p><b>No Progress</b></p> <p>MCFD and ICFSA Director leads have reported that they are in the preplanning/initiation stages of action planning to address this recommendation. No action plan, timeline or evidence of policy development for voluntary assessment services was provided to RCY in the annual progress report. The <i>Agreement to Collaborate</i> to support action planning was provided to RCY, and details what MCFD and the ICFSA Directors will collaborate on as well as how they will do so. This includes guiding principles to be respectful, proactive, and efficient in developing an action plan, implementing the recommendations from the report, and working collaboratively. This is a positive step towards more relevant and robust policy development that is inclusive of ICFSA Directors’ perspectives however RCY notes that the action plan is six months overdue and meetings with MMHA have just begun more than a year after the recommendations were issued. RCY is concerned to see this delay given that this recommendation was to have been addressed with planning for assessment in place by December 31, 2023, and resourcing for implementation included in Budget 2024/25 – neither of which have been achieved. Annual progress report indicates that ICFSA Directors have developed and presented MCFD with content for a draft action plan but no joint-action plan has been completed to date. The Representative will be monitoring how MCFD and ICFSA Directors will use their new <i>Agreement to Collaborate</i> to work together in a timely manner to respond to recommendations.</p>

Recommendation	
<b>#4</b>	<p>The development and implementation of the recommendations above regarding research, screening, assessment and program services be informed by and aligned with the ICFSA Directors' Culture is Healing: An Indigenous Child and Youth Mental Wellness Framework.</p> <p>To be initiated by Dec. 31, 2022.</p>
Ministry's Response	RCY Assessment
Year 1 Evidence – Received October 2023	Year 1 Assessment
<p>The Ministry of Children and Family Development (MCFD), the Indigenous Child and Family Service Agencies (ICFSA) and the Indigenous Child and Family Service Directors' Our Children Our Way Society (Secretariat) have developed and formalized an <i>Agreement to Collaborate</i> to establish a process for developing a draft action plan.</p> <p>The ICFSA Director leads, with the support of its Secretariat, have developed and presented MCFD with content for a draft action plan. Further meetings are planned for Winter 2023.</p>	<p><b>No Progress</b></p> <p>MCFD and ICFSA Director leads have reported that they are in the preplanning/initiation stages of action planning to address this recommendation. No action plan, timeline or evidence regarding alignment with <i>Culture is Healing: An Indigenous Child and Youth Mental Wellness Framework</i> was provided to RCY in the annual progress report. The <i>Agreement to Collaborate</i> to support action planning was provided to RCY, and details what MCFD and the ICFSA Directors will collaborate on as well as how they will do so. This includes guiding principles to be respectful, proactive, and efficient in developing an action plan, implementing the recommendations from the report, and working collaboratively. The agreement also specifies that the work will be culturally grounded and guided, honoring diverse Indigenous ways of knowing and being. This is a positive step towards more relevant and robust policy development that is inclusive of ICFSA Directors' perspectives however RCY notes that the action plan is six months overdue and remains in development and initiation of this recommendation was to have begun by December 2022. RCY is concerned to see this delay given the annual progress report indicates that ICFSA Directors have developed and presented MCFD with content for a draft action plan but no joint-action plan has been completed to date. The Representative will be monitoring how MCFD and ICFSA Directors will use their new <i>Agreement to Collaborate</i> to work together in a timely manner to respond to recommendations.</p>

Recommendation	
<b>#5</b>	<p>MCFD to provide capacity-building funding to the ICFSA Directors to support ongoing leadership, engagement and consultation to support the implementation of the Representative’s recommendations as contained in this report.</p> <p>Funding to be provided by Dec. 31, 2022.</p>
Ministry’s Response	RCY Assessment
Year 1 Evidence – Received October 2023	Year 1 Assessment
<p>The Ministry of Children and Family Development (MCFD) provided a one-time-only capacity-building contribution of \$900,000 to the Indigenous Child &amp; Family Services Directors’ Our Children Our Way Society in March 2023. This contribution is to support engagement and partnership with MCFD on strategic endeavours such as:</p> <ul style="list-style-type: none"> <li>• Governance support to the Directors and Partnership Forums;</li> <li>• Engagement with ICFS Agencies on initiatives identified by the Directors and Partnership Forums;</li> <li>• Research on initiatives identified by the Directors and Partnership Forums;</li> <li>• Resources support the Directors and Partnership Forums;</li> <li>• Advice and support to MCFD staff involved in working groups and advisory circles.</li> </ul>	<p><b>Some Progress</b></p> <p>MCFD has provided a one-time capacity-building grant to the ICFSA Directors to support their capacity to engage and partner with MCFD on strategic transformation endeavors.</p> <p>This one-time only contribution demonstrates some progress towards this recommendation but given the limited scope of ‘engagement and partnership’ and the breadth of strategic endeavors included, the Representative is concerned this will limit the substantive collaboration required to successfully address and implement the recommendations in this report.</p> <p>MCFD’s one time investment, is recognized as a first step towards resourcing ICFSA Directors to meaningfully engage and consult on policy and practice initiatives that impact Indigenous children in their care, however, for this collaboration to be impactful, ongoing funding for ICFSA Directors leadership and implementation will be required.</p>

Recommendation	
<b>#6</b>	As part of the planned reform of the Child, Family and Community Service Act, MCFD to include an amendment to the statutory rights of children in care so it is clear that these children have a right to health care, including mental health care.  To be completed by Sept. 30, 2025.
Ministry's Response	RCY Assessment
Year 1 Evidence – Received October 2023	Year 1 Assessment
The Ministry of Children and Family Development (MCFD), the Indigenous Child and Family Service Agencies (ICFSA) and the Indigenous Child and Family Service Directors' Our Children Our Way Society (Secretariat) have reported no progress towards this recommendation in their annual update. MCFD offers that the <i>Children, Family and Community Service Act</i> and current children and youth in care policies include mental health care as part of health care needs that are addressed in the current care planning process. MCFD also reports that a review of a child's right to health care, including mental health care will commence in 2024.	<b>No Progress</b>  RCY does not accept that the <i>Children, Family and Community Service Act</i> and the current children and youth in care policies make clear that children have a right to health care, that includes mental health care. Instead, policy directs MCFD staff to document mental health history and issues in the Care Plan process and outlines their responsibility to make referrals. This falls short of the intention of the recommendation to ensure that the right of a child in care to have access to mental health care when required is established in legislation. Mental health is not included in ongoing health care monitoring requirements for MCFD workers, nor is it included in s.70(1) of the CFCSA which outlines the Rights of Children in Care. RCY has recommended an amendment to the statutory rights of children in care so that children in care receive medical, dental <b>and mental health</b> care when required given the prevalence of mental health disorders identified in this report. When the research findings are considered in the context of the volume of critical injuries and deaths reported to RCY that are connected to mental health disorders, the current legislation and policy is insufficient.