



ARCS: 292-30
File: CFD-2013-00545

May 9, 2013

Sent via email:

Dear

Re: Request for Access to Records
Freedom of Information and Protection of Privacy Act (FOIPPA)

I am writing further to your request received by the Ministry of Children and Family Development. You narrowed your request on May 3, 2013 through conversation and/or email with Samara Fisher. Your request is for:

Please send me all records and all data, including:

- *Ministry of Children and Family Development's policies, acts, legislations, and regulations related to Respite.*
- *Ministry of Children and Family Development's internal policies related to: informing families about the Respite Program, assessing families for stress and life conditions for Respite, scoring related to the assessment, and placing/prioritizing families on the Respite list.*

For your information, the Ministry of Children and Family Development (CFD) operates under federal and provincial legislation and regulations, including any policy or procedures related to those Acts (the legislation) and regulations. Acts and regulations can be found at the BC Laws website, which can be accessed by the public at the following link:

<http://www.bclaws.ca/default.html>

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In order to assist you find the acts and regulations associated with respite care, the ministry has provided the following links and associated information:

The legislation and regulations CFD is responsible for can be found on the ministry's website at:

http://www.mcf.gov.bc.ca/about_us/legislation.htm

The remaining links specific to your needs are:

Records related to Children and Youth with Special Needs:

Eligibility policies:

http://www.mcf.gov.bc.ca/spec_needs/pdf/eligibility_family_support_services.pdf

http://www.mcf.gov.bc.ca/spec_needs/pdf/eligibility_at_home.pdf

Determining priority:

http://www.mcf.gov.bc.ca/spec_needs/pdf/determining_priority_cs.pdf

Please note: the "Guide to the Priority for Service Tool" is enclosed with this letter.

Program descriptions/clarifications:

http://www.mcf.gov.bc.ca/spec_needs/pdf/respite_funding_use.pdf

http://www.mcf.gov.bc.ca/spec_needs/pdf/at_home_respite_benefits.pdf

http://www.mcf.gov.bc.ca/spec_needs/pdf/contracted_respite.pdf

http://www.mcf.gov.bc.ca/spec_needs/pdf/direct_funded_respite.pdf

http://www.mcf.gov.bc.ca/spec_needs/pdf/respite_relief.pdf

http://www.mcf.gov.bc.ca/spec_needs/pdf/service_provision_family_members.pdf

Determining contributions:

http://www.mcf.gov.bc.ca/spec_needs/pdf/determining_parental_contributions.pdf

Records related to Child Welfare:

Caregiver Support Service Standards – Standard 16 requires assessment and approval of a caregiver (foster parent) if providing respite or relief.

http://www.mcf.gov.bc.ca/foster/pdf/sp_caregiver_support.pdf

The Child and Family Development Standards, Standard 7 - Support Services to Strengthen Capacity, enables a support services agreement that includes respite. It references Section 5 of the CFCSA that is the enabling legislation.

http://icw.mcf.gov.bc.ca/manuals/docs/cfdev/cic/cfd_service_standards.pdf

The following Practice Directive requires information to be provided to respite and relief care providers:

http://icw.mcf.gov.bc.ca/manuals/docs/cfdev/cfs/practice_directive_information_sharing_with_caregivers.pdf

CFCSA, s. 5 and s. 93:

http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/00_96046_01 includes the following:

Support services for families

- 5** (1) A director may make a written agreement with a parent to provide, or to assist the parent to purchase, services to support and assist a family to care for a child.
- (2) The services may include, but are not limited to, the following:
- (a) services for children and youth;
 - (b) counselling;
 - (c) in-home support;
 - (d) respite care;
 - (e) parenting programs;
 - (f) services to support children who witness family violence.

(3) The initial term of the agreement must not exceed 6 months, but the agreement may be renewed for terms of up to 6 months each.

Other powers and duties of directors

93 (1) A director may do one or more of the following:

- (a) provide preventive and support services for families to promote the purposes of this Act;
- (b) make payments to a parent, or other person who has care of a child with special needs, to assist the parent or other person to purchase support services, other than health and medical benefits, so that the child can reside at home;
- (c) [Repealed 1999-26-32.]
- (d) establish residential services for children and youths;
- (e) establish services to assist in the resolution of family disputes;
- (f) establish services to assist communities to strengthen their ability to care for and protect their children;
- (g) make agreements, including but not limited to agreements
 - (i) with any person for the provision of residential or other services,
 - (ii) with a person who has custody by an interim order or a temporary custody order under Part 3 or by an order made under section 54.01 (5) or 54.1, for contributions to the child's support,
 - (iii) with the Nisga'a Nation, a Nisga'a Village, a treaty first nation, an Indian band or a legal entity representing an aboriginal community for the provision of services,
 - (iv) with the government of Canada, the government of a province of Canada or the government of a jurisdiction outside Canada, or an official or agency of any of those governments, to promote the purposes of this Act,
 - (v) with any ministry of the government or any community agency if an agreement is necessary to integrate the planning and delivery of preventive and support services to families and children, and
 - (vi) with other directors;

(h) promote and encourage the participation of the community in the planning, development and delivery of services.

(2) A director is authorized to receive any authority that

(a) is delegated to the director by a government or child welfare authority, and

(b) relates to a child in the custody or under the guardianship of that government or child welfare authority.

(3) and (4) [Repealed 2007-5-3.]

In response to the second bullet of your request, please find enclosed a copy of the "Guide to the Priority for Service Tool." This record is provided to you in its entirety. This document is used by MCFD when assessing respite care scoring. Your file is now closed.

These records will be published on the BC Government's Open Information website a minimum of 72 hours after it is released electronically or a minimum of five business days after it has been released by mail in hardcopy. To find out more about Open Information, please access the Open Information website at: <http://www.openinfo.gov.bc.ca/ibc/index.page>

If you have any questions regarding your request, please contact Samara Fisher, the analyst assigned to your request, at 250-387-0824. This number can be reached toll-free by calling from Vancouver, 604-660-2421, or from elsewhere in BC, 1-800-663-7867 and asking to be transferred to 250-387-0824.

You have the right to ask the Information and Privacy Commissioner to review this decision. I have enclosed information on the review and complaint process.

Sincerely,

A handwritten signature in black ink, appearing to read "Vicki Hudson". The signature is fluid and cursive, with the first name "Vicki" being more prominent than the last name "Hudson".

Vicki Hudson, Manager
Justice / Social Team
Information Access Operations
Enclosures

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| <p>How to Request a Review with the Office of the Information and Privacy Commissioner</p> |
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If you have any questions regarding your request please contact the analyst assigned to your file. The analyst's name and telephone number are listed in the attached letter.

Pursuant to section 52 of the *Freedom of Information and Protection of Privacy Act* (FOIPPA), you may ask the Office of the Information and Privacy Commissioner to review any decision, act, or failure to act with regard to your request under FOIPPA.

Please note that you have 30 business days to file your review with the Office of the Information and Privacy Commissioner. In order to request a review please write to:

Information and Privacy Commissioner
PO Box 9038 Stn Prov Govt
4th Floor, 947 Fort Street
Victoria BC V8W 9A4
Telephone 250-387-5629 Fax 250-387-1696

If you request a review, please provide the Commissioner's Office with:

1. A copy of your original request;
2. A copy of our response; and

The reasons or grounds upon which you are requesting the review.