

CHILD AND FAMILY SERVICES

AUTHORITY DETERMINATION PROTOCOL

FIELD GUIDE

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First Nations of Northern
Manitoba Child and
Family Services Authority



The General Child
and Family Services
Authority



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Introduction

This Field Guide is a reference manual and a guide to help you complete the **Authority Determination Protocol (ADP)**.

The purposes of the Guide include:

- Describing procedures and / or practices that have been put into place as a result of the restructuring of the child and family service system
- Providing a widely available reference document
- Providing a training resource for new staff

The sections and many paragraphs in this guide are numbered to help you remember the location of important information.

It is the responsibility of every executive, manager, supervisor and front line worker to understand and apply the procedures and practices described in this field guide.

This guide is issued by the Child Protection Branch, Department of Family Services and Consumer Affairs with the cooperation of the Child and Family Service Authorities. This guide should be considered as a standard within the meaning of the child and family service standards.

Section 1: The Authority Determination Protocol

The *Child and Family Services Authorities Regulation* (M.R. 183 / 2003 – Part 2) requires that the Authority Determination Protocol (ADP) be completed for every family or person that requires child and family services.

The ADP determines which child and family service Authority is the most culturally appropriate for a family or person.¹ The adult members of the family or person may choose the culturally appropriate Authority or any other Authority.

Only one Authority may be chosen by a family.

The only exceptions to this are minor persons who are receiving or about to receive Expectant Parent Services, or minor persons who are living in independent living arrangements established and monitored by a child and family service agency. (See section 2.5.5.)

The ADP is normally completed in an interview with the adult members of the family or person (see Section 2). The views of children 12 years of age and older must be considered as part of the interview. The views of children under the age of 12 years may be considered depending upon the maturity and understanding of the child.

The interview is used to explain the purpose of the ADP and to collect information about the culture of origin of each member of a family or person. This information is important in determining which Authority is the most culturally appropriate.

The choice of Authority is an important decision. As a child and family service worker, it is your role to help families and persons understand their options and support them in making a decision they believe is best for them.

¹ The Field Guide uses the phrase “adult members of a family or person”. This means that the adult members of a family are entitled to choose the Authority of service for their family. In addition, person means an a child in care with whom independent living arrangement are being arranged for the child under The Child and Family Services Act and a child who is a parent or expectant parent for whom services are to be provided under section 9 of The Child and Family Services Act.

Section 1.1: What Does the ADP Do?

The ADP is used by the worker and the adult members of a family or person to identify and record information about the culture of origin of each person in the family.

There are two important outcomes. The ADP identifies the:

1. Culturally Appropriate Authority (CAA) – this is the Authority that most closely matches the cultures of origin of members of the family;
2. Authority of Service – this is the Authority that the adult members of the family or person actually choose to provide service to them. The Authority of Service may be the CAA or any other Authority.

Once the adult members of the family or person choose the Authority of Service the worker can identify which agency from that Authority will actually provide service. This is important information and the family or person should be told which specific agency will provide service before they make their choice. For many families, this information plays a part in their choice of Authority of Service.

Sometimes, an Authority will have a service arrangement with another Authority to provide service on its behalf. For example, the General Authority has service arrangements with First Nations Authorities to provide service on its behalf to families that reside within First Nations reserve communities that choose the General Authority. Any time a service arrangement is in place, the worker is required to inform the adult members of the family or the person about that service arrangement (*Child and Family Services Authorities Regulation* M.R. 183/2003 Section 4(4)). This information may also play a part in the choice of Authority of Service.

It is important to understand that the family chooses the Authority of Service but it is the Authority that determines which of the agencies under its mandate will deliver services to the family or person.

Section 2: Administering the ADP

The ADP is normally:

- completed in a face-to-face interview with the adult members of the family or person receiving service;
- the views of children 12 years of age and older must be considered as part of the interview², and
- the views of children under the age of 12 years may be considered depending upon the maturity and understanding of the child.

The interview is used to explain the purpose of the ADP and to collect information about the culture of origin of each member of a family or person. This information is important in determining which Authority is the most culturally appropriate.

It is important to share what the ADP process is and to capture the views and perspective of children 12 years and over when completing the ADP. While these youth cannot direct the decision making on the Authority that is chosen, their views are documented in Part IV of the ADP forms.

Children under the age of 12 can be asked to share their understandings of the process with the worker. This discussion is documented in Part IV of the ADP forms.

The choice of Authority is an important decision. As a child and family service worker, it is your role to help families and persons understand their options and support them in making a decision they believe is best for them.

² The views of children 12 years of age and older must be recorded on Part 4 of the ADP Form. See Section 2.6.

Section 2.1: Before You Start – Some Common ADP Questions and Answers

2.1.1 What is a culture of origin?

The culture of origin means the culture with which the adult members of the family or person most closely identifies.

For the purposes of child and family services, it is important to understand if this identification is with a First Nation of northern Manitoba, a First Nation of southern Manitoba, Metis, Inuit or with a non-Aboriginal culture. Identification can be based on Treaty Status, membership, familial or other connection to a First Nation, Metis, or Inuit community, or self-identification.

2.1.2 What if there is more than one culture of origin in the family?

The adult members of the family may choose an Authority that is representative of any one of the cultures of origin in the family. They may also choose an Authority of Service that is not represented within their family (*Child and Family Services Authority Regulation* M.R. 183/2003 Section 4(1)).

2.1.3 Who administers the ADP with the family?

A worker of the agency that is completing the intake with the family or person is responsible to administer the ADP. Almost always, this will be a worker in the Designated Intake Agency (DIA).

The Designated Intake Agency is the mandated child and family service agency that has been identified jointly by the four Child and Family Service Authorities as the agency that will provide intake on behalf of all agencies in an area. An agency becomes a Designated Intake Agency once it is named in the *Joint Intake and Emergency Services Regulation* (M.R. 186 / 2003).

However, a family or person can request services from any mandated agency and any mandated agency can complete the ADP. Services can be provided to individuals or families seeking services (i.e. walk-in) that do not have an existing relationship with an agency. It is further recognized that if the presenting needs are non-emergency, then these families would typically be referred to the DIA for services.

2.1.4 When is the ADP administered?

The ADP is administered after a worker and supervisor assess and agree that ongoing services from a mandated child and family service agency are required and before the referral to the agency that will provide those services.

Crisis and protection issues must be evaluated to determine the appropriate time to complete the ADP. Whenever possible, the completion of the ADP should be delayed until crisis and immediate protection issues are addressed. Families are given ADP information both verbally and in writing. They should have sufficient time to review the material, consult with supports and return to a separate meeting dedicated to the ADP process.

2.1.5 Is an ADP administered in the adoption program?

No, the ADP is not administered in any area of the adoption program.

2.1.6 Is an ADP administered in the foster care program?

No, the ADP is not administered in any area of the foster care program.

Section 2.2: Getting Started – The ADP Form and Interview

A form has been created to record the information that is used to complete the ADP. See *Appendix A* for a copy of the ADP form. The form has 7 parts. Each part has its own page.

This form should be completed by the worker in a face to face interview with the adult members of the family or person unless exceptional circumstances make it impossible. For example, an exceptional circumstance might be an adult with guardianship who resides in a different city. The ADP can be completed by telephone in this case.

All exceptional circumstances must be recorded in **Part 4 – Notes to File** on the ADP form. The worker must sign and date all notes made in **Part 4 – Notes to File**. When exceptional circumstances are encountered in completing the ADP, the supervisor must also sign and date the workers' note made in **Part 4 – Notes to File**.

The form can also be downloaded from the Child and Family Services Information System (CFSIS). If you are not familiar with this system or have trouble logging onto the system, please call the Help Desk at 945-3405 or 1-800-338-7405.

The ADP *requires* that the certain information be recorded on the form. Required information includes:

- Part 1 – Family Information
- Part 2 – Determination of CAA
- Part 3 – Authority of Service Determination
- Part 4 – Notes to File

The following information is *optional*.³ Optional information includes:

- Part 5 – Consent to Notify of Culturally Appropriate Authority(ies)
- Part 6 – Consent to Meet With Culturally Appropriate Authority
- Part 7 – Outcome of Meeting With Culturally Appropriate Authority

³ Parts 5, 6 and 7 of the ADP Form are used when a family chooses an Authority of Service that is not representative of the cultures of origin within the family, or when there are several cultures of origin within a single family. It is the decision of the adult members of the family or person whether or not to meet with a culturally appropriate Authority.

Section 2.3: The ADP Form: Part 1 – Family Information

The Form records information such as dates, personal information on all persons living in the family and other persons relevant to the case.

Each part of the form is described including the kind of information that must be recorded.

ALWAYS PRINT CLEARLY. The ADP is a document that is based in regulation and has legal force. It is in the best interests of the family or person and the agency to ensure that the ADP is clear, understandable and complete.

2.3.1 Start Date

The Start Date is the date the ADP was first begun with the family or person. If ADP information was obtained before the interview with the family or person, the start date should reflect when that information was first obtained. The date must be recorded using the format of day (*up to 2 digits*), month (*first three letters*), and year (*4 digits*). Example: **31 Jan 2003**.

2.3.2 First Interview Date

The First Interview Date is date the worker interviews the adult family members or person for the first time. Use the same date format as the Start Date.

Record the dates of all subsequent interviews in **Part 4 – Notes to File**. The worker must sign and date all notes made in **Part 4 – Notes to File**.

2.3.3 Finish Date

The Finish Date is the date the adult members of the family or person is asked to sign **Part 3 – Authority of Service Determination**. Use the same date format as the Start Date.

2.3.4 Number of Contact Attempts

This is the number of times the worker attempts to contact the adult members of the family or person to complete the ADP. The ADP is normally completed in one interview, but there are instances in which a worker must make several attempts to contact the family or person.

Workers must make the number of attempts that would satisfy a court when attempting to serve an order of substitution. This includes:

- In person visits to the last known address and
- By registered mail to the last known address.

Since this is based on practice and experience with a court, workers should consult with their supervisor in deciding when an appropriate number and type of contact attempts have been made.

Workers must record the following information in **Part 4 – Notes to File**:

- names of adult persons being contacted;
- how many attempts were made;
- dates of the attempts;
- the kind of contact that was attempted (in person, by telephone, by registered mail, etc);
- the date when they consulted with their supervisor to determine that sufficient attempts had been made and
- the name and office telephone number of the supervisor.

The worker AND supervisor must sign and date by this information on the **Part 4 – Notes to File** page.

2.3.5 Agency Administering the ADP

The legal name of the agency administering the ADP.

2.3.6 Agency File Number

The file number assigned to the record created by the agency. If there is no agency file number, leave the field blank.

2.3.7 Agency Supervisor

The name of the supervisor of the worker that completes the ADP.

In addition to providing case and practice supervision, the supervisor has three specific duties with respect to the ADP.

The duties of the supervisor with respect to the ADP include:

- making the decision, or corroborating and supporting a recommendation made by a worker, that the family or person requires services from a mandated child and family service agency on an ongoing basis;
- approving the number and kind of attempts to contact the adult members of a family or person to complete the ADP (see 2.3.4), and
- approving a worker's recommendation that the selection of an Authority of Service based on policy is justified by the circumstances of the case (see **Section 3 – Special Considerations in Administering the ADP**).

2.3.8 Agency Worker

The name of the worker that assists the family or person to complete the ADP.

When there is a decision that the family or person requires services from a mandated child and family service agency on an ongoing basis, it is the role of the worker to make sufficient attempts to contact the family or person and to complete the ADP in a face-to-face interview.

2.3.9 Phone Numbers

The office telephone numbers of both the worker that completes the ADP and the supervisor of the worker.

2.3.10 Opening Type

The type or status of the file when the ADP is started. Check only one opening type.

2.3.11 Family Case Category

The case category of the family file. Check only one category.

2.3.12 I. D. #

Print the names of the family members in the I.D. section of **Part 1 – Family Information**.

There are 12 rows for up to 12 persons in a family file. If there are more than 12 persons, use an additional ADP form.

The first name entered in row #1 MUST ALWAYS BE THE CASE REFERENCE. THE CASE REFERENCE IS THE ADULT WHO IS THE PRIMARY CARE GIVER IN THE FAMILY THAT IS

RECEIVING SERVICE. Workers must use professional judgment to determine which adult is the primary care giver.

Print one name per row. The I.D. column provides a unique number for each person listed on the ADP form. Print the names of all other persons in the case who are receiving service on the following rows. ALWAYS PRINT CLEARLY.

2.3.13 Surname

The last name of each person listed on the form.

2.3.14 Given Names First / Middle

The first and middle names of each person listed on the form.

2.3.15 Other Known Surnames

Any other known last names for each person. Place a comma between each unique name.

2.3.16 Other Known First Names

Any other known first names for each person. Place a comma between each unique name.

2.3.17 Date of Birth (D.O.B.)

The birth date of each person relevant to the case. The date should be recorded using the format of day (*up to 2 digits*), month (*first three letters*), and year (*4 digits*). For example: **31 Jan 1990.**

2.3.18 Gender

The gender of each person relevant to the case. Use **M** for male and **F** for female.

2.3.19 Relationship Code

The relationship of each person to the Case Reference (primary care giver) entered in row #1. For example, if the Case Reference is the mother, then the male partner of the Case Reference is "husband". See *Appendix B* for relationship types.

2.3.20 Care Code

The Care Code identifies the type of care for every child listed on the ADP Form. Use the codes listed at the bottom of **Part 1 – Family Information**. If no code applies, use **Non-Care**.

2.3.21 Aboriginal Status

Aboriginal Status identifies the Aboriginal status for every person listed on the ADP Form. Use the codes listed at the bottom of **Part 1 – Family Information**.

Agencies are required to utilize the best known information when determining a family and child's cultural background. Usually an individual's culturally appropriate Authority is by way of self-declaration. While a worker may question it, they cannot change this. Determining a permanent ward's aboriginal status can be facilitated through agency records, family consultation and, when appropriate, a membership clerk at a band office.

2.3.22 Place of Residence

The name of the community for every person listed on the ADP Form.

2.3.23 Case Reference (Primary Care Giver) Mailing Address

The current mailing address for the Case Reference (primary care giver). The Postal Code is important and must be entered. If the family does not have a permanent residence write '*No Fixed Address*' in this space and include an alternative contact address for the family (for example, the address and telephone number of another family member).

Include an explanation in **Part 4 – Notes to File**. Always date and sign notes in **Part 4 – Notes to File**

2.3.24 Phone Number

The telephone number of the Case Reference (primary care giver). If the Case Reference does not have a telephone, write '*No Phone*' in this space.

Section 2.4: The ADP Form: Part 2 – Determination of Culturally Appropriate Authority(ies) (CAA)

Part 2 – Determination of Culturally Appropriate Authority(ies) records information that is used to support the identification of the CAA for each family member. Beginning with the Case Reference (primary care giver), information must be entered in the same order as in

Part 1 – Family Information.

2.4.1 Agency File Number

The file number assigned to the record created by the agency. If there is no agency file number, leave the field blank.

2.4.2 First Nation Status – Treaty

Write the 10 digit Treaty Number for persons who have First Nations Treaty Status. If the full number is not known, enter the last three or four digits. If there is no information about the Treaty Number, write "Don't Know" in the space.

2.4.3 First Nation Status – Band Name

Write the name of the Manitoba First Nation band with which the person is registered. Note:

- If the First Nation person is from out-of-province, write the name of the province in which the person is registered under **Band Name**.
- If the First Nation person is from outside of Canada, write "International" under **Band Name**.

2.4.4 First Nation Status – Community Affiliation: Manitoba First Nation Person

For First Nations persons with Treaty Status in Manitoba, write the name of the community where the family or person resides or with which there is a community affiliation. A community affiliation could be extended family in the community; or that the family lived in the community in the past; or membership in a particular community; or the community with which the person identifies. Identification is based on self-declaration. The names of Manitoba First Nation communities are in Appendix D.

2.4.5 First Nation Status – Community Affiliation: Out of Province First Nation Person

If the out-of-province First Nation person has a familial or community connection in Manitoba, write the name of the community. A community affiliation could be extended family in the community; or that the family lived in the community in the past; or that has membership in a particular community; or the community with which the person identifies. Identification is based on self-declaration. The names of Manitoba First Nation communities are located in Appendix D.

2.4.6 Metis / Inuit – Community Affiliation

For every person listed in **Part 1 – Family Information** who is Metis or Inuit, write the name of the community in which the person resides or with which there is a community affiliation. A community affiliation could be extended family in the community; or that the family lived in the community in the past; or that has membership in a particular community; or the community with which the person identifies. Identification is based on self-declaration.

2.4.7 First Nation Non Status – Self I.D. Code

For Aboriginal persons who do not have Treaty Status, refer to Appendix A, Authority Determination Protocol, using the codes at the bottom of the **Part 2 – Authority of Record Determination** that best describes the identification of the person.

2.4.8 First Nation Non Status – Band / Community Affiliation

If the Aboriginal Non Status person has a band or community affiliation in Manitoba, write the name of the community. A community affiliation could be extended family in the community; or that the family lived in the community in the past; or that has membership in a particular community; or the community with which the person identifies. Identification is based on self-declaration. The names of Manitoba First Nation communities are located in Appendix D.

2.4.9 Non Aboriginal – Check (✓) If Non Aboriginal

Put a check mark (✓) in this column for every person listed in the ADP form, **Part 1 – Family Information** who is not an Aboriginal person.

2.4.10

Culturally Appropriate Authority (CAA)

1. For persons with First Nation Status as a result of MANITOBA TREATY STATUS:
 - Select the appropriate First Nations Authority (**N**orth or **S**outh) based on the Band with which the person is registered; the familial or community connection; or the Band or community affiliation; or the First Nation community with which the person identifies.
2. For out-of-Province First Nations persons who DO declare a familial or community connection:
 - Select the appropriate First Nations Authority (**N**orth or **S**outh) if the person declares a familial connection to a First Nation community.
3. For out-of-province First Nations persons who do NOT declare a familial or community connection AND who live anywhere OUTSIDE the city of Winnipeg:
 - Select the Northern First Nations Authority (**N**orth) if the family or person resides north of the 53rd parallel (approximately), OR
 - Select the Southern First Nations Authority (**S**outh) if the family or person resides south of the 53rd parallel.
4. For out-of-province First Nations persons who do NOT declare a familial or community connection AND who live INSIDE the city of Winnipeg:
 - Select the Southern First Nations Authority (**S**outh) if the family or person is a member of a First Nation in the PROVINCE OF ONTARIO, OR
 - Select the Northern First Nations Authority (**N**orth) if the family or person is a member of a First Nation from ANY OTHER PROVINCE OR TERRITORY.
5. For persons who self-identify select the appropriate Child and Family Service Authority as follows:
 - Northern First Nations Authority (**N**orth) for persons who self-identify with a Northern First Nation, OR
 - Southern First Nations Authority (**S**outh) for persons who self-identify with a Southern First Nation, OR
 - Metis Authority (**M**etis) for the persons who self-identify with Metis people, OR
 - Metis Authority (**M**etis) for persons who self-identify as Inuit people OR
 - General Authority (**G**eneral) for persons who self-identify with any other culture of origin.

Section 2.5: The ADP Form: Part 3 – Authority of Service Determination

This part of the ADP Form is where the Authority of Service is identified. The adult members of the family are asked to choose which Authority they wish to be responsible for delivery of services.

This choice may be the Culturally Appropriate Authority or any other Authority chosen by the adult members of the family (*Child and Family Services Authorities Regulation M.R. 183/2003 Section 4(1)*).

2.5.1 Section I – Culturally Appropriate Authority for Case Reference (Primary Caregiver)

Place a checkmark (✓) in the appropriate box based on the CAA for the Case Reference (primary caregiver) as recorded on **Part 2 – Determination of Culturally Appropriate Authority(ies)** of the ADP form.

2.5.2 Section II – Choice of Authority of Service

Place a checkmark in one box ONLY to document the adult members of the family or person's choice of Authority of Service.

2.5.3 Section II – Who Made the Choice of Authority of Service

Place a checkmark in one box ONLY to document who made the choice.

2.5.4 Section III – Signatures

The Case Reference (primary caregiver) and other adult caregiver (partner, spouse or non-custodial parent) are asked to sign the ADP form. These signatures are voluntary. The ADP can be completed without these signatures. Declining to sign the ADP form does not prevent the selection of the Authority of Service or prevent child and family services from being provided.

Place a checkmark in the "Refuse to Sign" box if any adult caregiver refuses to sign the ADP form and document the reasons in Part 4 - Notes to File.

The worker administering the ADP form and the supervisor must sign the ADP form. These signatures are mandatory. It is also mandatory to date all signatures.

The agency that will provide services to the family or person must be written at the bottom of this page. The specific agency is determined by the Authority of Service chosen by the family or person.

2.5.5 Children & Youth

The adult members of the family make the decision about which Authority will be responsible for services.

In choosing an Authority of Service, these persons must consider the views and preferences of children 12 years of age and older (*Child and Family Services Authorities Regulation*. M.R. 183/2003 – see Section 4(2)).

The views and preferences of children under 12 years of age may be considered depending upon maturity and understanding.

The worker administering the ADP with the family is responsible to ascertain and document those views and preferences. These views and preferences must be documented by the worker as a written note in **Part 4 – Notes to File**. The worker is also responsible to ensure that the adult members of the family are aware of the views and preferences of children 12 years of age and older. These notes must be dated and signed by the worker. The supervisor must also date and sign the worker's note.

2.5.6 Exceptions

The adult members of the family choose the Authority that will provide service to the family. However, there are two exceptions to this that allow a youth to choose their own Authority of Service.

A youth can choose their own Authority of Service if and when:

- 1) an independent living arrangement is being arranged for the child under *The Child and Family Services Act*, or if and when
- 2) the child is a parent or expectant parent to whom services are to be provided under *The Child and Family Services Act*.

Include an explanation in **Part 4 – Notes to File**. Always date and sign notes in **Part 4 – Notes to File**. The supervisor must also date and sign the worker's note concerning the choice of a separate Authority by a youth in these circumstances.

These are the ONLY circumstance in which there may be more than one Authority of Service involved with a family at the same time. For example, the adult members of a family choose Authority "A" and the youth in the same family who lives with the adult members and who is receiving expectant parent services chooses Authority "B". In this case, the Authorities involved must carefully coordinate services to ensure that the services being provided are consistent with each other and with an overall goal for the family. This will require the agencies of the two Authorities to work together cooperatively in the interests of the family. This is equally important for youth transitioning to independent living. In this case, the ADP is to be completed when an assessment of the youth's readiness for independent living has been completed and the pre-planning with the youth has been initiated.

Section 2.6: The ADP Form: Part 4 – Notes to File

This part of the ADP form is used to record other information such as:

- the number of contacts made with the family (including dates, times and locations);
- description of circumstances with respect to family or person refusing to sign;
- the views and preferences of a child 12 years of age (the views and preferences of children under 12 years of age may be documented in this part if the child is able to understand the circumstances).

Every note in **Part 4 – Notes to File** must be signed and dated by the worker.

Both the worker and supervisor must sign and date notes made in **Part 4 – Notes to File** concerning the decision that a family requires ongoing child and family services, and to corroborate the selection of the Authority of Service. See **Section 2.1.4 – When is the ADP Administered** and **Section 2.5.4 – Signatures**.

Section 2.7: The ADP Form: Part 5 – Consent to Notify Culturally Appropriate Authority

This part of the ADP form is used to document the consent of the Case Reference to provide information to a culturally appropriate Authority or authorities that were NOT chosen as the Authority of Service.

See **Section 4 – The Consent Process**.

Section 2.8: The ADP Form: Part 6 – Consent to Meet with Culturally Appropriate Authority

This part of the ADP form is used by the worker who is completing the ADP with the family to keep track of the start and finish of the Authority consent process.

See **Section 4 – The Consent Process**.

Section 2.9: The ADP Form: Part 7 – Outcome of Meeting Between Family and Culturally Appropriate Authority

This section of the ADP form is used by the culturally appropriate Authority following the meeting with the adult members of the family or person.

See **Section 4 – The Consent Process**.

Section 3: Special Considerations in Administering the ADP

3.1 Is the ADP ever re-done?

There are two circumstances in which a new ADP may be completed:

- i. The ADP **may** be redone if a case has been closed on the family/person for **more than** 12 months. The worker **must** offer to redo the ADP, however the family/person may choose not to have this done and to remain with the same Authority of Service (AOS).
- ii. The ADP **must** be redone if the case has been closed for 12 months or less and there has been a change in the adult caregivers in the family. The family/person may choose the same AOS or a different one.

The ADP is **not** redone if the case has been closed for less than 12 months and there has been no change in the adult caregivers in the family. However, the family/person may request a Change in Authority of Service at any time as long as the following conditions do not apply as per Section 9(5) of the Child and Family Services Authorities Regulation, which states :

9 (5) The Authorities **must not approve a request to change an Authority of service** if:

- i) a child abuse investigation or a proceeding involving a child in the family under Part III of *The Child and Family Services Act* (child protection) is ongoing; or
- ii) (b) a proceeding involving the family under *The Adoption Act* is ongoing.

(See **Section 6 – Request for a Change of Authority of Service.**)

3.2 What happens if the family cannot choose an Authority of Service?

There are four special circumstances in which the adult members of the family cannot choose the Authority of Service. In these special circumstances, the worker relies on policy to select the Authority of Service on behalf of the family or person.

These are the ONLY circumstances in which the adult members of the family do not make their own choice of Authority of Service.

3.3 Selection of Authority of Service by worker based on four special circumstances under Regulation MR 183/2003.

Under Section 4(5) of the Child and Family Services Authority Regulation, the worker completing the ADP has a duty to select an Authority of Service in four special circumstances. This is called a 'regulation choice'.

The four special circumstances are:

1. If the adult members of the family cannot agree on an Authority of Service;
2. If the adult family members refuse to choose an Authority of Service;
3. If the adult family members cannot be located; or
4. If the adult family members are unable to participate.

The circumstances or events in these cases must be recorded in **Part 4 – Notes to File**. Notes about any of these special circumstances must be dated and signed by the worker and the supervisor.

3.3.1 What happens if the family wants to choose an Authority after a regulation choice is made?

ANY TIME A WORKER MAKES A REGULATION CHOICE OF AUTHORITY OF SERVICE ON BEHALF OF A FAMILY, IT IS A TEMPORARY CHOICE.

IF THE ADULT MEMBERS OF A FAMILY COME TO AN AGREEMENT, OR AGREE TO PARTICIPATE, OR ARE LOCATED OR BECOME ABLE TO PARTICIPATE, THE FAMILY MUST BE GIVEN THE OPPORTUNITY TO CHOOSE THEIR OWN AUTHORITY OF SERVICE.

THIS COULD BE THE SAME AUTHORITY SELECTED BY THE WORKER UNDER THE POLICY PROVISIONS DESCRIBED BELOW, OR ANY OTHER AUTHORITY.

THIS IS NOT A REQUEST FOR A CHANGE OF AUTHORITY, BUT IS CONSIDERED TO BE THE COMPLETION OF THE ADP PROCESS BY THE FAMILY.

SEE ALSO 3.5, BELOW.

3.3.2 Special Circumstance 1: The Adult Family Members Cannot Agree on an Authority of Service

If, after a number of attempts, the family cannot agree on an Authority of Service, the worker completing the ADP with the family must select the Child and Family Service Authority which most closely matches the culture of origin of the Case Reference (primary caregiver).

The worker must use sound professional judgment to determine the Case Reference (primary caregiver) and the best information available to determine the culture of origin of that person.

The worker must record a summary of the discussion(s) with the family in **Part 4 – Notes to File**. This includes notes about the information that the worker relied upon to determine the culture of origin of the Case Reference (primary caregiver).

If the worker cannot obtain any information about the culture of origin of the Case Reference (primary caregiver), the worker should consider the culture of origin of the next most important adult caregiver.

For example, in a two parent family, if the Case Reference (primary caregiver) is the biological mother but about whom no culture of origin information is known, then the worker should consider the culture of origin of the father. In a one parent family, if the culture of origin is not known for the Case Reference (primary caregiver), the worker may discover that a different adult family member (e.g., grandparent or aunt or uncle) is the next most important caregiver. The worker should consider the culture of origin of the next most important caregiver in the selection of the Authority of Service.

Notes made in **Part 4 – Notes to File** about any of these Special Circumstances must be dated and signed by both the worker and the supervisor.

3.3.3 Special Circumstance 2: The Adult Family Members Refuse to Choose an Authority of Service

If, after a number of attempts, the adult members of the family refuse to choose an Authority of Service, the worker completing the ADP with the family must select the Child and Family Service Authority which most closely matches the culture of origin of the Case Reference (primary caregiver).

The worker must use sound professional judgment to determine the Case Reference (primary caregiver) and the best information available to determine the culture of origin of that person.

If the worker cannot obtain any information about the culture of origin of the Case Reference (primary caregiver), then the worker should consider the culture of origin of the next most important adult caregiver. (See examples in 3.3.2.)

The worker must record a summary of the discussion(s) with the family in **Part 4 – Notes to File**. This includes notes about the information that the worker relied upon to determine the culture of origin of the Case Reference (primary caregiver).

Notes made in **Part 4 – Notes to File** about any of these Special Circumstances must be dated and signed by both the worker and the supervisor.

3.3.4 Special Circumstance 3: The Adult Family Members Cannot Be Located

If, after a number of attempts, the adult family members cannot be located, the worker completing the ADP must select the Child and Family Service Authority which most closely matches the culture of origin of the Case Reference (primary caregiver).

The worker must use sound professional judgment to determine the Case Reference (primary caregiver) and the best information available to determine the culture of origin of that person.

If the worker cannot obtain any information about the culture of origin of the Case Reference (primary caregiver), then the worker should consider the culture of origin of the next most important adult caregiver. (See examples in 3.3.2.)

The worker is responsible to record the date(s) and a summary of the efforts to locate the adult family members and the efforts to obtain information about the culture of origin of the primary care giver in **Part 4 – Notes to File**.

Notes made in **Part 4 – Notes to File** about any of these Special Circumstances must be dated and signed by both the worker and the supervisor.

3.3.5 Special Circumstance 4: The Adult Family Members Are Unable To Participate

The adult family members may be available but unable to participate in completing the ADP form for various reasons. For example, there have been cases in which the adult family members have been incapacitated for a prolonged period of time as the result of a motor vehicle accident. Adult family members may be unable to participate for other reasons as well.

In these cases, the worker administering the ADP must select the Child and Family Service Authority which most closely matches the culture of origin of the Case Reference (primary caregiver).

The worker must use sound professional judgment to determine the Case Reference (primary caregiver) and the best information available to determine the culture of origin of that person.

If the worker cannot obtain any information about the culture of origin of the Case Reference (primary caregiver), then the worker should consider the culture of origin of the next most important adult caregiver. (See examples in 3.3.2.)

The worker is responsible to record the date(s) and a summary of the circumstances in **Part 4 – Notes to File** including the efforts to obtain information about the culture of origin of the primary care giver.

Notes made in **Part 4 – Notes to File** about any of these Special Circumstances must be dated and signed by both the worker and the supervisor.

3.4 Families Can Choose Own Authority After a Regulation Selection

A worker may be required to use the regulation choice to choose an Authority of Service on behalf of a family:

1. If the adult members of the family cannot agree on an Authority of Service;
2. If the adult family members refuse to choose an Authority of Service;
3. If the adult family members cannot be located; or
4. If the adult family members are unable to participate.

However, if the adult family members come to an agreement, or agree to participate in the ADP process, or are located or become able to participate, they must be given the opportunity

to choose an Authority of Service. This could be the same Authority that was selected by the worker on behalf of the family or any other Authority.

If the family chooses a different Authority, responsibility for service must be referred to an agency of the chosen Authority as soon as practicable unless a child abuse investigation or proceedings are underway involving either child protection or adoption. (See **Section 7 – Request for Change of Authority of Service.**)

NOTE: This is not a request for a change of Authority of Service (see **Section 7 – Request for Change of Authority of Service**). This is considered to be completion of the ADP by the family.

3.5 Is the ADP Done With Nonresident Parent(s) or Guardian(s)?

There are families in which one of the adult members does not live with the other family members but who continues to have guardianship rights. It is important that these other adults be included in the completion of the ADP. The practices described below apply to nonresident adult members that continue to have guardianship rights, whether they exercise those rights or not.

In these cases, if the adult members cannot choose an Authority of Service, the worker is responsible to select an Authority of Service that is consistent with the policy in Special Circumstances described above.

The worker must make a reasonable effort to locate a nonresident adult family member that continues to have guardianship rights. The worker must make the number of attempts that would satisfy a court when attempting to serve an order of substitution. This includes:

- In person visits to the last known address and
- By registered mail to the last known address.

Since this is based on practice and experience with a court, workers should consult with their supervisor in deciding when an appropriate number and type of contact attempts have been made. Workers must record in **Part 4 – Notes to File:**

- names of adult persons being contacted;
- how many attempts were made;
- dates of the attempts;
- the kind of contact that was attempted (in person, by telephone, by registered mail, etc);
- the date when they consulted with their supervisor to determine that sufficient attempts had been made and
- the name and office telephone number of the supervisor.

The worker and supervisor must sign and date by this information on the **Part 4 – Notes to File.**

The ADP is not completed with adult members that no longer have guardianship. However, information about these adult family members including name, contact information and relationship to the family should be recorded in **Part 4 – Notes to File.**

3.6 Should Contact Be Made With a Nonresident Adult Family Member in Voluntary Family Service Cases?

In cases of Voluntary Family Service, the worker must obtain the written consent of the resident adult family member before attempting to contact a nonresident adult family member. This must be attached to the ADP form and kept in the family file.

The worker is responsible to record the date and a summary of the discussion with the resident adult family member in **Part 4 – Notes to File**.

Notes made in **Part 4 – Notes to File** must be signed and dated by the worker.

3.7 Should Contact Be Made With a Nonresident Adult Family Member in Involuntary Cases?

In cases of involuntary service, written consent to contact a nonresident parent or guardian is not required.

Workers should advise the resident adult family member that there may be in contact with the nonresident adult family member. This should be done in a manner that is supportive and considerate.

However, no contact attempt should be made if there is a legal order against contact, or a legal order is in process of being made, or if the contact attempt is *reasonably judged* by the worker and the supervisor to pose a risk to the safety of the resident adult family member, the child(ren) or the worker.

The worker is responsible to record the date and a summary of the discussion with the resident adult family member in **Part 4 – Notes to File**.

Both the worker and supervisor must sign and date notes made in **Part 4 – Notes to File** concerning the decision that no contact attempt should be made.

In these cases, the ADP is completed solely with the resident adult family member.

3.8 When Should Contact With a Nonresident Parent or Guardian NOT Be Made?

Do not attempt to contact a nonresident adult family member in cases in which:

- a) there is a legal order preventing contact between the resident and nonresident adult family members;
- b) there is a process underway to obtain such a legal order, or
- c) if the contact attempt is reasonably judged by the worker and the supervisor to pose a risk to the safety of the resident adult family member, the child(ren) or the worker.

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Both the worker and supervisor must sign and date notes made in **Part 4 – Notes to File** that fully explain and support the decision that no contact attempt should be made.

In these cases, the ADP is completed solely with the resident adult family member.

Section 4: The Consent Process

The adult members of a family or person can choose the culturally appropriate Authority or any other Authority as the Authority of Service. (Section 4(1) of the *Child and Family Services Authorities Regulation* M.R. 183/2003)

A culturally appropriate child and family service Authority that has NOT been chosen by the adult members of a family or person may wish to meet with the family. The purpose of the meeting is to provide an opportunity for an Authority to understand first hand why a family may have chosen an Authority other than the culturally appropriate Authority. A meeting is also an opportunity for an Authority to explain why the culturally appropriate Authority might be a suitable choice.

The **Consent Process** is available to an Authority to request a meeting with the adult members of the family or person.

The **Consent Process** is based in regulation. (See the *Child and Family Services Authorities Regulation*; sections 6(1) and 6(2)). Some important points about the **Consent Process** are that:

- every step is voluntary for the family or person;
- the family or person is not obligated to consent to a meeting;
- if the family or person does consent to a meeting, they are still free to change their mind and decline to attend the meeting.

If the family agrees to meet with a culturally appropriate Authority, the family is NOT transferred to the Authority of Service. The family must remain with the agency that is completing the ADP until the meeting has occurred. If service is required during this time, the agency completing the ADP is responsible to ensure that this service is provided.

The **Consent Process** has 6 steps. The entire **Consent Process** must be completed within the eighteen (18) days following the completion of the ADP forms.

4.1 When Does the Consent Process Start?

The **Consent Process** starts when the adult members of a family or person chooses an Authority of Service that is not the culturally appropriate Authority determined by the ADP.

This includes families with more than one culture of origin. Since families can choose only one Authority of Service, families with more than one culture of origin will always have to make a choice. Therefore, the Consent Process will always be a consideration in cases involving families with more than one culture of origin.

4.2 What Happens Next?

The worker must complete the ADP process and form with the family up to and including **Part 3 – Authority of Service Determination**.

If the family or person's choice is not the culturally appropriate Authority, or if there is more than one culturally appropriate Authority represented in the family, the worker must explain to the adult members of the family or person that a culturally appropriate Authority (or authorities) may request a meeting with the family. The purpose of the meeting is to help the culturally appropriate Authority(ies) understand the choice of the family and to explain why the culturally appropriate Authority(ies) is a suitable choice, and that to have this meeting, the culturally appropriate Authority(ies) need to know some information about the family or person. This explanation should happen as soon as the ADP is complete but in no case later than two (2) days after completing the ADP.

The worker must explain that:

- a) providing family information to a culturally appropriate Authority(ies) is voluntary;
- b) meeting with a culturally appropriate Authority(ies) is voluntary;
- c) the purpose is to help the culturally appropriate Authority that was not chosen understand the choice of the family;
- d) it will provide an opportunity for the Authority to explain why choosing a culturally appropriate Authority could be suitable for the family, and
- e) that even if the family agrees to meet with the culturally appropriate Authority(ies), they may revoke that agreement at any time.

If the adult members of the family or person agrees to meet with a culturally appropriate Authority, the worker immediately starts the six (6) steps of the **Consent Process**.

If the adult members of the family or person do not agree to meet with a culturally appropriate Authority, the worker completes the ADP process and refers the family to the agency of their chosen Authority of Service.

4.3 Six (6) Steps with Timelines for Addressing Family Consent to Meet With Authorities

STEP 1 – If the family agrees to meet with the culturally appropriate Authority(ies), the Case Reference (primary care giver) is asked to provide information and sign the **Consent Letter** (See **ADP Form, Part 5**).

The worker completing the ADP with the adult members of the family or person helps to complete the **Consent Letter (Part 5)**.

The worker faxes the **Consent Letter** (Part 5) to the culturally appropriate Authority(ies). This must happen within 2 days of completing the ADP.

The worker must also complete **Part 6.A (Information Sent)** to document completion of this step.

STEP 2 – The culturally appropriate Authority has 6 days to contact the family to request a meeting. In cases where consent has been provided to more than one culturally appropriate Authority, these authorities should contact each other prior to contacting the family. The culturally appropriate authorities must decide whether each or one of them will meet with the family. This decision must still occur within the 6 day period.

STEP 3 – By the end of the 6 day period, the culturally appropriate Authority must notify the family or person whether or not it will request a meeting. (It must also notify the worker who completed the ADP with the family whether or not it will request a meeting.) If the culturally appropriate Authority makes no response by the end of the 6 day period, the period for requesting a meeting has expired and the decision is deemed that a meeting has not been requested. The choice of Authority of Service is confirmed and at the end of the 6 day period the worker must refer the family to the agency of the Authority of Service chosen by them.

STEP 4 – If, within the 6 days, the culturally appropriate Authority contacts the adult members of the family or person and all of the adult members of the family/person agree to meet, the Authority then has 10 days to meet with the family/person. (The culturally appropriate Authority will also notify the worker about the request to meet with the family/person.) At any time leading up to the meeting, the family/person may revoke its agreement and decline to have the meeting. If the family/person revokes agreement to meet with the culturally appropriate Authority, the choice of Authority of Service is confirmed and the worker must refer the family/person for service.

STEP 5 – The culturally appropriate Authority meets with the family. If there is more than one culturally appropriate Authority, each may wish to meet with the family individually. At any time, the family may revoke its agreement to meet with a culturally appropriate Authority. If this happens, the choice of the family is confirmed and the worker must refer the family for service.

STEP 6 – As soon as possible after the meeting, the culturally appropriate Authority must complete **Part 7** of the ADP Form to record the outcome. The culturally appropriate Authority must fax **Part 7** to the worker that completed the ADP with the family.

The worker who completed the ADP with the family completes **Part 6.B (Outcome)** and makes the referral to the agency of the Authority that will provide service to the family.

4.4 What Are The Outcomes Of The Consent Process?

The outcomes of the **Consent Process** include:

1. The Case Reference declines to sign Part 5. The ADP is deemed to be complete and the worker must refer the family to the agency of the Authority of Service chosen by them.
2. The Case Reference signs Part 5 but a culturally appropriate Authority does not contact the family within 6 days of receiving Part 5. The ADP is deemed to be complete and the worker must refer the family to the agency of the Authority of Service chosen by them.
3. The Case Reference signs Part 5 but then declines to meet with a culturally appropriate Authority. The ADP is deemed to be complete and the worker must refer the family to the agency of the Authority of service chosen by them.
4. The Case Reference signs Part 5 and meets with the culturally appropriate Authority and declines to change the choice of Authority of Service. The ADP is deemed to be complete and the worker must refer the family to the agency of the Authority of Service chosen by them.
5. The Case Reference signs Part 5 and meets with the culturally appropriate Authority and agrees to change the choice of Authority of Service. The ADP is deemed to be complete and the worker must refer the family to the agency of the Authority of Service chosen by them.

This must occur within 18 days.

If the 18 days expires before the completion of the Consent Process, the ADP is deemed to be complete and the worker must refer the family or person to the agency of the Authority of Service chosen by them.

4.5 How Are The Eighteen (18) Days Counted?

If the family agrees to meet with a culturally appropriate Authority, the family is NOT transferred to the Authority of Service. The family must remain with the agency that is completing the ADP until the meeting has occurred. If service is required during this time, the agency completing the ADP is responsible to ensure that this service is provided.

The entire **Consent Process** must be completed within the eighteen (18) days following the completion of the ADP forms. This includes the time to fax **Part 5** of the ADP Form to the culturally appropriate Authority; the time the culturally appropriate Authority takes to decide to meet with the family; the time for the meeting to occur; and the time for the culturally appropriate Authority to fax **Part 7** back to the worker completing the ADP.

These 18 days are counted in the following way.⁴

1. The agency completing the ADP with the adult members of the family or the person faxes **Part 5 – Consent to Notify Culturally Appropriate Authority** to the culturally appropriate Authority(ies) NOT chosen.
2. Counting will begin the day following the receipt of Part 5 by the culturally appropriate Authority, even if the next day is a recognized holiday, weekend or a day that the office is normally closed.
3. Every day is counted after that including recognized holidays, weekends and days that the office is normally closed.
4. The 18 days expires on any day including a weekend. The only exception is that a time limit cannot expire on a recognized holiday or a day on which the office is normally closed. In this case, the 18 days is deemed to expire on the next day that the office is open. This is the only time that the 18 days may be extended.
5. If the 18 days expires before the completion of the Consent Process, the ADP is deemed to be complete and the worker must refer the family or person to the agency of the Authority of Service chosen by them. (was taken out in the Nov 09 copy)

⁴ This counting process is based on **The Interpretation Act of Manitoba** and is consistent with due process considerations.

Section 5: When is the ADP Complete?

The ADP is complete when:

1. The adult members of the family or person chooses an Authority of Service (Part 3 – Authority of Service Determination)
AND
2. The Case Reference signs Part 3 – Authority of Service Determination (or refuses to sign)
AND
3. The work and supervisor sign Part 3 – Authority of Service Determination.

If there is more than one culture of origin within the family, the ADP is complete when:

1. The Case Reference declines to sign Part 5.
OR
2. The Case Reference signs Part 5 but a culturally appropriate Authority does not contact the family within 6 days of receiving Part 5.
OR
3. The Case Reference signs Part 5 but then declines to meet with a culturally appropriate Authority.
OR
4. The Case Reference signs Part 5 and meets with the culturally appropriate Authority and declines to change the choice of Authority of Service.
OR
5. The Case Reference signs Part 5 and meets with the culturally appropriate Authority and agrees to change the choice of Authority of Service.
OR
6. If the 18 days expires before the completion of the Consent Process, the ADP is deemed to be complete and the worker must refer the family or person to the agency of the Authority of Service chosen by them.

When the ADP is completed the family or person will be referred to the appropriate agency of the chosen Authority of Service.

Section 6: Transfer to Ongoing Service Provider

When the ADP is completed the family or person will be referred to the appropriate agency of the chosen Authority of Service. The referral must be done in writing.

The referral must be consistent with current standards and practices for referrals from a Designated Intake Agency to a child and family service agency. Please see the Child and Family Services Standards. The Standards may be viewed on-line at:

<http://www.gov.mb.ca/fs/cfsmanual/index.html>

The agency that receives the referral must accept the transfer in writing.

Acceptance must be completed and returned to the Designated Intake Agency within 5 calendar days.

Section 7: Request for Change of Authority of Service

Families may request to change the Authority of Service. The *Child and Family Services Authorities Regulation 183/2003* 9(1) provides families or persons with this option.

7.1 Why Do Families Change Authority of Service?

Families sometimes realize that they would prefer to work with a different Authority of Service. This may be because they wish to work with a culturally appropriate Authority. In other circumstances, families may feel that they cannot work effectively with an Authority of Service and want to 'start fresh' with a different Authority.

7.2 How Does It Start?

The transfer process begins with the adult members of the family sending a request in writing to their current Authority requesting a change. All adult members of the family must agree to the request by signing the letter. The letter must include 3 important things:

- a) the name of the Authority to which they wish to be transferred;
- b) the views and preferences of children 12 years of age and older, and
- c) the signatures of all the adult members of the family.

7.3 What are the Steps of the Change Process?

The steps for this process are:

Step 1: The adult members or person sends a written request to the current Authority of Service. This request must state to which Authority they wish to be transferred. All adult members of the family must consent in writing with this request. The adult members of the family must consider the views and preferences of children 12 years of age and older. The views of children under 12 years of age may be considered. The written request should include the views and preferences of the children.

Step 2: The Authority of Service must promptly forward the request to the Authority to which the family wishes to be transferred.

Step 3: The Authorities involved must make a decision and advise the family in writing within 30 days. Both Authorities must agree to the transfer. If one Authority does not agree, then the request is denied. If the request is denied, the letter to the family must include information on how to appeal to the Director (refer to Section 7.6). If the 30 day period expires before a decision is made, the request is deemed to have been approved and the transfer must be made as soon as practicable. The files or service records of

the agency that was providing service to the family or person must be made available to the new agency.

7.4 What are the Grounds for Approving a Request for Change?

The Authorities involved may ask the worker for information about the services provided, the needs or issues within the family or other information relevant to the provision of child and family services.

In general, the grounds for approving a request for transfer must be consistent with the best interests of the person making the request or, if a family is requesting a change of Authority, the transfer must be in the best interests of the children in the family that is receiving services.

See Section 2(1) of *The Child and Family Services Act* regarding the determination of the best interests of children in the family.

7.5 What are the Grounds for Denying a Request for Change?

The *Child and Family Services Authorities Regulation* (M.R. 183/2003) states that an Authority must deny a request for transfer if a child abuse investigation or a proceeding involving a child in the family under Part III of *The Child and Family Services Act* is underway, or if a proceeding involving the family under *The Adoption Act* is underway.

An Authority may deny a request for transfer if the Authority can establish that the transfer is not in the best interests of the children if a family is making the request, or is not in the best interest of the person if a person is making the request.

See Section 2(1) of *The Child and Family Services Act* regarding the determination of the best interests of children in the family.

7.6 Appeal of Denial of Request for Change

If a request to change Authority of Service is not approved by the authorities, the adult members of the family or person may appeal to the Director of Child and Family Services, Child Protection Branch, Family Services and Consumer Affairs.⁵ The decision by the Authorities must include information on how to appeal to the Director. A family or person has 10 days after receiving the written decision of the authorities to send the appeal. The appeal must be in writing. Each adult member of the family must consent to the appeal by signing the written request.

⁵ Director of Child and Family Services
Child Protection Branch
Child and Family Services Division
Suite 201, 114 Garry Street
Winnipeg, MB
R3C 4V4

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The Director must approve the request if the Director considers the change in Authority of Service to be in the best interest of the person making the request, or in the best interests of the children in the family. There is no specific time limit on the Director to make a decision.

The Director will make the decision in writing and send it to the person or family and the Authorities involved. The Authorities must act upon the decision of the Director immediately.

There is no further appeal of the Director's decision.

Section 8: Summary

In summary, the Authority Determination Protocol (ADP) is both a legal entitlement (in regulation) and a process that results in families and persons being able to choose a culturally appropriate Authority or any other Authority to be responsible for services. All families are entitled to the ADP including families who are involuntarily involved with child and family services.

The choice of Authority is made by the adult members of the family. The views of children 12 years of age and older must be ascertained by the worker and be considered during the completion of the ADP. The views of children under 12 years of age may be considered if the child understands the events and circumstances.

Persons under the age of majority are entitled to their own ADP and to choose their own Authority of Service if they are in receipt or, or about to be in receipt of, expectant parent services, or when an independent living arrangement is being planned for a youth in care.

The ADP is typically completed by a Designated Intake Agency, though any agency may do so. The ADP is completed after protection or other immediate issues are appropriately addressed, and after a professional decision is made that the family or person requires an ongoing relationship with child and family services.

The adult members of the family or person are asked to identify their cultures of origin, which leads to the identification a culturally appropriate Authority. Families with more than one culture of origin will have more than one culturally appropriate Authority. Families may choose the culturally appropriate Authority or any other Authority.

Culturally appropriate Authorities not chosen by a family may request a meeting with family. The purpose of the meeting is to help the culturally appropriate Authority understand the choice of the family and to provide an opportunity for the Authority to express why a culturally appropriate choice might be suitable for the family. Under regulation, the request to meet with the family or person must be made within 6 days following the completion of the ADP and the meeting must be held within 10 days after that. A total of 18 days is available for this meeting. During this time, the Designated Intake Agency or other agency completing the ADP with the family or person is responsible for all services. Families are not required to meet with a culturally appropriate Authority.

Only one Authority may be responsible for service to a family at a time. The two exceptions to this are persons under the age of majority who are in or about to be in receipt of, expectant parent services or when independent living arrangements are being planned for a minor. In these instances, there may be two authorities involved whose agencies are required to cooperate in providing services together.

Families may request to change Authorities. The request must be made in writing to the Authority currently responsible for service and signed by all adult members. Both Authorities must agree to the change and their decision must be given to the family within 30 days. A family may appeal the decision of an Authority to the Director of Child and Family Services.

If any time limit expires (time to request and meet with a family or person that has not chosen the culturally appropriate Authority or the time to provide a decision to a family or person that has requested a change of Authority) the choice or request of the family is deemed to have been granted.

Appendix A – ADP Form

PART 1

FAMILY INFORMATION

Start Date: _____ First Interview Date: _____ Finish Date: _____ # of Contact Attempts: _____
(dd-mmm-yyyy) (dd-mmm-yyyy) (dd-mmm-yyyy)

Agency Conducting ADP: _____ Agency Supervisor: _____ Phone #: _____

Agency File #: _____ Agency Worker: _____ Phone #: _____

Opening Type

- ☐ New
☐ Re-open

Case Category (Choose ONE only)

- ☐ Voluntary Family Service (VFS) ☐ CIC / Supervision ☐ Post Adoption
☐ Protection (PRT) ☐ Expectant Minor Parent / VFS ☐ Other _____
☐ Child in Care (CIC) ☐ Expectant Minor Parent / PRT

I.D. #	Surname Case Reference only in 1 st row	Given Names: First & Middle	Other Known Surnames	Other Known First Names	D.O.B. dd-mmm-yyyy	Gender M / F	Relationship To Primary Case Reference	Care Code	Aboriginal Status Code	Place of Residence See Appendix C
1										
2										
3										
4										
5										
6										
7										
8										
9										
10										
11										
12										

Case Reference's Mailing Address: _____ Phone #: _____

Care Codes

Non-Care.....N/C
Under Apprehension.....U/A
Voluntary Placement Agreement.....VPA

Voluntary Surrender of Guardianship...VSG
Temporary Ward.....TW
Permanent Ward.....PW

Transition Planning....TP

Aboriginal Status Codes

FN – Status.....S
FN – Non-Status.....N/S
Metis.....M
Inuit.....I
Non-Aboriginal...N/A

PART 2

AUTHORITY OF RECORD OF DETERMINATION

Agency File #: _____

I.D. #	FIRST NATIONS STATUS				METIS / INUIT	ABORIGINAL NON STATUS*		NON ABORIGINAL	Culturally Appropriate Authority**
	Treaty #	Band Name	Community Affiliation: Manitoba FN See Appendix C	Community Affiliation: Out of Province FN See Appendix C	Community Affiliation	Self I.D.	Band / Community Affiliation	✓ If Non Aboriginal	
1									
2									
3									
4									
5									
6									
7									
8									
9									
10									
11									
12									

***Aboriginal Non Status**

Identifies with First Nations.....FN
 Identifies with Métis or Inuit.....Métis
 Does not identify with First Nations, Métis or Inuit.....None

Self I.D.

****Culturally Appropriate Authority**

N = FN of Northern Manitoba
S = FN of Southern Manitoba
M = Métis
G = Non Aboriginal and all others

SEE 2.4.10, PAGE 21 TO IDENTIFY THE CULTURALLY APPROPRIATE AUTHORITY (CAA) USING THE INFORMATION IN THIS TABLE.

PART 3

AUTHORITY OF SERVICE DETERMINATION

Section I

Authority of Record for Case Reference / Primary Caregiver (From Part 2)

- | | |
|---|---|
| <input type="checkbox"/> First Nations of Northern Manitoba | <input type="checkbox"/> First Nations of Southern Manitoba |
| <input type="checkbox"/> Métis | <input type="checkbox"/> General |
-

Section II

Choice of Authority of Service

- | | |
|---|---|
| <input type="checkbox"/> First Nations of Northern Manitoba | <input type="checkbox"/> First Nations of Southern Manitoba |
| <input type="checkbox"/> Métis | <input type="checkbox"/> General |

Who made the choice of Authority of Service?

- | | |
|---------------------------------|---|
| <input type="checkbox"/> Family | <input type="checkbox"/> Four Special Circumstances Policy (See: Section 3) |
|---------------------------------|---|
-

Section III

Authority of Service Agreement: *I have been given the choice of which Authority will be responsible for services to my family.*

Case Reference / Primary Caregiver Signature

Date

Partner / Spouse / Non Custodial Parent Signature

Date

Worker Signature

Date

Supervisor Signature

Date

☐ ☒ If Family Refuses To Sign

Based on the Authority of Service chosen by the family the Mandated Agency Service Provider will be:

(Name of Agency)

Distribution List:

Family Service Provider
Intake File

PART 5: CONSENT TO NOTIFY CULTURALLY APPROPRIATE AUTHORITY

In Manitoba, families are now able to receive services from a culturally appropriate child and family service agency. Agencies are organized into four groups called **child and family service authorities**. The four authorities are the **First Nations of Northern Manitoba Child and Family Service Authority**, the **First Nations of Southern Manitoba Child and Family Service Authority**, the **Metis Child and Family Service Authority** and the **General Child and Family Service Authority**.

As part of the Authority Determination Process, it has been determined that more than one Authority may be culturally appropriate for your family. Alternatively, your family may not have chosen a culturally appropriate Authority to provide service.

One or more culturally appropriate authorities that you have NOT chosen may wish to meet with you and the adult members of your family that are entitled to choose an Authority. The purpose of the meeting is to consider other service options available to you and your family. In order to do this, the information on this form will be shared with them.

By signing this form, you are agreeing to share the information that is recorded on this form. The information will be shared with culturally appropriate Authorities you have not chosen. You are also agreeing that the culturally appropriate Authority or authorities may contact you directly to request a meeting with you and the adult members of your family.

YOU ARE NOT REQUIRED TO SIGN THIS FORM. IF YOU DO SIGN THIS FORM, YOU ARE NOT REQUIRED TO MEET WITH A CULTURALLY APPROPRIATE AUTHORITY.

*Culturally appropriate Authority(ies) for this family include (please see ADP **Part 2 – Authority of Record Determination**)*

Family Member	Check <input checked="" type="checkbox"/> Adult (A) or Child (C)	Check <input checked="" type="checkbox"/> Case Reference (One only)	Culturally Appropriate Authority (FNN / FNS / M / G) (Check <input checked="" type="checkbox"/> one only for each family member)			
1	<input type="checkbox"/> A <input type="checkbox"/> C	<input type="checkbox"/>	<input type="checkbox"/> FNN	<input type="checkbox"/> FNS	<input type="checkbox"/> M	<input type="checkbox"/> G
2	<input type="checkbox"/> A <input type="checkbox"/> C	<input type="checkbox"/>	<input type="checkbox"/> FNN	<input type="checkbox"/> FNS	<input type="checkbox"/> M	<input type="checkbox"/> G
3	<input type="checkbox"/> A <input type="checkbox"/> C	<input type="checkbox"/>	<input type="checkbox"/> FNN	<input type="checkbox"/> FNS	<input type="checkbox"/> M	<input type="checkbox"/> G
4	<input type="checkbox"/> A <input type="checkbox"/> C	<input type="checkbox"/>	<input type="checkbox"/> FNN	<input type="checkbox"/> FNS	<input type="checkbox"/> M	<input type="checkbox"/> G
5	<input type="checkbox"/> A <input type="checkbox"/> C	<input type="checkbox"/>	<input type="checkbox"/> FNN	<input type="checkbox"/> FNS	<input type="checkbox"/> M	<input type="checkbox"/> G
6	<input type="checkbox"/> A <input type="checkbox"/> C	<input type="checkbox"/>	<input type="checkbox"/> FNN	<input type="checkbox"/> FNS	<input type="checkbox"/> M	<input type="checkbox"/> G
7	<input type="checkbox"/> A <input type="checkbox"/> C	<input type="checkbox"/>	<input type="checkbox"/> FNN	<input type="checkbox"/> FNS	<input type="checkbox"/> M	<input type="checkbox"/> G
8	<input type="checkbox"/> A <input type="checkbox"/> C	<input type="checkbox"/>	<input type="checkbox"/> FNN	<input type="checkbox"/> FNS	<input type="checkbox"/> M	<input type="checkbox"/> G
9	<input type="checkbox"/> A <input type="checkbox"/> C	<input type="checkbox"/>	<input type="checkbox"/> FNN	<input type="checkbox"/> FNS	<input type="checkbox"/> M	<input type="checkbox"/> G
10	<input type="checkbox"/> A <input type="checkbox"/> C	<input type="checkbox"/>	<input type="checkbox"/> FNN	<input type="checkbox"/> FNS	<input type="checkbox"/> M	<input type="checkbox"/> G

NOTE: DO NOT WRITE ANY NAMES IN THIS TABLE.

To culturally appropriate authorities:

Please note that _____ (FNN / FNS / M / G) has been selected as the Authority of service. If you would like to request a meeting with the family you must notify the family and worker named below no later than six (6) days from the date that this document is received by facsimile. If this time period expires without notifying the family, the selected Authority of service will be confirmed.

Check ☒ all that apply

- ☐ First Nations of Northern Manitoba Child and Family Services
☐ Metis Child and Family Services

- ☐ First Nations of Southern Manitoba Child and Family Services
☐ General Child and Family Services

Name of Case Reference (please print)

Signature of Case Reference

Address of Case Reference (please print)

Date Signed by Case Reference (please print)

Telephone Number of Case Reference (please print)

I HAVE READ AND UNDERSTAND THE ABOVE INFORMATION AND I CONSENT TO THE NOTIFICATION OF THE CULTURALLY APPROPRIATE AUTHORITY (IES) NOTED ABOVE.

FOR OFFICE USE ONLY: Instruction to worker – fax this form within two (2) days of completing the ADP.

**FNN fax: 204-942-1858
M fax: 204-984-9487**

**FNS fax: 204-783-7996
G fax: 204-984-9366**

PART 6

**CONSENT TO MEET WITH
CULTURALLY APPROPRIATE AUTHORITY**

A. Information Sent

**To be completed by agency administering the
ADP if Case Reference signs Part 5 and
BEFORE the meeting with the family, if any.**

1. Name of Case Reference: _____
2. Date Part 5 signed by Case Reference
(Use dd/mmm/yyyy eg, 31/Jan/2007) __/__/____
3. Authority chosen: ☐ FNS ☐ FNN ☐ Metis ☐ Gen
4. Other Authority(ies) represented: ☐ FNS ☐ FNN ☐ Metis ☐ Gen
5. Date Part 5 faxed to Authority(ies):
(Use dd/mmm/yyyy eg, 31/Jan/2007) __/__/____ ☐ FNS ☐ FNN ☐ Metis ☐ Gen
____/____/____ ☐ FNS ☐ FNN ☐ Metis ☐ Gen
____/____/____ ☐ FNS ☐ FNN ☐ Metis ☐ Gen
6. Name of staff faxing Part 5 to Authority(ies): _____
-
-

B. Outcome

**To be completed by agency administering the
ADP AFTER receiving Part 7.**

1. Date Part 7 received:
(Use dd/mmm/yyyy eg, 31/Jan/2007) __/__/____
2. Outcome (check (√) one): ☐ No meeting with family
 ☐ Meeting but no change in chosen Authority (family declined change)
 ☐ Meeting and family changed Authority to (check (√) on):
 ☐ FNS ☐ FNN ☐ Metis ☐ Gen
3. Date referred to agency for service:
(Use dd/mmm/ yyy eg, 31/ an/2007) __/__/____

PART 7 OUTCOME OF MEETING BETWEEN FAMILY AND CULTURALLY APPROPRIATE AUTHORITY

A culturally appropriate child and family service Authority that has not been chosen by the adult members of a family or person may wish to meet with the family. The purpose of the meeting is to provide an opportunity for an Authority to understand first hand why a family may have chosen an Authority other than the culturally appropriate Authority. A meeting is also an opportunity for an Authority to explain why the culturally appropriate Authority might be a suitable choice.

The **Consent Process** is available to an Authority to request a meeting with the adult members of the family or person. In cases where consent has been provided to more than one culturally appropriate Authority, these authorities should contact each other prior to contacting the family.

A. Information Received

To be completed by culturally appropriate Authority.

1. Name of Case Reference: _____
2. Date Part 5 received: ____/____/_____
(Use dd/mmm/yyyy eg, 31/Jan/2007)
3. Name of agency sending Part 5: _____
4. Date of meeting with Case Reference: ____/____/_____
(Use dd/mmm/yyyy eg, 31/Jan/2007)
5. Outcome:
 - ☐ Decision made not to contact Case Reference
 - ☐ Unable to contact / locate Case Reference
 - ☐ Case Reference contacted but declined meeting
 - ☐ Meeting with Case Reference but declined change
 - ☐ Meeting with Case Reference and changed Authority of Service as declared below
6. Date Part 7 faxed to agency completing the ADP: ____/____/_____
(Use dd/mmm/yyyy eg, 31/Jan/2007)
7. Name of staff faxing Part 7 to agency completing the ADP: _____

B. Declaration by Case Reference

I have reviewed and understand the contents of this form and declare that I wish to change Authority of Service from _____ Authority to _____ Authority and receive service from the following agency _____.

Signature of Case Reference

Date

NOTE: THIS IS DECLARATION IS NOT VALID UNLESS SIGNED BY THE CASE REFERENCE.

FOR OFFICE USE ONLY:

Fax: Agency administering the ADP

Appendix B – Relationship to Case Reference

CODE	RELATIONSHIP TO CASE REFERENCE
1	Case Reference
2	Adoptive Father
3	Adoptive Mother
4	Aunt
5	Birth Father
6	Birth Mother
7	Brother
8	Brother-In-Law
9	Cousin
10	Daughter
11	Daughter-In-Law
12	Father-In-Law
13	Foster Child
14	Friend
15	Granddaughter
16	Grandfather
17	Grandmother
18	Grandson
19	Legal Guardian
20	Mother-In-Law
21	Nephew
22	Niece
23	Primary Caregiver
24	Sibling
25	Sister
26	Sister-In-Law
27	Son
28	Son-In-Law
29	Spouse/Partner
30	Step-Brother
31	Step-Daughter
32	Step-Father
33	Step-Mother
34	Step-Sister
35	Step-Son
36	Uncle
37	Other
38	Adoptive Son
39	Adoptive Daughter

APPENDIX C – FIRST NATION COMMUNITIES, AUTHORITIES AND AGENCIES

Band Name	Also Known As	Authority	Agency Name
Barren Lands First Nation	Brochet	Northern	Awasis Agency of Northern Manitoba
Berens River First Nation		Southern	Southeast Child and Family Services
Birdtail Sioux First Nation		Southern	Dakota Ojibway Child and Family Services
Black River First Nation		Southern	Southeast Child and Family Services
Bloodvein First Nation		Southern	Southeast Child and Family Services
Brokenhead Ojibway First Nation		Southern	Southeast Child and Family Services
Buffalo Point First Nation		Southern	Southeast Child and Family Services
Bunibonibee Cree Nation	Oxford House	Northern	Awasis Agency of Northern Manitoba
Canupawakpa Dakota First Nation	Oak Lake	Southern	Dakota Ojibway Child and Family Services
Chemawawin Cree Nation	Easterville	Northern	Cree Nation Child and Family Caring Agency
Dakota Plains First Nation		Southern	Dakota Ojibway Child and Family Services
Dakota Tipi First Nation		Southern	Dakota Ojibway Child and Family Services
Dauphin River First Nation		Southern	Anishinaabe Child and Family Services
Ebb and Flow First Nation		Southern	West Region Child and Family Services
Fisher River Cree Nation		Southern	Intertribal Child and Family Services
Fox Lake Cree Nation	Fox Lake	Northern	Awasis Agency of Northern Manitoba
Gamblers First Nation		Southern	West Region Child and Family Services
Garden Hill First Nation	Garden Hill	Northern	Island Lake First Nations Family Services
God's Lake Narrows First Nation	God's Lake Narrows	Northern	Awasis Agency of Northern Manitoba
Hollow Water First Nation		Southern	Southeast Child and Family Services
Keeseekoowenin First Nation		Southern	West Region Child and Family Services

Child and Family Services - Authority Determination Protocol

Band Name	Also Known As	Authority	Agency Name
Kinonjeoshtegon First Nation	Jackhead	Southern	Intertribal Child and Family Services
Lake Manitoba First Nation		Southern	Anishinaabe Child and Family Services
Lake St. Martin First Nation		Southern	Anishinaabe Child and Family Services
Little Grand Rapids First Nation		Southern	Southeast Child and Family Services
Little Saskatchewan First Nation		Southern	Anishinaabe Child and Family Services
Long Plain First Nation		Southern	Dakota Ojibway Child and Family Services
Manto Sipi First Nation	God's River	Northern	Awasis Agency of Northern Manitoba
Marcel Colomb First Nation	Lynn Lake	Northern	Cree Nation Child and Family Caring Agency
Mathias Colomb Cree Nation	Pukatawagan	Northern	Cree Nation Child and Family Caring Agency
Misipawistik Cree Nation	Grand Rapids	Northern	Cree Nation Child and Family Caring Agency
Mosakahiken Cree Nation	Moose Lake	Northern	Cree Nation Child and Family Caring Agency
Nisichawayasihk Cree Nation	Nelson House	Northern	Nisichawayasihk Cree Nation Family & Community Wellness Centre
Northands Denesuline First Nations	Lac Brochet	Northern	Awasis Agency of Northern Manitoba
Norway House Cree Nation	Norway House	Northern	Kinosao Sipi Minisowin Agency
O-Chi-Chak-Ko-Sipi First Nation	Crane River	Southern	West Region Child and Family Services
Opaskwayak Cree Nation	Opaskwayak	Northern	Opaskwayak Cree Nation Child and Family Services
O-pipon-Na-Piwin Cree Nation	South Indian Lake	Northern	Nisichawayasihk Cree Nation Family & Community Wellness Centre
Pauingassi First Nation		Southern	Southeast Child and Family Services
Peguis First Nation		Southern	Peguis Child and Family Services
Pimicikamak Cree Nation	Cross Lake First Nation	Northern	Nikan Awasisak Agency Inc.
Pinaymootang First Nation	Fairford	Southern	Anishinaabe Child and Family Services
Pine Creek First Nation		Southern	West Region Child and Family Services
Poplar River First Nation		Southern	Southeast Child and Family Services

Child and Family Services - Authority Determination Protocol

Band Name	Also Known As	Authority	Agency Name
Red Sucker Lake First Nation	Red Sucker Lake	Northern	Island Lake First Nations Family Services
Rolling River First Nation		Southern	West Region Child and Family Services
Roseau River First Nation		Southern	Dakota Ojibway Child and Family Services
Sagkeeng First Nation	Fort Alexander	Southern	Sagkeeng Child and Family Services
Sandy Bay First Nation		Southern	Sandy Bay Child and Family Services
Sapotaweyak Cree Nation	Shoal River	Northern	Cree Nation Child and Family Caring Agency
Sayisi Dene First Nation	Tadoule Lake	Northern	Awasis Agency of Northern Manitoba
Shamattawa First Nation	Shamattawa	Northern	Awasis Agency of Northern Manitoba
Sioux Valley First Nation		Southern	Dakota Ojibway Child and Family Services
Skownan First Nation	Waterhen	Southern	West Region Child and Family Services
St. Theresa Point First Nation	St. Theresa Point	Northern	Island Lake First Nations Family Services
Swan Lake First Nation		Southern	Dakota Ojibway Child and Family Services
Tataskweyak Cree Nation	Split Lake	Northern	Awasis Agency of Northern Manitoba
Tootinaowaziibeeng First Nation	Valley River	Southern	West Region Child and Family Services
War Lake First Nation	Ilford	Northern	Awasis Agency of Northern Manitoba
Wasagamack First Nation	Wasagamack	Northern	Island Lake First Nations Family Services
Waywayseecappo First Nation		Southern	West Region Child and Family Services
Wuskwi Sipihk First Nation	Indian Birch	Northern	Cree Nation Child and Family Caring Agency
York Factory First Nation	York Landing	Northern	Awasis Agency of Northern Manitoba

Appendix D – The Four Authorities

The Child and Family Service Authorities were established by **The Child and Family Services Authorities Act** which was proclaimed on November 24, 2003.

The four Authorities are:

First Nations of Northern Manitoba Child and Family Services Authority

The Northern Authority is responsible for administering and providing for the delivery of child and family services to:

- People who are members of the northern First Nations specified in the regulations;
- Persons who identify with those northern First Nations; and
- Other persons as determined in accordance with the regulations.

There are currently seven Northern First Nations CFS Agencies. They are:

- Awasis Agency of Northern Manitoba
- Cree Nation Child and Family Caring Agency
- Island Lake First Nations Family Services
- Kinosao Sipi Minisowin Agency
- Nikan Awasisak Agency
- Nisichawayasihk Cree Nation Family and Community Services
- Opaskwayak Cree Nation Child and Family Services Agency

Southern First Nations Network of Care (Southern Network)

Formerly known as the First Nations of Southern Manitoba Child and Family Services Authority, the Southern Network is responsible for administering and providing for delivery of child and family services to:

- People who are members of the southern First Nations specified in regulation;
- Persons who identify with those southern First Nations; and
- Other persons as determined in accordance with the regulations.

There are currently ten Southern First Nations CFS Agencies. They are:

- Animikii Ozoson Child and Family Services
- Anishinaabe Child and Family Services
- Child and Family All Nations Coordinated Response Network (ANCR)
- Dakota Ojibway Child and Family Services
- Intertribal Child and Family Services
- Peguis Child and Family Services
- Sagkeeng Child and Family Services
- Sandy Bay Child and Family Services
- Southeast Child and Family Services
- West Region Child and Family Services

Metis Child and Family Services Authority

The Metis Authority is responsible for administering and providing for the delivery of child and family services to:

- Metis and Inuit people;
- Persons who identify with Metis and/or Inuit; and
- Other persons as determined in accordance with the regulations.

There are currently two Metis Authority agency:

- Metis Child, Family and Community Services
- Michif Child and Family Services Agency

General Child and Family Services Authority

The General Child and Family Services Authority is responsible for administering and providing for the delivery of child and family services to all other persons who are not members of or identify with the First Nations Southern Authority, First Nations Northern Authority, Metis Authority or who choose the General Authority.

There are currently four General Authority agencies. They are:

- Child and Family Services of Central Manitoba
- Child and Family Services of Western Manitoba
- Jewish Child and Family Services
- Winnipeg, Rural and Northern Child & Family Services (includes Eastman Region, Interlake Region, Parkland Region, Northern Region and Winnipeg)

AGREEMENT TO ACCEPT AND IMPLEMENT THE CHILD AND FAMILY SERVICES
AUTHORITY DETERMINATION PROTOCOL FIELD GUIDE BY MEMBERS OF THE
CHILD AND FAMILY SERVICES STANDING COMMITTEE

Chief Executive Officer
Métis Child and Family Services Authority

Chief Executive Officer
First Nations of Southern Manitoba
Child and Family Services Authority

Chief Executive Officer
First Nations of Northern Manitoba
Child and Family Services Authority

Chief Executive Officer
General Child and Family Services Authority

Acting Director of Child and Family Services
Province of Manitoba

Signed February 21, 2017