



# Hands Tied

Child protection workers talk about working in, and leaving, B.C.'s child welfare system

# LIST OF CONTRIBUTORS

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## EXECUTIVE SUMMARY



B.C.'s child protection workers<sup>1</sup> are leaving their jobs at an alarming rate.<sup>2</sup> For the children and families most impacted by the system, these front line workers are the face of the Ministry of Children and Family Development (“MCFD”). Their jobs involve the critical tasks of assessing immediate child safety concerns, connecting families with support services, and deciding when a child needs to be removed from a home.

For children and families involved with the child protection system, turnover means building new relationships, unpredictability and delays.<sup>3</sup> The impacts of turnover in a ministry that lost over 10 percent of its staff each year between 2002 and 2006 are aggravated by the disproportionate amount of sick leave used by MCFD employees. In 2007, sick days at MCFD averaged out to 12.39 days per employee, significantly more than the 8.55 day average across the government. Findings from this study suggest that work-related stress and burnout have negative affects on child protection workers’ health and well-being.<sup>4</sup>

In 2009, Pivot Legal Society asked child protection workers formerly employed with the MCFD to complete a survey about their experiences with the Ministry in order to examine retention issues and to gather their insights into how the system could better address the needs of both employees and families.<sup>5</sup> In all, 109 respondents participated in this study.

This study focuses on the reasons that employees working at the MCFD are leaving their jobs. However, the results have far-reaching implications for the child welfare system as a whole. Social workers in this study described a crisis-driven and underresourced system that does not afford most workers the opportunity to engage in quality social work practice; instead social workers struggled to do too much with too little.

Social workers reported leaving child protection work for four main reasons: unmanageable caseloads, a lack of confidence in all levels of leadership and management, high stress levels, and a lack of preventative and supportive resources for children and families.

The majority of social workers in this study indicated that reduced caseloads and enhanced services and supports for families would have been “very likely” to have kept them from leaving the Ministry.

Although “the best interests of the child” is the overarching principle guiding child protection work, social workers in this study did not feel that they could consistently act in children’s best interests.

Forty-nine percent of respondents felt that they were only “sometimes” able to act in the best interests of children, with a further nine percent indicating that they were “rarely” or “never” able to act in the best interests of children.

Over 65 percent of survey respondents reported they could “rarely” or “never” give adequate attention to each child or family on their caseload while fulfilling their reporting requirements.

Respondents explained that high workloads, onerous paperwork, insufficient resources, and ineffective leadership impacted their ability to work effectively with children and families.

Social workers who took part in this study indicated that they are often unable to perform their job in accordance with the guiding and service delivery principles set out in the *Child, Family and Community Services Act* (“CFCSA”).<sup>6</sup> The guiding principles and service delivery principles in the CFCSA promise a family-centred approach to child protection that supports parents, extended family networks and communities to care for children safely while respecting the inherent value of Aboriginal traditions and cultural diversity.

Nearly half of respondents indicated that there are “rarely” or “never” adequate preventative or supportive services for families. Only 29 percent of respondents indicated that they could “always” or “usually” fully explore options for less disruptive measures before the removal of a child. The concern over the lack of services was most pronounced among respondents from Aboriginal service teams, 63 percent of whom indicated that there were “rarely or “never” adequate services.

The findings from this study are not unique. Instead, they once again illustrate the government’s failure to create conditions that will ensure that the child protection system can live up to its responsibility to children and families in B.C. In 2008, the MCFD released *Strong, Safe and Supported: A Commitment to B.C.’s Children and Youth*. This document, outlining the MCFD’s new approach to supporting children and families, is the most recent in a long line of vision documents committing

the Ministry to important principles such as prevention, family support, and integration of Aboriginal perspectives into planning and decision making. Like many that have come before, this document is heavy on lofty principles but lacks a clear strategy for implementation. The respondents in this study have made it clear – if the provincial government intends to live up to its latest commitment to B.C.’s children and youth, the MCFD needs the resources to reduce caseloads, increase preventative and supportive services for families, and support leaders who instill confidence in workers.



## PART 1: INTRODUCTION



In 2008 Pivot Legal Society published *Broken Promises: Parents Speak about B.C.'s Child Welfare System* based on interviews and affidavits with 44 low-income parents who had involvement with the child protection system.

The *Broken Promises* report found that the Ministry of Children and Family Development (“MCFD”)<sup>7</sup> is failing to live up to the principles set out in the *Child, Family and Community Service Act* (“CFCSA”) – the foundation of B.C.’s child protection system. The report concluded that despite legislative reform, internal reorganization, and changing governments, B.C.’s child welfare system has not effectively implemented its own mandate, which includes protecting children from harm and neglect, supporting families to keep their children safe in the home and working collaboratively with extended families and communities to preserve a child’s kinship ties and cultural identity.

Many parents who took part in the *Broken Promises* study talked about the frustration of having to work with multiple social workers throughout the child protection process.<sup>8</sup> The experiences they described are likely, at least in part, the result

of high turnover rates and frequent sick leaves<sup>9</sup> among MCFD staff, which adversely impact service delivery.

For each year between 2002 and 2006 turnover rates among child protection social workers were over 10 percent.<sup>10</sup> The use of sick leave at the MCFD is also unusually high as compared with other government ministries. In the 2007/2008 year, MCFD employees used 47,313 sick days, which is on average 12.39 days per employee as compared with the 8.55 day average across the government.<sup>11</sup>

Staffing issues, which had long been a concern among protection workers in B.C., intensified in 2002, when the provincial government had the MCFD slash its budget, resulting in an 11 percent budget reduction across the Ministry.<sup>12</sup> When social workers leave, the workloads of remaining staff increase and cases are shifted to new workers, disrupting continuity for

children and families. This instability jeopardizes the development of trusting and productive worker-client relationships. Ongoing turnover among front-line workers also means that years of experience and knowledge are lost and valuable time and resources are spent recruiting and training new workers.

The most recent independent review of B.C.'s child protection system, *The B.C. Children and Youth Review*, ("The Hughes Report"), was carried out by Justice Ted Hughes in early 2006. This review was commissioned in the wake of the deaths of two children receiving services from the MCFD. In his report, Hughes clearly lays out the implications of failing to address turnover among child protection staff:

*Front-line workers did not suffer from budget reductions to the extent that administration did, but we continue to lose social workers at a rate faster than they can be replaced. Demographics play a role – the aging of the workforce is by no means unique to this field – but it may have more to do with the nature of the work. Child protection is not every social worker's first choice. Beyond the formal skills, the job requires toughness, warmth, intelligence, compassion, decisiveness and determination. It has been called the hardest job in government. When skilled workers have other choices, the Ministry will be challenged to find the continuing supply of people necessary to do this critical work.<sup>13</sup>*

Some improvement in staffing levels was made in 2006, when the MCFD added 180 new positions in child protection and mental health services. These increases came in response to Hughes' recommendations. However, the most recent Ministry budget numbers, released in February 2009, indicate that staff numbers will decrease by 185 full-time equivalences.<sup>14</sup> This could effectively undo the limited progress that has been made.

### Scope of research

Pivot embarked on this research to find out more about the factors that influence the decisions of social workers to leave the child protection system. On an anecdotal level, we had heard that some social workers were not given the opportunity to complete an exit interview prior to their departure from the Ministry. One of the goals of this research was to provide former child protection workers with the chance to voice their concerns and their recommendations for change. We also felt

that child protection workers no longer employed by the MCFD would be able to speak more candidly about their experiences.

While the focus of this research is the perspectives of social workers who left the Ministry after September 2006, responses from social workers who left prior to September 2006 and those who continue to do child protection work at the MCFD are also included in the final data set. Findings were reasonably consistent among the three time periods.

### Research findings

- **Social workers are leaving the Ministry due to unmanageable caseloads, low confidence in all levels of leadership and management, high stress, and inadequate support services for families.** The majority of former child protection workers in this study indicated that reduced caseloads and enhanced services and supports for families would have been "very likely" to prevent them from leaving the Ministry.
- Social workers cannot consistently act in the best interests of children. A significant number of social workers reported feeling unable to work with children and families in a way that is reflective of their core values and mandate as social workers. Forty-nine percent of respondents felt that they were "sometimes" able to act in the best interests of children, with a further nine percent indicating that they were "rarely" or "never" able to act in the best interests of children.<sup>15</sup>
- Over 65 percent of social workers reported they could not provide adequate attention to each child or family on their caseload and fulfill their reporting requirements.<sup>16</sup>
- Social workers are often unable to perform their job in accordance with the guiding and service delivery principles set out in the *Child, Family and Community Services Act*. Nearly half of respondents indicated that there are "rarely" or "never" adequate preventative or supportive services for families. The lack of adequate preventative services was more pronounced among Aboriginal service teams. Only 29 percent of respondents indicated that they could "always" or "usually" fully explore options for less disruptive measures before the removal of a child.<sup>17</sup>

## PART 2: METHODOLOGY AND DEMOGRAPHICS



**Data collection:** This report is based on data collected through an online survey between March 2, 2009, and April 3, 2009. The survey was distributed by e-mail through organizations likely to have contact with former MCFD child protection workers.

Individuals who received the survey were encouraged to pass it along to others within their network who had worked in child protection with the MCFD. The survey was designed to be completed and submitted online.

The survey was organized into seven sections:

- Employment details (including last position with the MCFD, tenure, when they left the MCFD, the last region worked in, and whether they worked with an Aboriginal Family Service team).
- Reasons for leaving child protection work.
- Caseloads.
- Ability to perform required employment duties.
- Ability to fulfill the MCFD mandate.
- Respect in the workplace.
- Directions for change.

The survey was composed of a combination of open- and closed-ended questions. Space was provided for each closed-ended question to allow respondents to clarify or elaborate on their answers.

### Data analysis

Completed surveys were vetted by a group of four researchers who determined whether or not the respondent would be included in the final sample. The grounds for exclusion included cases where the respondent had not worked for the MCFD in a child protection capacity, where the respondent did not provide enough information to establish that they had in fact worked in child protection, and where the respondent did not answer enough questions to meaningfully contribute to the study. Some respondents did not answer all of the questions and were still included in the sample, but respondents who did not provide employment details were automatically excluded from the study. One hundred and nine respondents have been included in the final data set on which this report is based.

During the research design phase of this study, the research team made a decision to focus on the experiences of people who left their child protection position after Justice Hughes presented his recommendations to the MCFD in April 2006. In spite of this focus, we chose to accept responses from people whose experiences at the MCFD fell outside of that

time frame in order to examine trends and changes over time. Respondents were organized into three cohorts: those who left the MCFD prior to 2006, those who left between 2006 and the date on which they completed the survey, and those who were still employed by the MCFD at the time they completed the survey. Respondents were also divided into regions. Responsibility for child protection in B.C. is divided up among five geographic regions, all of which are bound by the same legislation and protocols, but each of which exercise some administrative autonomy. Although the sample from each region was small, this allowed us to determine that our sample included responses from across the province and to look for significant disparities or unique concerns in various regions. Responses to the open-ended questions were all coded for reoccurring themes.

### Profile of project participants

Data from surveys completed by 109 respondents is included in this study. The breakdown of when respondents left the MCFD, the region in which they were last employed and their last job title within child protection at the MCFD are outlined below.

#### *Leaving date and tenure*

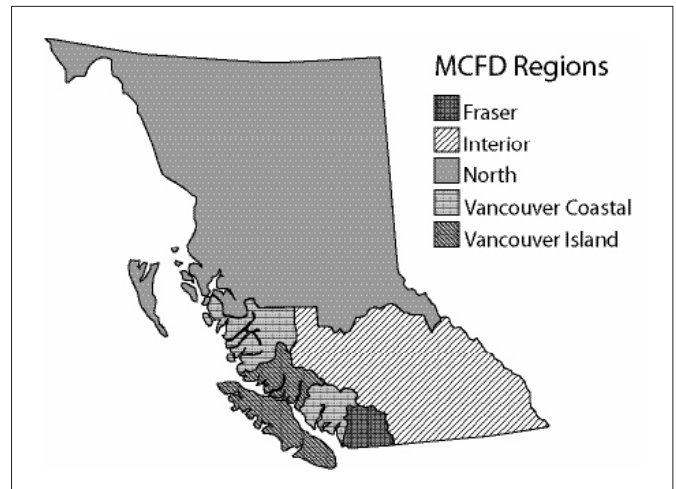
The most significant number of participants, 48.6 percent, or 52 respondents, left at the MCFD between September 2006 and the time of the survey. Another 30.8 percent of respondents, 33 of 109 participants, left the MCFD before September 2006, and 20.6 percent of respondents, or 22 of 109 participants, currently work at the MCFD. Of the 22 participants who were still working at the MCFD, a number commented that they had firm plans to leave their position or were contemplating leaving in the near future. There was significant variation in length of tenure among survey respondents. The longest-serving respondent had worked at the MCFD for 35 years and the shortest tenure was three months.

#### *Region*

The five child protection regions in British Columbia are the Interior, Vancouver Coastal, Vancouver Island, the North, and the Fraser Region.

Respondents were asked to report the last region in which they did child protection work. Twenty-three respondents, or 22.5 percent of total survey participants, worked in the Fraser Region.

Nineteen respondents, or 18.4 percent of participants, worked in the Interior Region.



Fourteen respondents, or 13.6 percent of participants, worked in the Northern Region. Nineteen respondents, or 18.4 percent of those surveyed, worked in the Vancouver Island Region. Twenty-eight respondents, or 27.2 percent of those surveyed, worked in the Vancouver Coastal Region.

#### *Employment position*

Respondents were asked to provide their last job title within the MCFD. Eighty-one participants, or 76.4 percent of those surveyed, worked in front-line child protection services. Front-line child protection workers are direct service providers; they are often the first point of contact for children and families. They work with intake teams, after-hours teams, conduct child protection investigations and provide family services.

Seven and a half percent (eight respondents) of those surveyed, worked in guardianship and adoption services, responsible for providing support to foster families and working to arrange adoptions for children in permanent care of the Ministry. Another 6.6 percent, or seven respondents, provided specialized services such as mental health and school based services within the child protection context. An additional 6.6 percent of participants, or seven respondents, were in leadership or management positions within the MCFD, such as team leaders. Three respondents, or 2.8 percent of those surveyed, worked in office or administration positions. Overall, 29.4 percent of participants, or 32 respondents, worked with an Aboriginal service team for at least some of their time with the MCFD, while the remaining 70.6 percent, or 77 respondents, did not.

## PART 3: BACKGROUND



### **The child protection system in British Columbia:** The Ministry for Children and Family Development (“MCFD”) is the provincial Ministry responsible for child protection in B.C.

The MCFD draws its legislative mandate for child protection from the *Child, Family and Community Services Act* (“CFCSA”). Besides the CFCSA, the MCFD also administers the *Adoption Act*, the *Youth Justice Act*, the *Child Care B.C. Act* and the *Child Care Subsidy Act*. The Ministry is organized into five service regions: North, Interior, Fraser, Vancouver Coastal, and Vancouver Island.

In British Columbia, there are over 9,000 children living in care of the Ministry, over half of whom are Aboriginal.<sup>18</sup> There are many ways that child protection authorities can become involved with a family. Reports that prompt investigations can come from individuals in the community, including neighbours, partners, family members, or friends. Reports can also be made by professionals involved with a family, including doctors and teachers. In some cases, a parent will voluntarily approach the MCFD in order to seek support services.

Involvement with the child protection system is intimately connected to a family’s social and economic position. Physical abuse and sexual abuse are not the primary reasons that children are removed from their parents.<sup>19</sup> In 2005, physical harm by a parent was only cited as a ground for removal in 10 percent of child protection cases in the Lower Mainland. Sexual abuse or exploitation by a parent was cited as a reason for

removal in less than one percent of cases. The most commonly cited reasons for removal were parents unable/unwilling to care (47 percent) followed by neglect (25 percent). Apprehensions are generally the result of a parent’s struggle with poverty, addiction, mental health issues or family violence.<sup>20</sup>

The system also has a disproportionate impact on Aboriginal families. Ministry involvement of Aboriginal families increases with each successive stage of the child protection process. While Aboriginal children are 3.7 times more likely to have a protection concern reported than a non-Aboriginal child, that concern is 4.7 times more likely to be investigated and the child is 6.0 times more likely to be admitted into care.

Once admitted into care, Aboriginal children are less likely to be returned to their families resulting in Aboriginal children being 9.8 times more likely to be in care than their non-Aboriginal counterparts.<sup>21</sup> While the Ministry has taken some steps towards preserving the cultural heritage and kinship network of Aboriginal children, in 2006, the number of Aboriginal children in care surpassed the number of non-Aboriginal children for the first time.

Outcomes for children involved with the foster care system in B.C. are devastating. The British Columbia Federation of Foster

Parent Associations estimates that up to 65 percent of those who end up living on the streets have been involved with the child welfare system.<sup>22</sup> Seventy-three percent of youth involved with the young offenders system in B.C. are also involved with the child protection system.<sup>23</sup> Only 21 percent of former youth in care graduate high schools, compared with 78 percent of the general population.<sup>24</sup> In B.C., young women who have been in care are four times more likely to get pregnant than young women who have never been in care.<sup>25</sup>

### Attempts at child welfare reform in B.C.

There have been many attempts to reform B.C.'s child welfare system. In the last 20 years alone, there have been province-wide public consultations, two judicial inquiries into the deaths of children involved with the Ministry, and a complete overhaul of the legislation governing child protection work.

In the early 1990s, the government embarked on a province wide community consultation process to reform laws governing child welfare practices. The process culminated in two reports: *Making Changes: A Place to Start*, documenting the view of non-Aboriginal people, and *Liberating our Children, Liberating our Nations*, which summarized the unique concerns of Aboriginal communities. These documents had a major impact on the current child protection legislation, the *CFCSA*, which was passed by the B.C. legislature in June 1994 and came into force in January 1996. The influence of these reports, each of which stressed the importance of working collaboratively with families and communities and of providing supportive services to prevent apprehensions where possible, is most obvious in the Guiding Principles and Service Delivery Principles outlined in sections 2 and 3 of the *CFCSA*.<sup>26</sup>

#### *The Gove Inquiry*

The same year that the public community consultation process was concluding, a five-year-old Aboriginal boy named Matthew Vaudreuil died of asphyxia while in his mother's care. Upon his death, it became clear that Matthew's case had been mishandled. There had been at least 21 social workers involved with Matthew in his short life, as well as countless other professionals such as police and physicians. To restore public confidence in the child protection system, Justice Gove was appointed to investigate Matthew's death and conduct an inquiry into whether or not Matthew's case was indicative of more systemic problems with the province's child protection system.

The Gove report, released in 1995, had a major impact on the way the *CFCSA* was implemented.<sup>27</sup> The recommendations coming out of the report resulted in a move away from a family supports model resulting in a dramatic increase in the number of children in care in the province.<sup>28</sup>

#### *The Hughes Inquiry*

There were calls for another public inquiry into B.C.'s child welfare system after the death of a Nuu Chah Nulth girl named Sherry Charlie. Nineteen-month-old Sherry was murdered while in the care of an uncle.<sup>29</sup> Former conflict of interest commissioner Ted Hughes was appointed to chair an independent panel charged with examining the system. The Hughes report was delivered on April 7, 2006, and contained 62 recommendations to improve the child protection system including:

- that stability be brought to a system that has been wrought with an unmanageable degree of change;
- that external evaluation of all programs, starting with kith and kin agreements, be undertaken;
- that program evaluation and consultation with the Aboriginal community become routine;
- that the provincial government develop an Aboriginal child welfare system in collaboration with Aboriginal people following widespread community consultation;
- that Aboriginal agencies be provided with modern technology, training opportunities and support for emergencies that the Ministry offers its other regional agencies; and
- that a Representative for Children and Youth who would be an independent officer of the legislature be appointed.

Hughes indicated that the implementation of his recommendations would require a dedicated transition team and staff prepared to make detailed action plans and be responsible for the fulfillment of their new roles.<sup>30</sup> It would also require increases in budget, staffing and resources.<sup>31</sup>

#### *Implementation of Hughes' recommendations*

As a result of Hughes' review, a new position was created for an independent officer of the legislature who would act as a watchdog for the child welfare system.<sup>32</sup> Mary Ellen Turpel-Lafond was appointed as the Representative for Children and Youth ("the Representative") in November of 2006. Her mandate includes advocating on behalf of children and youth, supporting individual children and their families, monitoring

and reporting on government services available to children and youth and the Ministry's response to critical injuries and child deaths.

In 2007, the Representative issued her first report on the progress that the MCFD had made towards implementing Hughes recommendations.<sup>33</sup> At that time, the MCFD had only completed work on 15 of the 62 recommendations made by Hughes. In December 2008, the Representative's office issued their second progress report. In this report, the Representative found that the MCFD had failed to complete any of the 15 recommendations her office was reviewing during that period.

In the Representative's 2008 report she describes the Ministry's failure to implement Hughes' recommendations:

*A year since the release of the last Representative's Report on Hughes recommendations, no coordinated effort or plan is evident or articulated for MCFD to implement the remaining Hughes recommendations that require leadership.*<sup>34</sup>

The Representative acknowledged some positive steps that have been undertaken by the Ministry, such as awarding a contract for a new case management system and the passage of legislation meant to improve the working environment for social workers. However, the Representative expressed concern about ongoing barriers to information-sharing and disclosure to her office, and the MCFD's failure to consult her office when major policy shifts are being contemplated or conducted. The failure to disclose information and to consult with the Representative is particularly troubling given that Hughes recommended that her office be consulted on matters affecting vulnerable children, and intended that this office would promote stability, transparency and accountability to ensure better outcomes for children and youth.<sup>35</sup>

#### *Auditor General report*

In May of 2008, B.C.'s Auditor General released a report criticizing the MCFD's management of Aboriginal child protection services.<sup>36</sup> The goal of the audit was to consider the extent to which the MCFD was providing effective, culturally appropriate, and equitably accessible child protection services for Aboriginal families. She made the following four findings:

- The Ministry's Aboriginal child protection service delivery approach is only partly successful at delivering effective,

equitably accessible and culturally appropriate services, mainly through Aboriginal agencies.

- The Ministry has not identified the needs and resources required for Aboriginal child protection services.
- The Ministry's change management practices are not in step with its current service delivery goals.
- The Ministry does not report on how well Aboriginal child protection services are being delivered.

#### *Strong, Safe and Supported: A Commitment to B.C.'s Children and Youth*

In 2008, the MCFD issued a document entitled *Strong, Safe and Supported: A Commitment to B.C.'s Children and Youth*. The document outlines the Ministry's proposed vision for supporting children, youth, and families.<sup>37</sup>

The document also outlines guiding principles for the Ministry, including "a "strengths-based" approach, a "rights-based" approach, "holistic and needs-based" services, "child-focused family- and community-centred" service, as well as "transparency and accountability." While these are admirable principles, the CFCSA provides a set of progressive guiding principles for child welfare practice that the MCFD has consistently failed to implement over the past 13 years.<sup>38</sup> There is no information provided on how the MCFD plans to implement this even broader set of principles.

The Representative for Children and Youth commends the MCFD for the vision laid out in the document. However, she qualified her support by noting:

*At this stage it is an aspirational plan – budgeting, planning and implementation have not been completed. There is some confusion as to who will lead initiatives spanning numerous ministries. It is not clear what targets or performance measures will indicate realization of the plan...*<sup>39</sup>

The responses of social workers who took part in this study suggest that the Ministry does not have the resources, the staffing levels or the leadership required to fulfill its current mandate. Without resources and a strategy for implementation, a new plan, no matter how well intentioned, will not improve social worker retention or the lives of the families and children with whom they work.

## PART 4: REASONS CHILD PROTECTION WORKERS ARE LEAVING



Survey respondents who had left the MCFD were asked to explain the major reasons underlying their decision to leave child protection work. The majority of responses could be grouped into four categories: management and leadership concerns at the MCFD, high caseload, stress and burnout, and an inability to provide services to families.

The detailed comments provided by many respondents indicated that turnover among social workers at the MCFD is about much more than working conditions. For many former protection workers, the decision to leave the MCFD was the result of the frustration they felt for being unable carry out their work effectively or ethically. Respondents spoke with passion and dismay about a feeling that they were not able to do the type of preventive and supportive work that they thought they were signing up for when they were hired by the MCFD.

In response to the question “What were your main reasons for leaving?” a former front-line worker responded simply that she “cared too much, could do too little.” Not only did many workers feel that they were unable to have a positive impact on families, some workers identified MCFD child protection practice as actually damaging and detrimental to families:

*MCFD employees are institutionalized to think, act and respond in ways which are unethical, disrespectful and damaging to the families we are meant to care for.*

Some social workers stayed at the MCFD for many years before making the decision to leave; other social workers realized quickly that the MCFD was not right place for them. Consistently, high caseloads, stress and burnout, challenges faced in dealing with management, and an inability to provide useful preventative services for families were identified as obstacles to quality social work practice at the MCFD. These factors ultimately influenced the respondents’ decision to leave child protection work.

### **Caseload**

In response to an open-ended question inquiring into protection workers’ main reasons for leaving the MCFD, a third of survey respondents mentioned high caseloads or an unmanageable workload. When provided with a list of factors and asked to rank them according to the likelihood that a particular factor would have kept them from leaving their position in child protection, almost 70 percent of respondents indicated that a reduction in caseloads would have been “very likely” to have kept them, higher than any other factor, including wage increases.<sup>40</sup>

Survey #55

Caseload means the number of active files or cases that a social worker has responsibility for at any one time.<sup>41</sup> Thirty-eight percent of respondents indicated that at any given time they had between 26 and 35 cases, with another 37.2 percent indicating that they generally had more than 35 active cases at once during their time at the MCFD.<sup>42</sup>

The relatively small number of respondents in our sample who left child protection work in the period before 2006 or who are currently still employed by the MCFD do not allow us to make definitive claims about trends in the average caseloads for child protection workers over time, but the responses do indicate that caseload and workload are an ongoing concern among child protection workers. While the number of respondents reporting a caseload of over 36 is highest in the pre-2006 period, it remains high at 30 percent for people who left the MCFD between 2006 and the present, and 37.5 percent among respondents still working at the MCFD.<sup>43</sup>

One former child protection worker describes what having 40 families on her caseload means in practical terms:

*In a 35 hour work week with approximately 40 families, this entitles each family to 52.5 minutes of my time. Take away time spent on mandatory staff meetings, transportation to communities up to two hours away and I was left with approximately 35–40 minutes per week per family. This is NOT adequate to do quality work.*

Survey #25

There is no MCFD approved standard for how many cases a child protection worker should be responsible for at any given time.<sup>44</sup> The MCFD distinguishes between workload and caseload because cases can require such a diverse array of resources and activities.

Respondents in this study also make it clear that simply counting cases does not give an adequate sense of the workload for front-line workers, because some cases involve multiple siblings, each with distinctive challenges, long travel times, and other extenuating factors:

*[they are] adding invisible files such as placement with extended family or placement in a free home or out of care options. Social workers continue to*

*be responsible for the well being of the child yet there is no expectation that restricted foster parents will report or keep notes or participate in meetings. They are not trained and do not know what info we are looking for, we have to train everyone.*

Survey #14

For each year between 2002 and 2006, turnover rates for child protection social workers exceeded 10 percent.<sup>45</sup> Several survey respondents noted that vacant positions often went unfilled for months, and no coverage was provided during vacations or extended sick leaves. Survey respondents describe what happens when positions are left vacant and when new social workers are given large and challenging caseloads:

*With the number of tasks needing one's attention at all times it is basically impossible to adequately give each family, youth and child much needed attention. Also with staff turnover, and workers going off here and there, staffing levels are never at what would be called "fully staffed."*

Survey #19

*I think smaller caseloads and more support for new staff are key. Many new staff are given large and challenging caseloads as soon as they begin due to a shortage of experienced staff.*

Survey #5

Survey respondents also noted substantial concern that ever-changing and increasingly onerous paperwork requirements take more time than is acknowledged by MCFD management:

*Too much time writing on the computer entering data and writing reports, and too little time spent with families and children.*

Survey #18

*I often could not see my families as often as I would have liked to because of lengthy reports, closing recordings, opening recordings... this made it hard to balance home visits and contact that would have been helpful in helping the family work through their issues.*

Survey #8

In addition to issues related to understaffing, complex cases and onerous paperwork, social workers are given insufficient time to build relationships and address the unique needs of families. One former social worker explains:

*Number crunching seems to remain the way MCFD decides on how they are doing with their work with families. If we really want the families to have what they need we need lower caseloads and a higher degree of respect for the fact that our families do not fit into squares... each family is different and each family requires different solutions to make them successful.*

Survey #27

For survey respondents, the issue of overwork is directly linked to the feeling that they could not adequately serve the children they were working with:

*I did not feel, especially during my last three years on the job, that I had enough time with all the other demands to see the children in care on my caseload often enough. I did manage my formal reviews twice a year, but felt that I should be seeing the children at least once a month on their own, and I simply was not able to carry through with this.*

Survey #19

Only 10.7 percent of respondents indicated that they were “always” or “often” able to give adequate attention to each child and family on their caseload and fulfill their reporting requirements. Twenty-three percent of respondents indicated that they were “sometimes” able to adequately perform these duties, while 65.7 percent indicated that they were “rarely” or “never” able to give adequate attention while also fulfilling reporting requirements.<sup>46</sup>

When asked to describe the reasons that they were unable to perform all of their duties, 50 percent of respondents noted that high caseloads were a primary barrier to adequately performing their duties, particularly in light of the complex and demanding nature of many of the cases for which they were responsible:

*The workload was huge, stressful, and I truly wanted to do a good job. At the end of my seven years with the Ministry, I left because it was clear*

*that the workload was not going to be reduced anytime soon, and I could not do good, meaningful social work because of this.*

Survey #2

*I have conduct of 40 families on my caseloads. I am regularly chastised for not being able to meet standards, despite the shortage of staff and despite the high workload.... Intakes are placed on my caseload without my knowledge on a regular basis. If I spend 1 hour to speak to clients in distress, I am chastised for being inefficient.*

Survey #6

High caseloads made up of many challenging and complex situations left many respondents feeling that their job was simply to “put fires out” when a crisis emerged, and not to do meaningful protection and support work with children and families. The result is a cycle where protection workers leave the Ministry because they do not have the time they need to work effectively with families. This contributes to further turnover, loss of experienced workers, and inadequate staffing, which in turn exacerbates these issues for the workers who remain and new social workers who are hired.

### Management

Fifty percent of survey respondents indicated that they “always” or “usually” felt that they were a valued member of the team at the MCFD office and that their input and recommendations relating to their clients were adequately considered by team leaders. However, many survey respondents had concerns about supervision and leadership within the Ministry. In response to the open-ended question “What were your main reasons for leaving?” 41.1 percent of respondents mentioned concerns relating to leadership or management and 23 percent mentioned a lack of support or clinic supervision.<sup>47</sup>

Issues related to management and leadership ranged from unsupportive team leaders and ineffective clinic supervision, to concerns about the practices of high-level bureaucrats and politicians in Victoria.

In Pivot’s research with parents involved with the child protection system, we found that one great social worker can make an enormous difference in the experience of a family with the child protection system. However, more often, parents’

relationships with their social workers were characterized by power imbalance, a lack of support and unrealistic expectations.<sup>48</sup> Interestingly, team leaders seem to occupy a similar position for social workers. Good team leadership can make a difficult job more bearable, while a difficult team leader can drive social workers out of the Ministry.

When asked what supports were in place to help them do their job, many social workers mentioned extremely supportive team leaders who provided excellent supervision and avenues for debriefing:

*I commend my team leader for the support she offered me and the work she took on to help serve our families. At the time, I had only been working with the Ministry for a year so I often felt that I was always in crisis mode, moving from one task to another quickly. I had excellent clinical supervision and I had a team leader that was amazing... if it weren't for her great leadership and support I would not have been able to continue to do the work I was expected to complete.*

Survey #9

*I did have extremely competent clinical supervision from the team leader who retired. Once she left, I felt that my new team leader relied on me more to assist him by providing clinical input.*

Survey #21

Others had much more negative experiences, and this profoundly affected their experience at the Ministry:

*My supervisor wasn't even delegated, and had no experience in the field. Every time the supervisor went to meet the manager, she came back with a list of demands to add to the pressure. I felt no support, formal or informal.*

Survey #8

*If you had a good team leader then you could debrief. If you didn't you were screwed. I never had any help managing caseloads, and on my last team, a really inadequate team leader and no senior staff on team.*

Survey #43

In addition to providing support, team leaders are relied upon by frontline child protection workers to provide effective clinical supervision. Clinical supervision involves regularly discussing casework in a structured way. The purpose is to assist the practitioner in learning from his or her experiences, gain expertise, and ultimately ensure good service to the client. Some respondents felt that adequate clinical supervision was not available to them.

*The supervisor lacked skills in providing opportunities to debrief difficult cases and for clinical and technical supervision. Time was better spent with fellow social workers.*

Survey #35

*A "true" clinical supervisor needs to be available to de-brief and help guide a protection worker's practice. Not an MCFD version of this, which was tried and ended up just pushing paper and putting out fires. It would require a clinical social worker trained to support staff and not control them that could nurture all new staff to take pride in their work and see prevention versus intervention as a best practice.*

Survey #19

Survey respondents also expressed concern about the MCFD's lack of stability at a systemic level. One of the central recommendations coming out of Hughes' 2006 B.C. *Children and Youth Review* was the need for stability at the MCFD. Hughes describes the observations that led him to this conclusion:

*The strongest impression I have gleaned from this inquiry is one of a child welfare system that has been buffeted by an unmanageable degree of change. There has been a revolving door in senior leadership positions; emphasis in practice has shifted between child protection and family support; functions have been shifted out to the regions and then pulled back to the centre; new dispute resolution processes have been introduced. And much of this has gone on against a backdrop of significant funding cuts, even though it is commonly understood that organization change costs money.<sup>49</sup>*

Child protection workers, including those who left after Justice Hughes had made his comprehensive set of recommendations

in April 2006 and those who continue to do child protection work at the Ministry, feel that this unmanageable degree of change, combined with a lack of resources dedicated toward implementing changes has made consistent, quality front-line child protection work impossible:

*The MULTITUDE of changes that come down the pike from people who may have never even worked as a front line Social Worker, or haven't for many years. This sends everyone spinning.*

Survey #21

*Policy works and shifting objectives were the key problem...*

Survey #56

In order to retain social workers it is imperative that the MCFD address the lack of confidence in management and leadership expressed by respondents in this study. This ranges from ensuring competent management and clinical supervision at the team and office levels to taking Hughes' recommendation to end the constant restructuring at the MCFD seriously and appropriately funding the implementation of changes that are already in progress.

### **Lack of services**

Twenty-three percent of respondents cited a lack of services and resources for children and families as one of their main reasons for leaving child protection at the MCFD.<sup>50</sup> In some cases, respondents felt unable to identify potential support services because of time constraints. However, in most cases respondents explained that services were simply not available:

*The lack of resources for families and in particular women and babies was awful – the role was essentially to enforce the status quo and punish families for being poor.*

Survey #2

Several respondents spoke directly to their inability to truly support children and families because of the lack of available resources and indicated that this lack of services often leaves removal as the only viable option:

*The reality of child protection is taking kids away, and posing as a support to the family. You are too*

*bound to offer any real support and can only tear families apart.*

Survey #34

*There seemed to be little recognition that the issues involved in child protection are overwhelmingly dealing with alcohol and drug abuse, and mental illness. With no supports for clients from health to deal with these issues appropriately, as social workers we were left with the task to "fix it" ourselves. This generally meant removals and court.*

Survey #96

Some survey respondents felt that the lack of appropriate services and resources for children taken into care means that some children are being placed in situations that are not much safer than the situations they were removed from:

*Lack of foster care placements and quality placements led to children being removed and placed in almost equally risky situations... There was no time to consider the context of things, nor the ability to provide useful resources.*

Survey #2

Protection workers also noted long waitlists for programs and a lack of culturally appropriate services for Aboriginal families as concerns.

High turnover of child protection workers at the MCFD should be sending the message that without adequate resources, protection workers cannot be expected to adequately support children and families.

### **Stress and burnout**

Over a quarter of responses to the question "What were your main reasons for leaving?" referred to burnout, and, as one worker put it, "stress and more stress." Former social workers described a climate of constant pressure that made the job unbearable. One worker described her reason for leaving child protection work in the following way:

*Burn out – no break from this work – continual crisis intervention year after year, with little or no "downtime" to catch up.*

Survey #62

Survey respondents noted that despite the stress of their work, there was no support offered to help them manage or mitigate the pressures of the job.

Several respondents explained that the stress they experienced while working in child protection had serious effects on their physical and mental health. One respondent described leaving their position under the following circumstances:

*I was offered another job in [another] sector which I eagerly accepted. I was on the verge of a nervous breakdown – the stress of the system was just too much.*

Survey #18

Former child protection workers indicated that the stress of their job not only had personal consequences but also impacted their clients and their co-workers. One worker pointed out that when people are stressed, they miss more work due to illnesses which in turn affects other workers who have to handle the increased workload when absences are not covered by replacement workers. Another worker identified concern about the effect of the stress she was experiencing on the families on her caseload:

*I had begun to experience serious stress levels and that began to impact my ability to serve the families I worked with.*

Survey #38

As Justice Hughes noted in his review, child protection is a challenging job at the best of times.<sup>51</sup> However, when these challenges are combined with a lack of staff support and few resources for families in crisis, or to prevent crisis, the stress level becomes so unmanageable that front-line workers leave the child welfare system.

## PART 5: FALLING SHORT ON THE MINISTRY MANDATE



The Ministry of Children and Family Development (“MCFD”) is the government ministry responsible for ensuring the safety and well-being of children in British Columbia. It is the job of the Ministry’s front-line social workers, also known as child protection workers, to put Ministry legislation and policy into practice.

For many parents and children involved with the child protection system, the social worker is the only Ministry official they will ever meet. Child protection workers are delegated under the *Child, Family and Community Services Act* (“CFCSA”) with the authority to make decisions relating to families and children in B.C., including:

- deciding if and when to remove a child;
- investigating whether there is a child protection concern;
- deciding whether access with a parent should be supervised or unsupervised;
- deciding what supports families need to stay together;
- identifying issues that parents need to work on in order to have children returned;
- creating a plan of care for children who are in care;
- recommending terms of a supervision order for a parent;
- deciding when to return a child home.

Front-line social workers do not make all of their decisions in isolation. Generally they consult with their team leader, and sometimes their area manager. Judges at the Provincial Court are also responsible for reviewing decisions relating to the removal of a child and supervision terms required for a parent.

The principles that guide the work of social workers at the Ministry are set out clearly in B.C.’s child protection legislation.

Section 2 reads:

*This Act must be interpreted and administered so that the safety and well-being of children are the paramount considerations and in accordance with the following principles:*

- a) *children are entitled to be protected from abuse, neglect and harm or threat of harm;*
- b) *a family is the preferred environment for the care and upbringing of children and the responsibility for the protection of children rests primarily with the parents;*
- c) *if, with available support services, a family can provide a safe and nurturing environment for a child, support services should be provided;*
- d) *the child's views should be taken into account when decisions relating to a child are made;*
- e) *kinship ties and a child's attachment to the extended family should be preserved if possible;*
- f) *the cultural identity of aboriginal children should be preserved;*
- g) *decisions relating to children should be made and implemented in a timely manner.*

Section 3 reads:

*The following principles apply to the provision of services under this Act:*

- a) *families and children should be informed of the services available to them and encouraged to participate in decisions that affect them;*
- b) *aboriginal people should be involved in the planning and delivery of services to aboriginal families and their children;*
- c) *services should be planned and provided in ways that are sensitive to the needs and the cultural, racial and religious heritage of those receiving the services;*
- d) *services should be integrated, whenever possible and appropriate, with services provided by government ministries, community agencies and Community Living British Columbia established under the Community Living Authority Act;*
- e) *the community should be involved, whenever possible and appropriate, in the planning and delivery of services, including preventative and support services to families and children.*

The principles were the result of a major consultation with both Aboriginal and non-Aboriginal communities in the early 1990s. They reflect a commitment to keeping families together by supporting parents, valuing extended family networks and communities, and respecting the inherent value of Aboriginal families. These principles are effectively the rules that govern

how a social worker should make decisions relating to families on a daily basis.

A typical workday for a child protection worker can involve any number of high-stress and time-consuming tasks, including responding to calls from parents whose children are in care, conducting home visits, interviewing children, developing plans of care for children, making referrals to agencies, drafting documents for court, attending court, consulting with lawyers representing the MCFD, responding to crisis calls that require immediate attention, and completing a great deal of paperwork.

Without adequate resources, it is hard to imagine how the guiding principles and service delivery principles could be effectively implemented. All of the principles suggest an approach that requires an upfront time investment in working directly with children and their parents, extended families, the Aboriginal community, service providers, and community agencies.

In this study, we asked social workers specific questions about their ability to do their job in accordance with the values embedded in B.C.'s child welfare legislation. In particular, we asked:

- whether they were able to give adequate attention to each child and family on their caseload;
- if there were any required duties of their job that they were not able to adequately carry out;
- whether they felt like they were acting in the best interests of children;
- whether there were adequate preventative and support services available, either through the Ministry or the community.

The results were alarming in that many social workers did not have the basic resources they needed to do their jobs and make sure they were acting in children's best interests.

### **The best interests of the child**

The "best interests of the child" is a term often used in the child protection context as it is supposed to be at the centre of the inquiry. The underlying assumption of our child protection legislation, policies, and practices is that these rules and procedures are in place to protect the best interests of the child.

The "best interests of the child" is so fundamental to our understanding of children's rights that the Committee on

the Rights of the Child considers it a guiding principle of the United Nations Convention on the Rights of the Child (“the Convention”). Article 3(1) of the Convention requires the best interests of the child be a primary consideration in all decisions concerning children:

*In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.*

*The Convention specifically considers the child welfare context in requiring that the best interests of the child be considered in situations of separation from parents,<sup>52</sup> and in the deprivation of family environment.<sup>53</sup>*

The Convention provides no definition for the term. It is generally agreed that to operate from a “best interests of the child” perspective, one has to focus on the child’s needs. A common criticism of the concept is that its vagueness fails to provide a useful standard for decision making about children. Another concern about the concept of the “best interests of the child” has been the courts’ willingness to rely upon recommendations of “experts” purporting to possess objective scientific knowledge about what is in the child’s best interests.

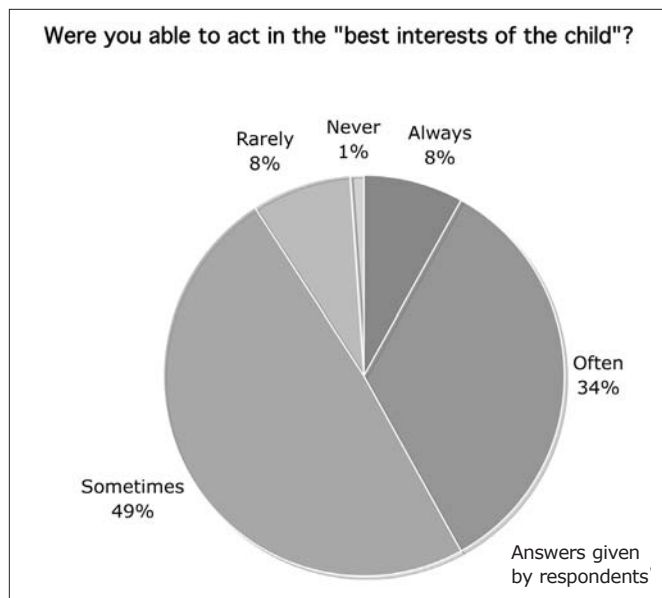
B.C.’s child welfare legislation sets out the factors that must be considered when determining a child’s best interests, including the:

- child’s safety;
- child’s physical and emotional needs and level of development;
- importance of continuity in the child’s care;
- quality of the relationship the child has with a parent or other person and the effect of maintaining that relationship;
- child’s cultural, racial, linguistic and religious heritage;
- child’s views;
- effect on the child if there is delay in making a decision.

The CFCSA also requires that where the child is an Aboriginal child, “the importance of preserving the child’s cultural identity must be considered in determining the child’s best interests.”<sup>54</sup>

Like the guiding and service delivery principles, these factors are no doubt important but unlikely to be fully explored by a

social worker who is operating in crisis mode, without the time to consider whether her decisions are in accordance with all of these factors.



Approximately 58 percent of the social workers surveyed indicated that they could “sometimes” or “rarely” “act in the best interests of the child.”<sup>55</sup>

Many workers discussed not having the time to clearly ascertain family needs and insufficient time and resources to find appropriate alternatives to placement in foster care, as well as to provide counseling and other necessary services:

*Often the problems that families were facing would take years of therapeutic intervention that was not available. Unorthodox methods of keeping children safe were not readily accepted by the Ministry. Children were moved from placement to placement too often. Teens had no stability and no privacy within the system.*

Survey #80

Many of the respondents also expressed a belief that cost-cutting, rather than effective service provision, motivates decision making at the MCFD, leading to outcomes that are not in the best interests of children.

*The system was fraught with problems and ethical dilemmas managers did not want to see or hear about. Hence, bean counting became the order of the day.*

Survey #1

Many of the workers saw MCFD management as inflexible and unwilling to find creative ways of meeting the needs of children and families. Also mentioned was the MCFD’s inability to achieve culturally competent practice with Aboriginal families and resistance to involving the Aboriginal community in determining “the best interests of the child.” Some workers mentioned limited opportunities to include the child’s perspective in the process, citing a belief that courts do not give the child’s perspective sufficient weight in making their decisions. Respondents clearly and consistently expressed that existing staff and resources at the MCFD are insufficient to act in the best interests of the child at every level of Ministry intervention.

*I always did the best I could with what I had, and was willing to advocate relentlessly, but was consistently limited by systemic shortcomings.*

Survey #107

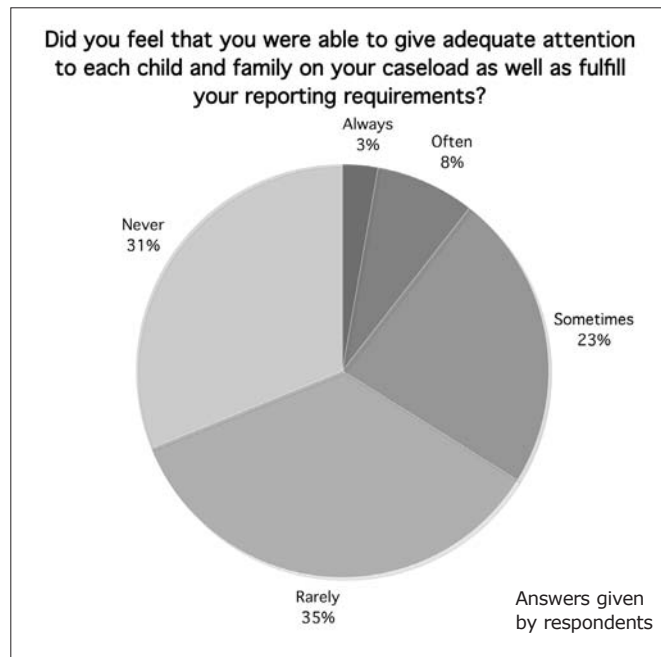
Many social workers felt that they were compromising not only their professional ethics by working within the MCFD structure but also their personal values. One social worker described her experience in some detail:

*Social work at MCFD did not fit with my values and the way I would like to practice social work. The style on the team I was on was intrusive. It appeared social work was based on liability and budget. An assessment regarding a family was made by setting up defenses, to ensure no liability for error, against any possibility of wrong that may happen. There was no faith in the families, there was only fear about all the negative things that may come about. Children’s well-being and families did not seem to be at the center of the work.*

She went on to describe how this problem was compounded by an extreme shortage of basic resources:

*In regard to budget, I was unable to do things I deemed in the family’s best interest because of a*

*lack of funding. I removed a one year old baby and was then told that her mother could visit the child just one hour per week because that was the only time left in our supervised access budget of nine hours each week. That nine hours was to cover all visits for the whole team.*



The survey respondents provided thoughtful responses about the reasons underlying their inability to give adequate attention to the children and families on their caseload. Fifty percent of the respondents felt that their high caseload and general overwork was the major factor that impeded them from fulfilling a primary responsibility in their job.<sup>56</sup>

The concept of the “best interests of the child” is the overarching principle in child protection work. Social workers who completed this survey responded with frustration at their inability to, at times, do the very essence of their job – act in the best interests of children.

**Principles related to support services**

There are three principles in the CFCSA that directly address the provision of support services to children and families involved with the child welfare system:

- If, with available support services, a family can provide a

safe and nurturing environment for a child, support services should be provided.

- Services should be integrated, wherever possible and appropriate, with services provided by government ministries, community agencies and Community Living British Columbia established under the *Community Living Authority Act*.
- The community should be involved, wherever possible and appropriate, in the planning and delivery of services, including preventative and support services to families and children.

Despite clear recognition of both the need for and value of support services for children and families in the legislation, in response to an open-ended question, 25.4 percent of respondents identified insufficient services and resources as the major impediment they faced in performing their employment duties.<sup>57</sup>

One social worker described the basic economic reality of the families who were involved with the MCFD:

*There was no funding for programs to help families in need. Income assistance rates are way too low, below the poverty line; people had to fight to get a bus ticket for someone. There were always a lot of judgments if families refused to jump the hoops as well. Perhaps funding for resources would be there if we didn't blame individuals for social problems.*

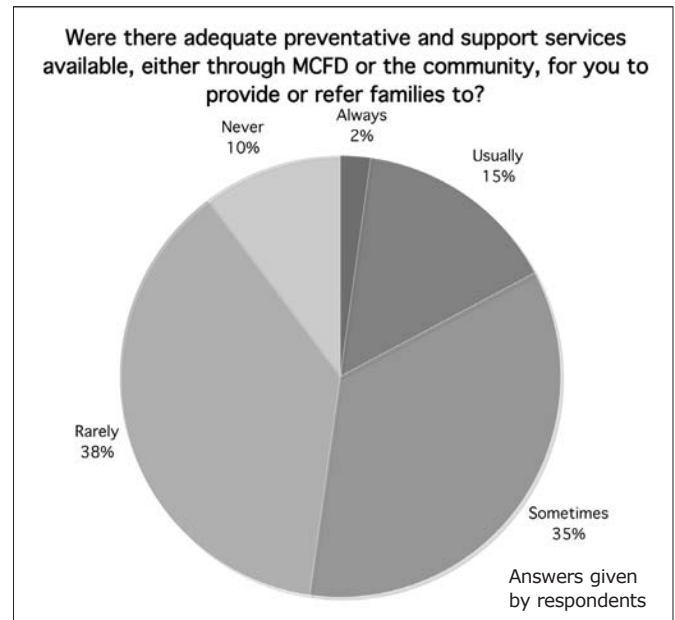
Survey #60

When asked “Were there adequate preventative and support services available, either through the MCFD or the community, for you to provide or refer families to?” 47.7 percent of respondents reported there were “rarely” or “never” adequate services, a further 35.2 percent of respondents identified there were “sometimes” adequate services, and the remaining 17.1 percent of respondents cited there were “usually” or “always” adequate services.<sup>58</sup>

A prominent theme in respondents’ narratives was the lack of preventative and support services in general, through either the MCFD or the community, and the negative impact this had for children and families:

*Often children were removed because of a lack of resources which meant placing them in expensive foster care situations in preference to supporting families economically and giving them the support they need to parent.*

Survey #22



*Too little daycare to families who really needed it to function and maintain, not enough treatment programs, particularly for women, too little services for families where domestic violence was a very real and significantly damaging issue, too few parenting programs, too little family outreach support, too many people living in abject poverty, and on and on.*

Survey #109

Several survey respondents noted the importance of providing preventative services in order to avoid further crisis within families and a family’s future involvement with the child welfare system:

*Prevention is not something the Ministry spends money on at all. We all know when families are going downhill, as there have been numerous calls on them, but it is not serious enough, so we don't respond at the intake level.*

Survey #6

*Cases have to be high risk protection to utilize services when lower risk cases could be prevented from deteriorating if access was available.*

Survey #74

The preventative and support services available either through the MCFD or the community, were described by a number of respondents as not necessarily able to meet the needs of families. These services are also often accompanied by lengthy waitlists:

*I could not plan placements and, in fact, often begged foster parents to take children in the middle of the night even though I knew their home was already overloaded with children. I had to fight an exhausting fight to get management to stand up with me to protect children and/or get the support services required (ie child care workers or home support workers). The budget was constantly the issue....*

Survey #57

*There are often waitlists for service. Many parenting services do not want to work with families until addiction issues are fully addressed. Many in-home services won't work with families where there has been domestic violence. There is a general lack of youth services. There also seems to be a lack of services to work with parents who suffer from any type of mental disorder or delay.*

Survey #76

*I recall sending a mom who was developmentally delayed to parenting classes because that is all there was – this individual did not have the intellectual capacity to benefit from these classes.*

Survey #12

Many social workers in this study also highlighted the inadequate and inaccessible nature of services in some regions due to barriers such as geographic isolation and inadequate public transport:

*When families live in rural areas with no public transportation and unreliable private transport, accessing services that were only offered centrally*

*made family support and reunification next to impossible.*

Survey #65

*Very few [support services] existed in the geographic location I worked in. And these were getting fewer and farther between province-wide as well.*

Survey #15

B.C.'s child welfare legislation recognizes the importance of providing support services to keep families together. In practice, the principles related to the need to provide support services to families have not been effectively implemented by the MCFD. As a result, child protection workers are unable to do their job in a way that is consistent with the service delivery principles outlined in the CFCSA.

#### **Less disruptive measures**

The principle that goes hand in hand with the necessity of providing support services to families is the requirement for social workers to look for less disruptive measures when making decisions about children. Before a child is apprehended, the social worker should consider whether there are less disruptive measures than placing the child in foster care that could keep the child safe. Less disruptive measures may include a supervision order and support services to keep the child at home or placement with other family members or friends who are known to the child and deemed safe by the MCFD. The most common arrangement is known as a "kith and kin" agreement between the parent, the MCFD and the family or friend to provide a home agreeable to all parties. It is generally agreed that these measures cause less trauma and result in better outcomes for a child who may not be able to live with their parents for a period of time.

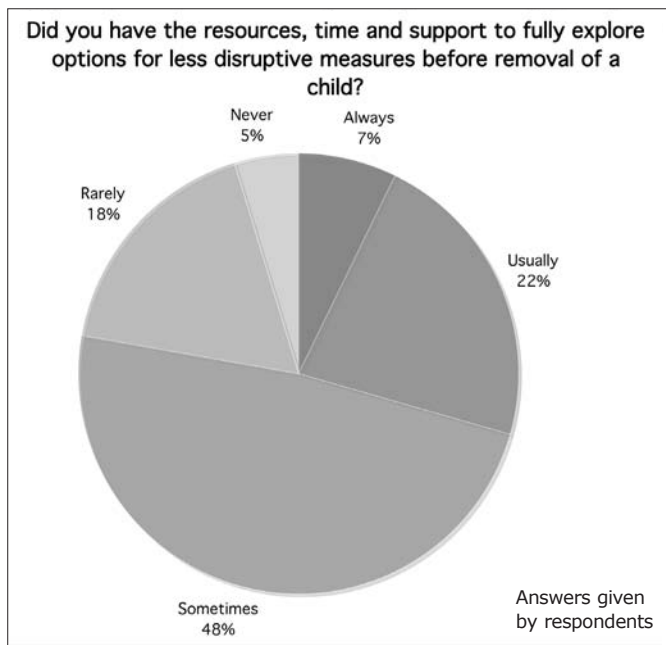
In response to the question, "Did you have the resources, time and support to fully explore options for less disruptive measures before removal of a child?" only 7.1 percent responded that they always did. The most common answer, at 48.2 percent of respondents, was that they could "sometimes" fully explore options for less disruptive measures.<sup>59</sup>

Many respondents stated that they had a strong commitment to exploring less disruptive measures but that the time and work involved in doing this was not supported by the MCFD.

This was articulated by a social worker who is still employed by the MCFD who explained the issues that make exploring less disruptive measures challenging:

*I do not have the resources, time and support. Nevertheless, I believe strongly that I should strive to use the least disruptive measures, I make the time. Often it means I work through my lunch, my breaks, stay later than I should and receive no compensation. Why? Because when all is said and done and the least disruptive measures work, the child thrives.*

Survey #72



Many respondents felt strongly that it was important to find alternatives to removal but that there was not enough time to ensure that this was done carefully. One worker explained:

*...lots of pressure to place with extended family even when the home was substandard. Often when a child was removed they were returned to unsafe situations with few resources to support the return home.*

Survey #12

Several respondents pointed out that implementing “less disruptive measures” requires that support services and

resources for keeping families together be made available. Nevertheless, these services have been cut over the years:

*Least disruptive measures involve family supports. When those programs were cut, there was a diminished pool of resources where families could be referred to increase the opportunity for change and increase the families’ visibility in the community.*

Survey #17

Of even greater concern was the feeling among some respondents that where “less disruptive measures” were being pursued, it was more as a cost-saving measure than as a principle oriented to serving the best interests of the child:

*The Ministry did not want children removed. This costs money. So... we were forced to consider options that would not protect the child but were less costly...*

Survey #57

Looking for less disruptive measures is a very important concept in B.C.’s child welfare legislation. It is grounded in the understanding that by and large children do not do well when they are placed in government care. The principle is rendered meaningless if resources are not put in place to ensure both that support services that could prevent the removal of children from families are available and that social workers have the time to create plans for families that keep them safe and avoid placing children in the foster care system.

### Aboriginal families and communities

Aboriginal people have a distinctive relationship to the child welfare system. The *Child, Family and Community Service Act* (“CFCSA”), current MCFD practice standards, and the Ministry’s move toward delegating child protection functions to Aboriginal agencies all indicate a clear awareness of the disproportionately negative impact that government policies carried out in the name of “child protection” have had on Aboriginal families and communities. However, in 2006 the number of Aboriginal children in care surpassed the number of non-Aboriginal children in care for the first time.<sup>60</sup> Moreover, less than 16 percent of children in care are placed with Aboriginal caregivers.<sup>61</sup>

There are three guiding and service delivery principles that speak directly to appropriately addressing the specific needs of Aboriginal families:

- The cultural identity of Aboriginal children should be preserved.
- Aboriginal people should be involved in the planning and delivery of services to Aboriginal families and children.
- Services should be planned in ways that are sensitive to the needs and the cultural, racial and religious heritage of those receiving services.

Given the over-representation of Aboriginal children in care, it is not surprising that most respondents had extensive experience working with Aboriginal families. Almost thirty percent of respondents reported having worked with an Aboriginal team at some point during their time at the MCFD.<sup>62</sup> Others indicated that while they did not work specifically with an Aboriginal service team, Aboriginal people made up the majority of their caseload.

Several of the parents who took part in Pivot's *Broken Promises* study raised concerns about the lack of Aboriginal social workers at the MCFD, and their experiences indicated that in spite of the strides that have been made in some areas such as delegation of child protection responsibilities to Aboriginal authorities, legislative principles related specifically to Aboriginal children have not been fully implemented.<sup>63</sup> Respondents in this study offer some insights into why this is the case.

A number of social workers raised the concern that there were very few Aboriginal social workers serving Aboriginal families. In some cases, social workers, both Aboriginal and non-Aboriginal, felt that team leaders did not do enough to create an atmosphere that would retain Aboriginal workers. There were also a number of broader concerns about team leaders' attitudes towards Aboriginal people that were raised by respondents:

*The Team Leader seemed to lack skills in having good relationships with First Nations and gave no support to the staff when there were any issues that were controversial. Other areas got along well with the First Nations they worked with yet in our area it was constant fighting and confrontations and the lack of leadership and support created a toxic intolerable environment.*

Survey #27

Given that child protection teams are mandated to work collaboratively with Aboriginal communities and to provide culturally relevant services, it is imperative that significant work be done to recruit and retain Aboriginal social workers. Team leaders must be held accountable for creating an atmosphere that is conducive to social work practice in compliance with the principles of the *CFCSA*.

A number of respondents recognized the importance of providing culturally relevant service but did not feel that their training prepared them to do so:

*I received three months of training in 2001 and we spent less than half a day talking about addictions, and less than that having a fellow read verbatim out of the training manual about First Nations issues. Given that most families I worked with were significantly affected by addictions, and most were of First Nations descent, I find this reprehensible.*

Survey #109

*I did not receive any more training other than my delegation training... I struggled with cultural competency being white and working with Aboriginal families for the first time. We had one day in the training on Aboriginal issues...*

Survey #39

Some respondents indicated that some positive steps had been taken in their offices with respect to providing relevant service to Aboriginal families; however, this seems to be happening on a team-by-team basis rather than at a systemic level:

*[My former team] did not incorporate Aboriginal customs or traditions when working with these families. Now, working with another team I have already participated in a brush down and a pipe ceremony. These customs are an integral part of learning about the meaningfulness of working with Aboriginal peoples and incorporating their traditions to heal past trauma and current trauma.*

Survey #38

Developing and providing culturally relevant services is one of the central principles in B.C.'s child protection legislation.

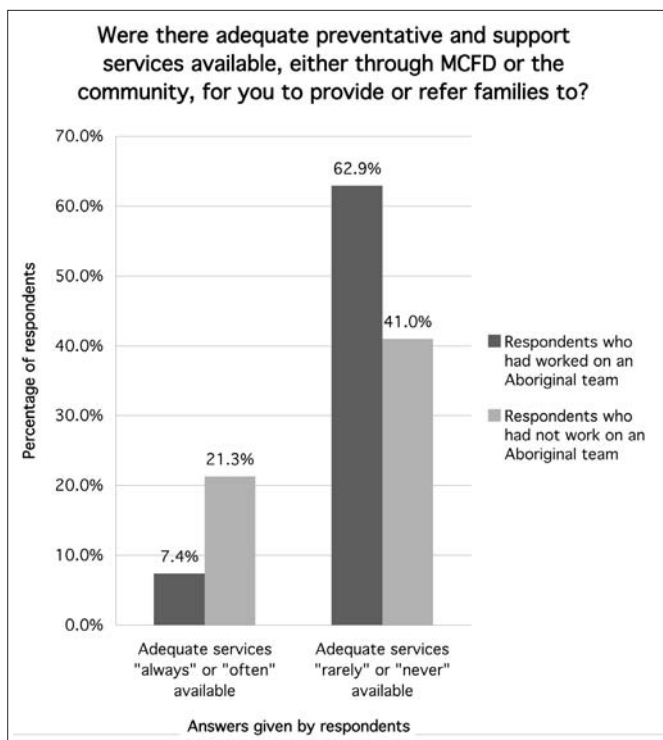
However, a number of respondents indicated that where culturally competent service delivery is happening, the initiative often comes from an individual social worker:

*I worked with many Aboriginal families and set up a committee of elders to advise social workers on culture and conflict resolution. After I left the committee was never reconvened.*

Survey #77

*I did not feel empowered to influence the work the resource team was doing (almost no Aboriginal recruitment) and had to expend a great deal of energy to do the work in a culturally competent way – huge resistance from most colleagues for the way I practiced (involving anyone from the family and community who needed to be involved in the planning).*

Survey #23



Overall, survey responses were very similar between those who worked on Aboriginal teams and those who had not. The one question where there was a major discrepancy in results was “Were there adequate preventative and support services

available, either through MCFD or the community, for you to provide or refer families to?” 7.4 percent of respondents who had worked on an Aboriginal team indicated that there were “always” or “often” adequate services to refer clients to, compared with 21.3 percent of respondents who had not worked on an Aboriginal-specific team. 62.9 percent of respondents from Aboriginal teams indicated that there were “rarely” or “never” adequate services, compared with 41 percent of respondents from non-Aboriginal teams.<sup>64</sup>

As a number of respondents noted, seeking culturally relevant resources, involving extended families in decision making, and working collaboratively with bands and Aboriginal agencies takes time and requires that resources referral are in place. The lack of resources was identified as a significant barrier to effectively serving Aboriginal families and communities:

*The best services for our families were limited, particularly to our Aboriginal clients. Although Aboriginal children make up over half of the children-in care, in Fraser, we only had access to 10–17 percent of the referrals for support services. When this discrepancy was presented to management, along with concerns for staffing levels, there was little support offered.*

Survey #90

*The supports we had were provided by non-Aboriginal people and were not very effective with Aboriginal community members.*

Survey #39

Some of the barriers to effective implementation of legislative principles related to Aboriginal children and families may be resolved as delegated Aboriginal agencies take over more child welfare functions. It is beyond the scope of this study to evaluate the efficacy of the delegation process. Regardless of whether services are delivered through a mainstream office, an Aboriginal service team, or a delegated agency, the MCFD needs to be held accountable for compliance with principles and practice standards if the Ministry is to improve outcomes for Aboriginal children and families and retain staff who are committed to working effectively with Aboriginal children and families:

*I was tired of feeling ethically compromised such*

*that my integrity was at risk. MCFD gives “lip service” to changing the practice with Aboriginal children and families but fails to make the kind of commitment necessary to ensure non-Aboriginal staff really understand how their implicit bias, stereotypes and unintentional/unconscious/silent racism continues to oppress and marginalize Aboriginal people. There is very limited support from the higher levels of the Ministry and no appetite for meaningful, lasting change.*

Survey #23

In order to fulfill its mandate, the MCFD must recruit and retain more Aboriginal staff for both frontline and management positions, provide all staff with effective training, and then give staff the resources needed to implement culturally relevant practices into their work. There must also be funding devoted to creating more services for Aboriginal families developed in collaboration with Aboriginal people.

## PART 6: MOVING FORWARD



The concerns raised by current and former child protection workers in this study mirror many that were raised by parents who took part in the *Broken Promises* report released in 2008. Child protection workers' perspectives and experiences not only reinforce findings that the child protection system is not working for the children and families it is meant to support, they also deepen our understanding of where the system is breaking down.

### Improve child protection worker retention

The MCFD has a very high rate of employee turnover, losing over 10 percent of their child protection workers each year.<sup>65</sup>

While some respondents raised the need for increased monetary compensation, most social workers indicated the major factors that would have “very likely” kept them from leaving the Ministry were a reduction in caseloads (69.1 percent), sufficient support services for families (64.7 percent), and improved supervisory support (51.4 percent).<sup>66</sup>

Some protection workers also shared ideas such as incentives to reduce turnover in smaller communities and opportunities for job sharing and part-time work to make a stressful job more manageable and to ensure that they can maintain a reasonable work/life balance.

### Give social workers the tools they need to live up to their mandate

Child protection workers who took part in this study indicated that, by and large, they do not have the time, resources and support needed to adequately perform the duties required of them. More fundamentally, many felt that while working at the MCFD they could not practice social work in a way that was consistent with their training and values:

*I'm not sure anything would have changed my decision to leave when the job was so inconsistent to my personal and social work values and ethics.*

Survey #15

Many respondents in this study indicated that they went into child protection social work because they wanted to build meaningful relationships with and provide support to children and families facing challenges. This approach to social work is consistent with the principles laid out in the *CFCSA*, however, the actual conditions under which child protection workers are working make implementing this approach very difficult.

A number of respondents indicated that they simply want the opportunity to implement best practices into their work with families:

*Look at years of best practices recommendations by innumerable child welfare studies and implementation at least a few at a time. MCFD child protection workers should ideally be seen as a support by families not as “child police.”*

Survey #1

*Make MCFD a place that families WANT to come to for support, where staff feel supported by other staff and aren't so run off their feet and “directed*

*from above” that they close their hearts and go for the easy “fix” of removal.*

Survey #18

*ments) or pay later (jails, youth detention, homelessness, school drop outs, gangs, mental health and addictions issues)...*

Survey #3

### **Create the Systemic Conditions for Safe and Supported Children and Families**

Child protection workers have an important role to play in protecting vulnerable children and families; however, many respondents noted that supporting families cannot begin and end with the child protection system. The government must invest in ensuring that families have the resources they need to adequately care for and protect their children; otherwise there are major limitations as to what the child protection system can accomplish:

*I guess it comes down to the basic fact that child protection workers do their best within a flawed and outdated system. A lot of the issues could be lessened by adequate housing and poverty reduction and an acknowledgement that we are dealing with people and that they should be treated with dignity and so should child protection workers.*

Survey #30

Child protection workers are asked to do a very challenging and important job. They stand on the frontlines of a system that has, at times, come under intense public scrutiny for failing the children and youth it is mandated to protect. The system has been the subject of multiple formal reviews, internal restructuring processes and service plans. Yet the concerns of those involved with the system, both as clients and as workers, remain consistently unacknowledged. Without a commitment to providing child protection workers with the resources and support needed to do the work they are mandated to do, the system will remain reactive and crisis-driven, and outcomes for the children and families they work with will not improve.

Addressing the root causes of many of the crises that child protection workers come across in the course of their work is important. It is also imperative that when a crisis does occur and the child protection system intervenes, there are resources in place to support the child, youth or family in the long term:

*Move away from the control and enforcement of the welfare state to helping families in crisis and to create healing opportunities when abuse and neglect have occurred by providing useful resources such as sufficient income to live on and helpful parenting programs...*

Survey #61

A number of respondents noted that while some of these solutions seem expensive, there are fiscal and social costs associated with failing to support children, families and communities preventatively:

*The public needs to recognize that it is either pay now (providing supports, resources and place-*

## ENDNOTES

1. The terms “social worker” and “child protection worker” are used interchangeably to describe study participants. For a more in-depth discussion of the demographics of the participants see Part 2. For a fuller discussion of the role of child protection workers see Part 3.
2. Perrin, D. (2006). *Child Protection: Workload, Training and Budget Changes*. Available at [www.llbccat.leg.bc.ca/ipac.jsp?index=BIB&term=405502](http://www.llbccat.leg.bc.ca/ipac.jsp?index=BIB&term=405502). All discussion provided in this paper is based on information provided by the Ministry of Children and Family Development.
3. For a full discussion of the impact of changing social workers on families involved with the Ministry of Children and Family Development see: Bennett, D. and Sadrehashemi, L. (2008). *Broken Promises: Parents Speak about B.C.'s Child Welfare System*. Available at [www.pivotlegal.org](http://www.pivotlegal.org).
4. Public Eye Online. (2008, August 6). 'That's Sick'. Available at [www.publiceyeonline.com/archives/003203.html](http://www.publiceyeonline.com/archives/003203.html); B.C. Association of Social Workers, (2008, September 22); The B.C. Government Must Demonstrate Leadership and Commitment to Resolve Crisis in Recruiting and Retaining Child Protection Social Workers. Available at [www.bcasw.org/Content?NewsandMedia/NewsArchive.asp?ItemID=51430](http://www.bcasw.org/Content?NewsandMedia/NewsArchive.asp?ItemID=51430).
5. The experiences of current child protection workers are included in the final analysis.
6. *The Child, Family and Community Service Act* is the legislation governing B.C.'s child welfare system.
7. The Ministry of Children and Family Development is also referred to in this report as “the MCFD” and “the Ministry.”
8. Bennett, D. and Sadrehashemi, L. (2008). *Broken Promises: Parents Speak about B.C.'s Child Welfare System*, pg.62-63. Available at [pivotlegal.org](http://pivotlegal.org).
9. See Perrin, D. (2006). *Child Protection: Workload, Training and Budget Changes*. Available at [www.llbccat.leg.bc.ca/ipac.jsp?index=BIB&term=405502](http://www.llbccat.leg.bc.ca/ipac.jsp?index=BIB&term=405502) and Public Eye Online. (2008, August 6). “That's Sick.” Available at [www.publiceyeonline.com/archives/003203.html](http://www.publiceyeonline.com/archives/003203.html)
10. Perrin, D. (2006). *Child Protection: Workload, Training and Budget Changes*. Available at [www.llbccat.leg.bc.ca/ipac.jsp?index=BIB&term=405502](http://www.llbccat.leg.bc.ca/ipac.jsp?index=BIB&term=405502). All discussion provided in this paper is based on information provided by the Ministry of Children and Family Development.
11. Public Eye Online. (2008, August 6). 'That's Sick'. Available at [www.publiceyeonline.com/archives/003203.html](http://www.publiceyeonline.com/archives/003203.html); BC Association of Social Workers, (2008, September 22); 'The B.C. Government Must Demonstrate Leadership and Commitment to Resolve Crisis in Recruiting and Retaining Child Protection Social Workers'. Available at [www.bcasw.org/Content?NewsandMedia/NewsArchive.asp?ItemID=51430](http://www.bcasw.org/Content?NewsandMedia/NewsArchive.asp?ItemID=51430).
12. Hughes, T. (2006). *B.C. Children and Youth Review*, pg. 142. Available at [www.mcf.gove.bc.ca/bcchildprotection/pdf/BC\\_Children\\_and\\_Youth\\_Review\\_Report\\_FINAL\\_April\\_4.pdf](http://www.mcf.gove.bc.ca/bcchildprotection/pdf/BC_Children_and_Youth_Review_Report_FINAL_April_4.pdf).
13. Hughes, T. (2006). *B.C. Children and Youth Review*, pg. 142. Available at [www.mcf.gove.bc.ca/bcchildprotection/pdf/BC\\_Children\\_and\\_Youth\\_Review\\_Report\\_FINAL\\_April\\_4.pdf](http://www.mcf.gove.bc.ca/bcchildprotection/pdf/BC_Children_and_Youth_Review_Report_FINAL_April_4.pdf)
14. The Ministry of Children and Family Development (February, 2009). “Budget 2009, Ministry of Children and Family Development 2009/10 - 2011/12 Service Plan.” pg. 19 available at <http://www.bcbudget.gov.bc.ca/2009/sp/pdf/ministry/cfd.pdf>.
15. There were 88 responses to this question in total.
16. There were 85 responses to this question in total.
17. There were 85 responses to this question in total.
18. Ministry of Children and Family Development. (2007/2008). Annual Service Plan. Available at [www.bcbudget.gov.bc.ca/Annual\\_Reports/2007\\_2008/cfd/cfd.pdf](http://www.bcbudget.gov.bc.ca/Annual_Reports/2007_2008/cfd/cfd.pdf).
19. Numbers are based upon admission into care for the 2005 year. Information obtained by Pivot Legal Society from the Ministry of Children and Family Development DESA branch.
20. Bennett, D. and Sadrehashemi, L. (2008). *Broken Promises: Parents Speak about B.C.'s Child Welfare System*, pg.62-63. Available at [pivotlegal.org](http://pivotlegal.org).
21. Ministry of Children and Family Development. (2006). *November 2006 Report: Children in Care, Trends and Indicators*.
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23. CBC News. (2007, March 7). Kids See Group Homes as ‘Gateways to Jail.’ Child Advocate. Available at [www.cbc.ca/canada/story/2007/03/07/child-rents-aid-070307.html](http://www.cbc.ca/canada/story/2007/03/07/child-rents-aid-070307.html).
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26. The guiding and service delivery principles will be discussed in more detail in Part 5 of the report.
27. Hughes, T. (2006). *B.C. Children and Youth Review*, pg. 6. Available at [www.mcf.gove.bc.ca/bcchildprotection/pdf/BC\\_Children\\_and\\_Youth\\_Review\\_Report\\_FINAL\\_April\\_4.pdf](http://www.mcf.gove.bc.ca/bcchildprotection/pdf/BC_Children_and_Youth_Review_Report_FINAL_April_4.pdf)
28. Artimage, A. (1998). *Lost Vision: Children and the Ministry for Children and Families*. B.C. Studies cited in Anglin (1999: 23-24).
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30. Hughes, T. (2006). *B.C. Children and Youth Review*, pg. 8-9. Available at [www.mcf.gove.bc.ca/bcchildprotection/pdf/BC\\_Children\\_and\\_Youth\\_Review\\_Report\\_FINAL\\_April\\_4.pdf](http://www.mcf.gove.bc.ca/bcchildprotection/pdf/BC_Children_and_Youth_Review_Report_FINAL_April_4.pdf).
31. Hughes, T. (2006). *B.C. Children and Youth Review*, pg. 136. Available at [www.mcf.gove.bc.ca/bcchildprotection/pdf/BC\\_Children\\_and\\_Youth\\_Review\\_Report\\_FINAL\\_April\\_4.pdf](http://www.mcf.gove.bc.ca/bcchildprotection/pdf/BC_Children_and_Youth_Review_Report_FINAL_April_4.pdf).
32. The Representative for Children and Youth Act is the legislation that estab-

- lishes the Representative's office and mandate.
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  34. Representative for Children and Youth. (2008). 2008 Progress Report on the Implementation of the Recommendations of the BC children and Youth Review, pg. 12. Available at [www.rcybc.ca/Images/PDFs/Reports/HughesProgressDec08Final.pdf](http://www.rcybc.ca/Images/PDFs/Reports/HughesProgressDec08Final.pdf).
  35. Representative for Children and Youth. (2008). *2008 Progress Report on the Implementation of the Recommendations of the B.C. children and Youth Review*. Available at [www.rcybc.ca/Images/PDFs/Reports/HughesProgressDec08Final.pdf](http://www.rcybc.ca/Images/PDFs/Reports/HughesProgressDec08Final.pdf).
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  37. Ministry of Children and Family Development. (2008). Strong, Safe and Supported: A Commitment to B.C.'s Children and Youth. Available at [http://www.mcf.gov.bc.ca/about\\_us/pdf/Strong\\_Safe\\_Supported.pdf](http://www.mcf.gov.bc.ca/about_us/pdf/Strong_Safe_Supported.pdf).
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  39. Representative for Children and Youth. (2008). *2008 Progress Report on the Implementation of the Recommendations of the B.C. children and Youth Review*, pg. 12. Available at [www.rcybc.ca/Images/PDFs/Reports/HughesProgressDec08Final.pdf](http://www.rcybc.ca/Images/PDFs/Reports/HughesProgressDec08Final.pdf).
  40. There were 69 responses to this question.
  41. Perrin, D. (2006). *Child Protection: Workload, Training and Budget Changes*. Available at [www.llbccat.leg.bc.ca/ipac.jsp?index=BIB&term=405502](http://www.llbccat.leg.bc.ca/ipac.jsp?index=BIB&term=405502). All discussion provided in this paper is based on information provided by the Ministry of Children and Family Development.
  42. There were 102 responses to this question in total.
  43. While the samples from some regions are too small to make strong comparisons, the overall trends held across jurisdictions.
  44. Perrin, D. (2006). *Child Protection: Workload, Training and Budget Changes*. Available at [www.llbccat.leg.bc.ca/ipac.jsp?index=BIB&term=405502](http://www.llbccat.leg.bc.ca/ipac.jsp?index=BIB&term=405502). All discussion provided in this paper is based on information provided by the Ministry of Children and Family Development.
  45. Ibid.
  46. There were 103 responses to this question in total.
  47. There were 88 responses to this question in total.
  48. Bennett, D. and Sadrehashemi, L. (2008). *Broken Promises: Parents Speak about B.C.'s Child Welfare System*. Available at [www.pivotlegal.org](http://www.pivotlegal.org).
  49. Hughes, T. (2006). BC Children and Youth Review. Available at [www.mcf.gov.bc.ca/bcchildprotection/pdf/BC\\_Children\\_and\\_Youth\\_Review\\_Report\\_FINAL\\_April\\_4.pdf](http://www.mcf.gov.bc.ca/bcchildprotection/pdf/BC_Children_and_Youth_Review_Report_FINAL_April_4.pdf).
  50. There were 104 responses to this question in total.
  51. Hughes, T. (2006). *B.C. Children and Youth Review*. Available at [www.mcf.gov.bc.ca/bcchildprotection/pdf/BC\\_Children\\_and\\_Youth\\_Review\\_Report\\_FINAL\\_April\\_4.pdf](http://www.mcf.gov.bc.ca/bcchildprotection/pdf/BC_Children_and_Youth_Review_Report_FINAL_April_4.pdf).
  52. Article 9(3), United Nations Convention on the Rights of the Child.
  53. Article 20(1), United Nations Convention on the Rights of the Child
  54. Section 4, CFCSA.
  55. There were 86 responses to this question in total.
  56. There were 67 responses to this question in total.
  57. There were 68 responses to this question in total.
  58. There were 88 responses to this question in total.
  59. There were 85 responses to this question in total.
  60. Ministry of Children and Family Development. (2006). November 2006 Report: Children in Care, Trends and Indicators.
  61. Ministry for Children and Family Development (2008) "Children Involved with the Ministry Outcomes" [www.mcf.gov.bc.ca/about\\_us/results.htm](http://www.mcf.gov.bc.ca/about_us/results.htm). (number for the 2006/2007 fiscal year)
  62. There were 109 responses to this question in total.
  63. Bennett, D. and Sadrehashemi, L. (2008). *Broken Promises: Parents Speak about B.C.'s Child Welfare System*. Available at [www.pivotlegal.org](http://www.pivotlegal.org).
  64. There were 88 responses to this question in total.
  65. These figures are for the years 2002-2006. Perrin, D. (2006). *Child Protection: Workload, Training and Budget Changes*. Available [www.llbccat.leg.bc.ca/ipac.jsp?index=BIB&term=405502](http://www.llbccat.leg.bc.ca/ipac.jsp?index=BIB&term=405502). All discussion provided in this paper is based on information provided by the Ministry of Children and Family Development.
  66. There were 84 responses to this question in total.

# NOTES





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