



# Status Report on Recommendations 2021-22



CHILDREN  
& YOUTH  
NEWFOUNDLAND  
& LABRADOR

Office of the Child and Youth Advocate

September 2023



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# Message from the Child and Youth Advocate

Our office is mandated by the **Child and Youth Advocate Act** to advance and protect the rights and interests of children and youth. The **United Nations Convention on the Rights of the Child** provides guidance for children's universal rights.



This report on recommendations is one accountability tool produced by the Office of the Child and Youth Advocate to ensure that the rights and interests of young people are respected and protected.

As of March 31, 2022 a total of 267 recommendations have been issued since this office was opened in 2002. This status report on recommendations shows that 80% of all recommendations have been implemented, 19% have been partially implemented, and 1% have not been implemented.

All recommendations made by this office will be monitored until the office is satisfied that the recommendations have been adequately and appropriately addressed.

We are committed to doing our part to ensure all young people's rights are respected and protected.

I would like to acknowledge those who work with children and youth every day. Your efforts to effect change are incredibly important for the young people in Newfoundland and Labrador. It is through these changes that tangible improvements are made in the lives of young people and the protection of their rights.

**Linda Clemens Spurrell, MSW, RSW**  
Child and Youth Advocate



# Recommendation Monitoring Process

The Office of the Child and Youth Advocate (OCYA) conducts reviews and investigations which result in recommendations. These recommendations focus on improvements to ensure better responses and services respecting children and youth rights in the province. Section 24(1) of the **Child and Youth Advocate Act** authorizes the Child and Youth Advocate to request progress reports on these recommendations.

The Child and Youth Advocate requests annual written updates of government departments, agencies and entities on their progress implementing recommendations. In addition to the written responses, follow up meetings may be required for clarification or additional information.

The OCYA assesses the progress update and assigns the recommendation to one of the following three categories: implemented, partially implemented, or not implemented. In the event that a recommendation involves multiple entities, the recommendation will remain in the partially completed category until all elements of the recommendation are implemented.

Updates on each recommendation are requested annually until the OCYA is satisfied that the recommendation has been addressed. The results are reported publicly and these reports can be found at: <https://www.childandyouthadvocate.nl.ca/publications/status-reports-on-recommendations/>.

## Definitions

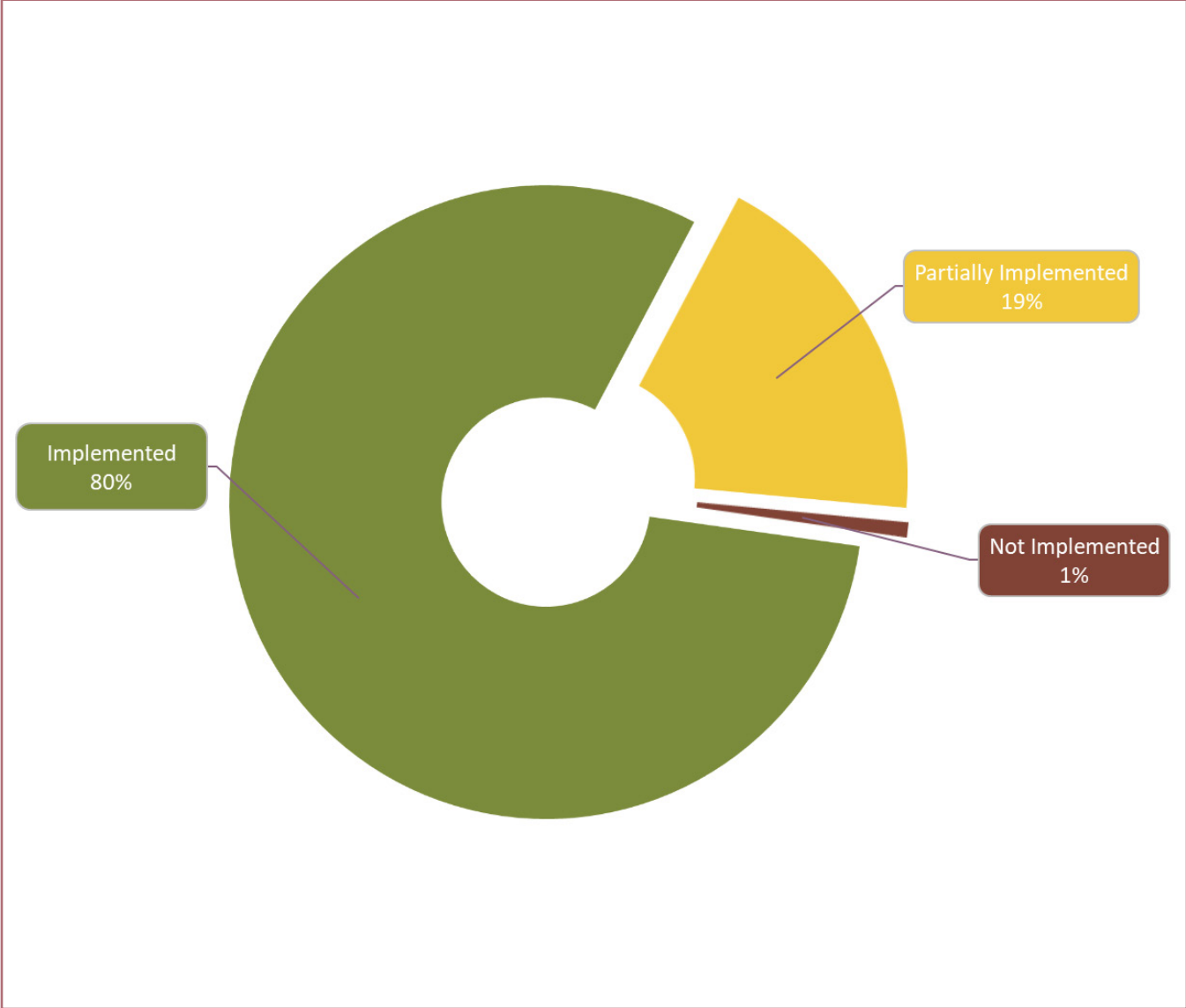
The status of each recommendation is divided into one of three categories:

<b>Implemented:</b>	The recommendation has been completed to the satisfaction of the Office of the Child and Youth Advocate.
<b>Partially Implemented:</b>	The department or agency has made some progress on the recommendation; however, outstanding items remain to be addressed.
<b>Not Implemented:</b>	There has been no substantive progress on the recommendation.

This report is structured to identify the recommendations which are partially implemented or not implemented. This report also profiles some of the highlights and accomplishments in improvements for services and responses to children and youth.

# Overall Status

At March 31, 2022, 80% of all recommendations have been implemented, 19% have been partially implemented, and there are 1% of recommendations that have not been implemented.





## Status of Recommendations

Investigations and Reviews	Implemented	Partially Implemented	Not Implemented	Total
A Special Kind of Care (December 2021)	1	2	1	4
Blanket of Insecurity (December 2021)	2	2	1	5
No Time to Spare (December 2021)	3	2	-	5
Handle with Care (July 2021)	-	2	-	2
A Soft Place to Land: Lessons for Client-Centered Care (October 2020)	2	6	-	8
A Long Wait for Change: Independent Review of Child Protection Services to Inuit Children in Newfoundland and Labrador (2019)	9	24	-	33
Special Report on Trans Youth in Newfoundland and Labrador (2019)	3	2	-	5
Seen But Not Heard (2019)	2	4	-	6
Surviving Child's Benefits: Who is Missing Out? (2019)	3	-	-	3
Chronic Absenteeism (2019)	1	3	-	4
No Second Chance (2018)	3	1	-	4
Making Waves (2018)	1	-	-	1
The Case for Specialized Health Care Responses to Recognize and Prevent Child Sexual Abuse (2017)	7	-	-	7
The Case for Culturally Responsive Services (2017)	3	1	-	4
A Stolen Life (2016)	6	1	-	7
<b>*Previous Reports</b>	<b>169</b>	<b>-</b>	<b>-</b>	<b>169</b>
<b>Total</b>	<b>215</b>	<b>50</b>	<b>2</b>	<b>267</b>

All recommendations in previous reports have been implemented. The \*previous reports can be found on our website at:

<https://www.childandyouthadvocate.nl.ca/publications/investigation-reports/>

# Highlights and Accomplishments

We would like to recognize and share some of the highlights and accomplishments by various government departments and agencies in response to our recommendations. The following list does not identify all activities, but is meant to offer a glimpse of some of the valuable efforts to make concrete improvements to services and responses to children and youth in Newfoundland and Labrador.

## Handle with Care (July 2021)

- Western Health reported that all front-line Mental Health and Addictions providers including members of the Mobile Crisis Response Teams receive trauma informed care education as a part of their orientation.

## A Soft Place to Land (October 2020)

- Eastern Health's Mental Health and Addictions Program has indicated that it began offering 1-day retreats for all staff who interact with clients/patients/residents and families of the Mental Health & Addictions program. The day includes a specific presentation on Trauma Informed Care, particularly highlighting discussion of ACEs (Adverse Childhood Events) and the interconnections to substance use later in life.
- Western Health reported:
  - Acute Care Nursing staff working on Inpatient Adolescent Mental Health, Pediatric, and Maternal Newborn units will complete a mandatory e-learning module entitled "Treating Trauma in Children and Youth" as part of their core competency checklist every two years.
  - There is a new centralized triage specifically for children and youth.
  - Western Health Psychiatry Department accepts referrals for individuals 16 years and older. There is no transition process as the same Psychiatrist will continue to follow the youth as determined by their treatment plan.
- Labrador-Grenfell Health reported that it:
  - Follows a protocol for children presenting to the Emergency Room (ER) for a physical or mental illness whereby ER staff are to refer to the social worker who is available 24 hours, seven days a week.
  - Investigates and follows up on trends of increased absenteeism within schools. If a particular school is noted to have absenteeism rates over the identified threshold, the Labrador-Grenfell Health public health team will contact the school and, if required, provide education to the school for dissemination to staff and families.

- Newfoundland and Labrador Housing Corporation reported that in August 2021, they partnered with The Gathering Place on a proposal to redevelop the former Mercy Convent to provide not only for a permanent low barrier 40-bed shelter but also 56 transitional and supportive housing units to serve as a key response for those experiencing homelessness, including youth.

## **A Long Wait for Change: Independent Review of Child Protection Services to Inuit Children in Newfoundland and Labrador (September 2019)**

- The Department of Children, Seniors and Social Development (CSSD) reported that:
  - CSSD and Indigenous Affairs and Reconciliation are committed to working in partnership with Nunatsiavut Government and meet regularly to address issues and recommendations in a way that best fits Nunatsiavut Government's priorities and cultural practices.
  - The Caring for Our Children Program provides the ability for Nunatsiavut Government to recruit, assess and train foster parent applicants. The pilot phase has concluded and this program is now an ongoing grant.
  - In June 2021, the first Report on Child Welfare Services to Indigenous Children, Youth and Families was tabled in the House of Assembly.

## **Special Report on Trans Youth in Newfoundland and Labrador (May 2019)**

- Western Health reported that:
  - Community Health has a Regional Health Promotion Consultant who provides supports to improve inclusivity for members of the LGBTQ2SI population, including professional development opportunities for staff. This Consultant has worked with Employee Health to support development and implementation of an LGBTQ2SI Workplace Plan. Four LGBTQ2SI sessions were held within Western Health with the following groups: Senior Management, Leadership, Physicians, Frontline staff, Support Services, and the Better Program Practitioners.
  - The Department of Health and Community Services, Mental Health and Addictions Division implemented the Provincial Mental Health and Addictions Gender Responsive Standards of Practice in 2022, which directs the need for gender based training for all Mental Health and Addictions staff, as well as, a number of other recommendations to support work in the areas of diversity, equity, and inclusion. While these standards are targeted towards the Mental Health and Addictions Program, Western Health plans to take a broader approach to implement these standards across the organization.

- The Department of Health and Community Services advised that in March 2022, it partnered with Trans Support NL to modify and release two new gender diversity training courses from Trans Care BC for Regional Health Authority staff.
- Central Health reported that:
  - It has adopted and implemented a Gender Based Analysis Plus protocol for review of all of its new and revised policy tools.
  - The Client Navigator continues to play a key role in assisting gender diverse clients and their families navigate the complexities of the healthcare system.
  - The Client Navigator and Patient Experience Leader are working to create connections and partnerships with gender diverse young people and their families.

## The Case For Culturally Responsive Services (April 2017)

- The Department of Immigration, Population Growth and Skills reported that it arranged a series of 15 training sessions on Intercultural Competency for Provincial Government employees. This initiative is ongoing, and will continue into 2023.

## Recommendations Partially Implemented

The following is a list of the recommendations which are partially implemented, some of which are at the beginning stages of implementation while others are nearing completion.

### A Special Kind of Care (December 2021)

Recommendation 1: The Department of Children, Seniors and Social Development ensure the policy pursuant to Section 68(1) of the Children, Youth and Families Act include the requirement to share information necessary for the planning and care of children and youth in staffed residential care. In the case of children with disabilities and complex needs, this information must include all known exceptionalities and include information from former care givers. Information should be communicated prior to placement whenever possible.

Recommendation 4: The Department of Children, Seniors and Social Development ensure that residential programming meets the needs of children and youth in care that this programming is implemented in a timely and consistent fashion, and that service providers adhere to programming plans. The Department may consider the potential benefit of a dedicated position, beyond the assigned social worker, to be responsible for detailed review and follow up of planned interventions and programming at staffed residential placements in order to ensure programming meets the needs of the children and youth in care and that necessary follow up and consultations occur.



## **Blanket of Insecurity (December 2021)**

Recommendation 2: The Department of Children, Seniors and Social Development review and clarify its commitment beyond financial support when out of home safety plans and kinship placements are engaged on behalf of a child.

Recommendation 3: The Department of Children, Seniors and Social Development clearly identify immediate steps to mitigate risk to a child when a kinship agreement is terminated because it is no longer considered safe or appropriate for the child.

## **No Time to Spare (December 2021)**

Recommendation 2: The Department of Children Seniors and Social Development ensure that Kinship caregivers have a clear understanding of their role and responsibilities and that a Kinship Care Agreement review include a verification of the caregivers understanding of this role.

Recommendation 5: The Department of Children Seniors and Social Development ensure that planning for a child's complex needs (e.g. emotional, behavioral, and medical) include consultation and planning with family and other professionals providing services to the child.

## **Handle with Care (July 2021)**

Recommendation 1: Regional Health Authorities, Royal Newfoundland Constabulary, and Royal Canadian Mounted Police collectively review and revise the training program for Mobile Crisis Response Teams to include the following criteria:

- a. Trauma-informed approach for children and youth;
- b. Strategies and interventions reflective of best practices for intervening with children and youth in crisis;
- c. Professional development for team members about the cognitive, emotional and social development of children and youth; and,
- d. Guidance and education on children's rights.

Recommendation 2: The Department of Justice and Public Safety and the Department of Health and Community Services engage Regional Health Authorities and both provincial police forces to determine scope and intent of Mental Health Crisis Response Teams in responding to young children, and to determine if alternate responses and resources are necessary.

## **A Soft Place to Land: Lessons for Client-Centered Care (October 2020)**

Recommendation 2: The Department of Children, Seniors and Social Development work collaboratively with the Department of Immigration, Skills and Labour, the Newfoundland and Labrador Housing Corporation and community housing advocates to enhance access to and availability of supportive housing options for youth and emerging young adults with complex needs. Youth must also be included in this collaborative process.

Recommendation 3: Regional Health Authorities, and the Department of Children, Seniors and Social Development ensure front line staff as well as service providers delivering front line services on behalf of the department receive appropriate professional development on trauma-informed care for children and youth.

Recommendation 5: The Department of Health and Community Services engage the Regional Health Authorities to review their policies, practices, and training for assessing and responding to children and youth who present as suicidal and self-harming, in order to ensure the best possible health care services are grounded in best practice and guided by the principle of best interests for children and youth.

Recommendation 6: As team lead, the Department of Children, Seniors and Social Development ensure full implementation of Recommendation 47 in Towards Recovery: The Mental Health and Addictions Action Plan for Newfoundland and Labrador for a provincial implementation plan for suicide prevention and furthermore with specific attention to the needs of children and youth in this plan.

Recommendation 7: Where a child or youth has had multiple Emergency Room visits for suicidal ideation or self-harming behaviors, all Regional Health Authorities establish and implement a mandatory records review process to ensure appropriate risk assessments and/or mental health assessments have been completed.

Recommendation 8: Regional Health Authorities immediately streamline services and policies to ensure a coordinated and uninterrupted transition from child/youth psychiatry to adult psychiatry and to other mental health services, and to consult with youth mental health consumers in this process.

# **A Long Wait for Change: Independent Review of Child Protection Services to Inuit Children in Newfoundland and Labrador (September 2019)**

Recommendation 1: Department of Children, Seniors and Social Development ensure Inuit values, knowledge, and cultural practices are integrated in all policies, planning and services for Inuit children and youth.

Recommendation 2: Department of Children, Seniors and Social Development seek the input and perspectives of Inuit children and youth in all plans that affect them and in a manner that reflects their age and developmental level.

Recommendation 3: Department of Children, Seniors and Social Development provide Inuit children and youth who are in care with information about their background, circumstances, and family in a manner that reflects their age and developmental level.

Recommendation 4: Department of Children, Seniors and Social Development ensure Inuit children and youth maintain relationships with important individuals in their lives, with special consideration for siblings whenever possible.

Recommendation 7: Department of Children, Seniors and Social Development complete an audit on all out-of-community placements, and engage Nunatsiavut Government to ensure all placement options have been considered first within the child's family and/or community, and secondly within Nunatsiavut territory.

Recommendation 8: Department of Children, Seniors and Social Development ensure all access visits are designed for the maximum benefit of the child, and that they take place in a child-friendly and culturally appropriate environment that promotes parent-child interaction.

Recommendation 9: Department of Children, Seniors and Social Development ensure appropriate transition planning for children who have been removed from their parents and community. This must include specific and structured steps when children are removed and returned. Nunatsiavut Government must be invited and supported to actively participate.

Recommendation 10: Department of Children, Seniors and Social Development broaden its mandate and range of responses to focus more on prevention and early intervention for children and families in the child protection system, and support Inuit community services and programs that contribute to prevention and early intervention.

Recommendation 11: Department of Children, Seniors and Social Development consistently develop cultural continuity plans for children and youth and ensure these plans are meaningful, authentic and are enhanced by Inuit community resources. Plans must include measurable steps ensuring the child or youth in care is provided with opportunities for Inuit cultural activities, ceremonies, celebrations, practices, lifestyle, family and community contacts.

Recommendation 12: Department of Children, Seniors and Social Development consistently engage parents, family members and foster parents in meaningful collaboration for all planning related to their children and youth, and those in their care.

Recommendation 13: Department of Children, Seniors and Social Development enhance recruitment and explore new models of foster care which could potentially include placing parents and children together.

Recommendation 14: Department of Children, Seniors and Social Development develop and evaluate outcome goals for child protection services in partnership with Nunatsiavut Government.

Recommendation 15: Department of Children, Seniors and Social Development review and revise the scope, mandate and physical environment of the alternate family care group home in Nain to ensure a quality and safe placement option for Inuit children and youth. Include consideration for a visitation centre, emergency placements, parent coaching centre, healing facility, and transition-to-home placement centre for children and parents.

Recommendation 17: Department of Children, Seniors and Social Development ensure timely and responsive delivery of PRIDE training program, at a minimum of once per year in Indigenous communities.

Recommendation 18: Department of Children, Seniors and Social Development work to increase kinship care options and increase financial and social support for kinship caregivers.

Recommendation 19: Department of Children, Seniors and Social Development ensure professionals and caregivers working with traumatized children and families receive mandatory education in caring for traumatized children and youth.

Recommendation 20: Department of Children, Seniors and Social Development review and update the current level of financial supports to Inuit children, families and caregivers in the child protection system to reflect the northern Labrador reality. This must include addressing prices of goods and services, as well as transportation and delivery costs.

Recommendation 21: Government of Newfoundland and Labrador vigorously adopt and observe Jordan's Principle for Indigenous children and youth, and work with the federal government to access available federal resources to help address needs.

Recommendation 22: Department of Children, Seniors and Social Development provide enhanced authority to frontline staff to use professional discretion in day to day decision making, including financial decisions, on behalf of children and families.



Recommendation 23: Government of Newfoundland and Labrador develop and deliver mandatory Indigenous cultural education to public servants in a tiered approach with Level 1 being required for all public servants, and Level 2 reflecting more advanced content for those directly working with Indigenous communities or making decisions and policies related to Indigenous communities. Indigenous representatives should be engaged in content development and delivery.

Recommendation 24: Department of Children, Seniors and Social Development ensure training plans are in place for all social workers in Indigenous child protection settings and in addition to Recommendation 23, include community-based practical cultural learning experiences with community resources.

Recommendation 27: Department of Children, Seniors and Social Development work with Nunatsiavut Government to recruit and educate Inuit staff to fill professional and paraprofessional roles with children, families, and communities.

Recommendation 30: Government of Newfoundland and Labrador work with Nunatsiavut Government and other levels of government as necessary to address inadequate housing, food insecurity, and safe shelters for vulnerable Inuit children and their families.

Recommendation 31: Department of Justice and Public Safety engage justice system service providers to explore ways to improve access and timeliness of advice, services and decisions for family law matters in Labrador and ensure appropriate supports to implement the plan. This is particularly urgent where communities are served by circuit courts.

## **Special Report on Trans Youth in Newfoundland and Labrador (May 2019)**

Recommendation 2: Regional Health Authorities, school districts, the Department of Education and Early Childhood Development, the Department of Health and Community Services, the Department of Justice and Public Safety, and the Department of Children, Seniors and Social Development offer mandatory professional development and in-service training opportunities on gender diversity for professionals who work with children and youth.

Recommendation 3: Department of Education and Early Childhood Development review and revise curriculum for K-12 education to incorporate content on gender diversity and to ensure gender diversity is reflected in its materials.

## Seen But Not Heard (April 2019)

Recommendation 1: The Department of Children, Seniors and Social Development improve prevention and early intervention services to children and families at risk.

Recommendation 2: The Department of Children, Seniors and Social Development ensure that families requiring in-home parenting support and supervision are provided with qualified, trauma-informed support workers.

Recommendation 3: The Department of Health and Community Services and the Department of Children, Seniors and Social Development collaboratively ensure full implementation of the child protection recommendations contained in *Towards Recovery: A Vision for a Renewed Mental Health and Addictions System for Newfoundland and Labrador*, specifically:

- Recommendation 1: Provide all young families with access to programs that focus on parental coping skills to increase resiliency, parenting skills and child development, and social and emotional competence of children.
- Recommendation 8: Some families with complex needs receive services from multiple government departments. Service managers at the regional level must be encouraged to develop mechanisms to work together to better meet the needs of these families.
- Recommendation 14: Through a stepped-care approach, develop and offer a range of mental health and addictions services integrated, wherever possible, within existing community and primary health care services throughout the province, including the Strongest Families Program for children, youth, and their families.

Recommendation 6: The Department of Children, Seniors and Social Development ensure specific measures are taken for permanency planning to be an integral part of intervention with all children receiving child protection and in care services.

## Chronic Absenteeism (January 2019)

Recommendation 2: The Department of Children, Seniors and Social Development, the Department of Education and Early Childhood Development, the school districts, the Department of Health and Community Services and Regional Health Authorities develop and implement policy specifically identifying how staff will effectively assess and respond to chronic absenteeism.

Recommendation 3: The Department of Children, Seniors and Social Development, the Department of Education and Early Childhood Development, and the school districts, collaboratively develop and implement policies and protocols specifically defining the point at which chronic absenteeism situations require referral to the Department of Children, Seniors and Social Development.

Recommendation 4: The Department of Education and Early Childhood Development, the Department of Health and Community Services, and the school districts develop agreements with the Department of Children, Seniors and Social Development and the Regional Health Authorities defining how all these partners will collectively contribute to addressing chronic absenteeism.

## **No Second Chance (October 2018)**

Recommendation 4: The Department of Health and Community Services, the Regional Health Authorities and the Department of Children, Seniors and Social Development collaborate to enhance the availability of mental health and addictions services throughout the province for children, youth, and their families with a particular focus on children and youth deemed at risk and in receipt of protective services.

## **The Case for Culturally Responsive Services (April 2017)**

Recommendation 1: The Department of Advanced Education, Skills, and Labour, in consultation with all provincial government departments providing front line services to culturally diverse individuals and families, incorporate the following considerations into the Immigration Action Plan:

- a. Cultivate and utilize culturally responsive interpretation services when needed;
- b. Ensure mandatory training for designated front line professionals in the area of cultural competence, diversity, and inclusion.

## **A Stolen Life (November 2016)**

Recommendation 7: The Department of Children, Seniors and Social Development (formerly the Department of Child, Youth and Family Services), in consultation with Aboriginal governments, organizations and communities:

- a. Dedicate additional human resources of management and staff to the Labrador region to focus on ensuring that every child and youth throughout the Province receives the same standard of service.
- b. Demonstrate improved service standards in the Labrador region through consistent monthly Quality Assurance Indicator Reports that equal those in all other regions.

# Recommendations Not Implemented

## Blanket of Insecurity (December 2021)

Recommendation 4: The Department of Children, Seniors and Social Development conduct an audit of all long-term out-of-home placements, including kinship placements, to identify and address factors impacting permanency for these children.

## No Time to Spare (December 2021)

Recommendation 3: The Department of Children Seniors and Social Development develop an enhanced planning and monitoring policy for Kinship Care that ensures adequate support and intervention to deal with complex relationships with the biological family. This must include additional training for kinship caregivers where required.

## Conclusion

It is important to monitor the progress of these recommendations and report annually to ensure transparency and accountability to children, youth, their families, and the public. These recommendations are made with the best interests of the young person at the forefront, and should result in positive changes and outcomes for the children and youth of our province.

As noted in the Report, at March 31, 2022, 80% of all recommendations were implemented, 19% were partially implemented, and 1% were not implemented. The Office of the Child and Youth Advocate will continue to monitor and follow up on all outstanding recommendations until we are satisfied that all have been appropriately addressed to benefit children and youth in the province.









# Office of the Child and Youth Advocate

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