

3.b

DCSS

Akwesasne Child & Family Services

(ACFS)

**Akwesasne Child & Family Services
Department of Community & Social Services
Mohawk Council of Akwesasne**

4.3 Client's Appeal of Voluntary Services

Subject: Client's Appeal of Voluntary Services	Policy Manual: Administration Manual Policy Number: 4.003 Date Effective: May 2012 Date Revised: Authorized by: MCA
--	--

Policy Statement:

ACFS ensures that all clients, including a child, are treated in a fair, respectful manner.

Purpose:

Every person seeking or receiving a service, including a child (12 years of age – Ontario; 14 years of age – Quebec), has the right to appeal the decision of their service or treatment, unless it is court mandated or a court ordered decision for recommended services or treatment.

Policy Details (optional):

During Service Planning, every person, including a child is informed of their right to file complaints. The person is encouraged to file the complaint in a timely manner.

Procedure:

1. When a review of a decision is received, a staff person will be assigned to invite the client to discuss these concerns. At the time of this review the client will be informed of his/her right to an advocate of his choosing to assist with this process.
2. Should it be necessary, the supervisor involved in the case will be asked to attend this initial meeting. The staff person will respond, by letter, to the person filing a complaint within 7 working days. If the request is eligible for review, this letter will set a date, time and place for an ACFS hearing to review the decision.
3. The cost for this appeal process will be covered by ACFS.
4. It is necessary that the supervisor or his/her designate be involved in the appeal in order to provide clarity of the situation or present program recommendations.
5. During this time the client advocate will be privy to the client's file and will be able to support or speak on behalf of the client to clarify their situation.
6. The DCSS Director will respond to the person/client within 7 working days by letter indicating date, time and place for DCSS appeals meeting.
7. The appeal team will be composed of community members, professionally qualified staff who are not involved in the case and former clients.

8. This meeting must be held within 20 business days of the date when the letter was mailed via registered mail.

9. The decision resulting from the appeal process will be final.

**Akwesasne Child & Family Services
Department of Community & Social Services
Mohawk Council of Akwesasne**

4.4 Sakontinonha Rights

Subject: Sakontinonha Rights	Policy Manual: Administration Manual Policy Number: 4.004 Date Effective: May 2012 Date Revised: Authorized by: MCA
------------------------------	--

Policy Statement:

ACFS ensures that every Sakontinonha, including potential Sakontinonha, have the right to ACFS advocacy services.

Purpose:

ACFS ensures that every Sakontinonha is treated in a fair and respectful manner. In Ontario, for children in care for more than 2 years, the Sakontinonha has a right to notice of removal and a right to a hearing.

Policy Details (optional):

Sakontinonha include:

1. A person who receives compensation from ACFS for the placement and care of a child, and ,
2. A person who is not the child's parent.

Procedure:

1. When a complaint against a Sakontinonha is received, it must include a signed, written statement with the following information:
 - a) Name, address, and role or relationship of the person filing a complaint to the client,
 - b) Information about the complaint and circumstances surrounding the complaint,
2. All complaints received will be forwarded immediately to the Case Management Unit Coordinator or Director of Youth Protection.
3. The designated ACFS worker will obtain and review identifying information from both the child in care's file and the Sakontinonha's file, including:
 - a) names and addresses of parent/Sakontinonha/guardian of the child;
 - b) The child's history, family history, disorders/disabilities, behaviour and history of allegations;
 - c) Information about the Sakontinonha's own children (if known or applicable);
 - d) Any other information available from records or other staff who may have information to aid in resolving the situation;
 - e) All required documentation will be completed and recorded.
4. When a complaint is received and all pertinent information is reviewed, a Resource Development Worker will be assigned to meet with the Sakontinonha to obtain his/her

perception of the situation and discuss their concerns. Should it be necessary, the supervisor involved in the case will be asked to attend this initial meeting.

If potential risks exist, the child's safety must be ensured and a risk assessment and safety assessment must be performed. (See ACFS Onkiehtineh Onkwaksatah, We Will Protect Our Children, Kontinonha Resource Development, Support and Management Functions, Policy & Procedures Manual, Appendix 1: Serious Occurrences.)

5. The staff person will respond by letter to the person filing a complaint within 7 working days acknowledging of receipt of their complaint and action taken or eligibility for review.
6. In instances of potential domestic violence in a Kontinonha home, the safety assessment form is completed for all investigations.
7. If there is an imminent threat to safety including:
 - a) signs of present danger (safety threats) identified during the investigation,
 - b) other conditions that negatively impact the safety of the child,
 - c) child vulnerability that contributes to or decreases the well-being of the child,
 - d) strengths and resources of the residential environment that can reduce, control and/or prevent threats of serious harm,
 - e) if the immediate and ongoing safety of the child cannot be assured as the investigation progresses then a Safety Plan is needed that includes removal of the child.

Internal Review (Resource Guide for Children's Aid Societies)

1. The Local Director/Program Manager will make a determination on the complaint and prepare a written report with recommended actions required.
2. All complaints will be filed in an internal client complaint tracking system in order to:
 - a) track the number of client complaints received and eligible for review;
 - b) keep the complaints moving in an efficient manner in keeping with the timeframes established by regulation;
 - c) monitor the types of complaints received;
 - d) know how the complaints were resolved and if ACFS has adhered to the CFSRB orders and;
 - e) track whether ACFS is meeting the timeframes for review established in within seven days as per Regulation 494/06.
3. This hearing must be held within 20 days of the date when the letter was mailed via registered mail.
4. All decisions of the review panel are final.

Note: Regulation 494/06 states that within 7 days after receiving the complaint, ACFS will determine whether the complaint is eligible for review. This does not mean that the person filing

a complaint must be in receipt of ACFS' response within 7 days. It means that ACFS' written response to the person filing a complaint advising of eligibility must be dated and sent to the person filing a complaint no later than 7 days after the complaint was received.

**Akwesasne Child & Family Services
Department of Community & Social Services
Mohawk Council of Akwesasne**

4.5: Volunteer Rights

Subject: Volunteer Rights	Policy Manual: Administration Manual Policy Number: 4.005 Date Effective: May 2012 Date Revised: Authorized by: MCA
---------------------------	--

Policy Statement:

ACFS ensures that every volunteer is treated in a fair, respectful manner.

Purpose:

Every volunteer has the right to ACFS advocacy services.

Policy Details (optional):

Currently ACFS does not use volunteer services

Procedure:

1. Where a complaint has been brought against a volunteer, the Program Manager will assign a staff member, preferably a Resource Development Worker, to support the volunteer through the period of investigation.
2. The investigation will follow the internal review process – Policy 4.002.
3. Based on the seriousness of the allegation, ACFS will curtail the services of the volunteer until completion of the investigation and a decision is made to continue or discontinue his/her services.
4. Appropriate documentation and reports will be completed by the Resource Development Worker and submitted to the Program Manager.

**Akwesasne Child & Family Services
Department of Community & Social Services
Mohawk Council of Akwesasne**

4.6 Residential Care

Subject: Residential Care	Policy Manual: Administration Manual Policy Number: 4.006 Date Effective: May 2012 Date Revised: Authorized by: MCA
---------------------------	--

Policy Statement:

To ensure all clients, including children, are treated respectfully and safe.

Purpose:

Children placed in residential care have the right to be safe and treated in a fair, respectful manner.

Policy Details (Optional):

ACFS will develop service protocol agreements with all other utilized programs and agencies.

Procedures:

1. If an ACFS worker receives a complaint of a service provider or agency, by the client or his/her parents or another person representing the child, the worker will immediately report this complaint to the Unit Coordinator/Director of Youth Protection.
2. The complaint must include the following information:
 - a) the name, address and role or relationship of the person filing the complaint to the client
 - b) the name of the residential environment
 - c) the date(s) of incident, including staff and/or other clients involved.
3. The Unit Coordinator/Program Manager will within 24 hours of the incident complete and submit a serious occurrence report to MCYS about the incident.
4. The Program Manager will request (by telephone and in writing) that a review be conducted by the institution as per Service Protocols "Section 4: Complaints, Internal Reviews & Appeals – Service Protocols."
5. Depending on the situation and circumstances of the report, the appropriate agency will take all measures to ensure continued protection of all children or residents up to and including removal to another place of safety. If necessary, law enforcement will be notified of the situation for their action.
6. The Unit Coordinator/Program Manager will provide follow up with regards to the serious occurrence to MCYS.

**Akwesasne Child & Family Services
Department of Community & Social Services
Mohawk Council of Akwesasne**

4.7 Service Protocols

Subject: Service Protocols	Policy Manual: Administration Manual Policy Number: 4.007 Date Effective: May 2012 Date Revised: April 2012 Authorized by: MCA
----------------------------	---

Policy Statement:

The Akwesasne Child and Family Services Framework Policy require that protocols be established to help ensure effective communication and coordination of the ACFS Program with other related programs and/or agencies providing service (especially police in respect to responding to neglect and abuse situations).

Purpose:

To help ensure effective communication and coordination of the ACFS Program with other related programs, agencies, and personnel with an understanding of roles and responsibilities (especially the police in respect to responding to neglect and abuse situations).

Policy Details (optional):

Protocols have been established with the following agencies:

Akwesasne Police Services, Iethinestenha Family Violence Services, Ionkwanonhsasetsi Adolescent Treatment Center, Akwesasne Child Care Program, Akwesasne Mohawk Board of Education, Department of Health, Community Support Program, Children's Aid Society, SRMT Department of Social Services and SDG&A Developmental Services

Procedure: (For sample protocol agreements see Appendix 4)

In drafting and negotiating protocols, protocols shall:

1. Specify the types of situation in which the parties have a related and mutual interest;
2. State the specific objectives to be achieved by the parties in relation to these situations;
3. List the specific responsibilities to be carried by staff of ACFS and those to be carried by staff of the other agency such as intake, investigation, assessment, service coordination, and service provision;
4. Specify respective responsibilities for any costs involved under the agreement;
5. Specify the processes of regular communication involved and the appropriate contacts for such communication;
6. Specify how the matter of any confidential information, internal investigations and/or release of information required by both parties will be dealt with - either verbal or written communication;
7. Specify the persons in each organization responsible for administering the agreement;
8. Specify a process for dealing with any misunderstandings or disputes that might arise under the agreement;
9. Specify the start and end dates of the agreement; and

10. Make provision for periodic mutual review, evaluation and amendment.