

What is the Role of Family and Children's Services?



A Guide for Parents, Caregivers and Community Members...

How do we respond to child protection concerns?
Answers to your Questions

Table of Contents

What is the Role of Family & Children’s Services?	3
What is the Authority for FACS to investigate child protection concerns?.....	3
Police involvement in child protection investigations	3
What happens during a “child protection investigation?”	4
Will FACS take my child away?	4
Who will conduct an investigation or handle my case?.....	5
What are their Qualifications?.....	5
What is the role of the Ontario College of Social Workers and Social Service Workers?	5
Do I need a Lawyer?.....	5
What is the role of the Family Court?.....	5
How long does a child protection investigation take?	6
What are the possible Outcomes of an Investigation?	6
Confidentiality and Privacy.....	6
Complaint/Resolution Procedure - Accountability.....	7
Worker/Contact Information	7
For More Information	8
To Contact FACS.....	8

What is the Role of Family & Children's Services?

Family and Children's Services is a multi-service agency offering a wide variety of services to the community such as child care, early learning and counselling programs. Protecting children is our core mandate.

As your local child protection agency or children's aid society:

- we are required and authorized by law, to respond to any report concerning the safety and well-being of a child under, or apparently under the age of 16.
- within the Niagara Region, FACS has the exclusive mandate to investigate child protection concerns.

Our job is to look into the concern to determine if a child may have been abused or neglected, or is at risk for abuse or neglect, as it is defined by the law according to reasonable community standards.

We understand that receiving a call or a visit from FACS can be a very difficult and stressful experience, and that you may have many questions and concerns. We do our utmost to work with families and the community to ensure children's safety and well-being.

What is the Authority for FACS to investigate child protection concerns?

Ontario's Child and Family Services Act mandates that FACS must undertake prompt investigation of any referral alleging that a child may be in need of protection.

When there is reasonable cause to believe a child is at imminent risk, the Child and Family Services Act allows FACS, by law, to enter a home, without a warrant, to assess the safety of a child, or to remove a child if necessary for their safety.

Police Involvement in Child Protection Investigations

Though most investigations will be handled solely by FACS, if there is an indication that a criminal offence may have been perpetrated against a child, FACS must inform the police and work with them according to established protocols for investigation.

*****Please let the child protection worker know if you have a hearing impairment, or limited ability with the English language, so that an interpreter can be provided.***

What happens during a “child protection investigation”?

Not all calls or referrals to FACS result in a child protection investigation. Some issues are better addressed through other community resources. We can help you find the services that may help.

For those situations that do require investigation, you can expect that we will:

- Talk with, and observe the child in question - at school, at home or another reasonable time or location. Depending on the severity of the concern, this may occur without the knowledge or consent of the parent or caregiver.
- Speak with the parents about the concerns that have been reported, and to assess if there is a risk of harm or abuse to the child.
- Speak with, and observe all other children in the home.
- Interview anyone alleged to have caused harm to the child, and those who may have information about the situation - including those who can verify facts and information provided by others.

A child protection worker may:

- Request access to any records about your child, yourself or persons alleged to have harmed the child.
- Arrange for any medical, psychological or psychiatric examination of the child, if necessary to ensure his or her immediate safety, or to establish if abuse or neglect has occurred, or is at risk of occurring.

A child protection worker does not require a warrant to enter a home to assess the safety of a child or to remove a child who may be at imminent risk. Police assistance may be requested if needed.

Will FACS take my child away?

Family and Children’s Services believes that children should remain with their families in their own homes whenever possible. The vast majority of our cases involve working with families while their children remain at home.

Children are only removed from their homes when there is an immediate or extreme risk to their health and safety, and where all other avenues of intervention have been exhausted and the child still remains at risk.

In circumstances where there is an immediate danger to their physical health and safety, and no other course of action is available, the law allows FACS to remove children without a warrant or court order. A court hearing must be scheduled within 5 days.

Who will conduct an investigation or handle my case? What are their Qualifications?

Child protection investigations are conducted by child protection workers authorized under the Child and Family Services Act, by our Executive Director, and according to the Ministry of Children and Youth Services' regulations and standards.

You can expect the following qualifications and expertise:

- Bachelor of Social Work, Masters of Social Work or related degrees and experience
- In-depth, specialized training to work in child protection
- Adherence to provincial legislation, policies, and standards
- Work that is closely supervised, documented and subject to examination by the courts and input from other community experts

What is the role of the Ontario College of Social Workers and Social Service Workers?

Although many child protection workers have social work degrees, they are not required to be registered with the College. Nor does registration with the College automatically qualify a person to practice child protection work.

Registration with the College is voluntary. Some child protection staff choose to register, others do not. Some choose to suspend their memberships temporarily or indefinitely. You must be registered with the College to use the title "social worker."

The Social Work and Social Service Work Act does not require child protection workers to be social workers, or to be registered with the College. The College has no authority with regard to child protection workers who are not registered with the College.

Please be assured that our child protection staff members are properly qualified and authorized to do child protection work. They are committed to helping families and to the care and safety of our community's children and youth.

Do I need a Lawyer? What is the role of Family Court?

A great deal of our work with families is done without court involvement.

However, you have the right to challenge our intervention. The Family Court ensures individual rights are respected, everyone has a fair hearing and that children are protected.

FACS staff cannot give legal advice. You have the right to consult a lawyer at any point during the provision of services to you by FACS.

You may also receive support through Legal Aid, Duty Counsel or the Office of the Children's Lawyer

How long does a child protection investigation take?

Investigations are usually completed within 30 days. We try to determine if immediate services are needed to ensure the child's safety, and if ongoing services are needed to reduce the risk of abuse or neglect and to provide help to families.

The child protection worker consults with a supervisor to review and approve decisions with regard to the case. He or she and will discuss these decisions with you at the conclusion of the investigation.

What are the possible Outcomes of an investigation?

After reviewing all information and evidence gathered during a child protection investigation, child protection workers must reach a conclusion or decision based on that information. These decisions are based on the balance of probabilities, unlike criminal court where decisions are based "beyond a reasonable doubt."

- "Not Verified" – This means that it is more probable than not, that harm or risk of harm has NOT occurred.
- "Verified" – This means that it is more probable than not, that harm or the risk of harm HAS occurred.

FACS must reach a decision even if a person or party to the investigation refuses to be interviewed.

We are required to file information regarding the investigation on a provincial child protection database. We may be required to provide this information to other parties in order to ensure the ongoing safety and protection of children.

Confidentiality and Privacy

FACS is committed to protecting your privacy. The law requires that we keep any report, record or investigation confidential from the public, including employers.

Please understand that with the advent of technology and social media (ie Facebook, YouTube), anything you choose to (or agree to) videotape, record, post or otherwise share poses a threat to the privacy and confidentiality of you and your children.

It is against the law to make public any information that identifies a child who is a witness, participant in a hearing, or the subject of a child protection proceeding; or to identify the child's parent, foster parent or member of the child's family.

Complaint/Resolution Procedure - Accountability

Given the sensitive nature of our work and the difficult decisions that must be made, we understand that you may not agree with these decisions or you may be unhappy with the service provided.

We want you to know that there are many ways in which you may bring forward your concerns.

- Please speak with the child protection worker involved, or his or her supervisor directly. If it is not resolved, you may communicate directly with a member of FACS management.
- You can also make a written complaint to FACS, which is part of the regulated Complaints Review Process which includes your right to access the Internal Complaints Review Process. A written response will be provided to you within 7 days.
- You may also bring complaints directly to the Child and Family Services Review Board which is a neutral and independent third party regulated by the Child and Family Services Act.
- The Family Court System plays an important role in ensuring individual rights are respected and that everyone gets to present their case in an objective setting.
- Under the Child and Family Services Act, the Provincial Advocate's Office is authorized to advocate on behalf of children and families who are receiving services or seeking services through the Ministry of Children and Youth Services.

FACS welcomes any opportunity to discuss ways to enhance services and supports to children and their families. Our work is overseen by the Government of Ontario.

Worker / Contact Information

Name _____

Extension _____

For More Information...

The Child and Family Services Act

Service Ontario E-Laws : www.e-laws.gov.on.ca

http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90c11_e.htm

Child and Family Services Review Board

www.cfsrb.ca | (416) 327-4673 or 1-888-728-8823

Office of the Provincial Advocate for Children and Youth

www.provincialadvocate.on.ca

Phone: (416) 325-5669 | Toll-free: 1-800-263-2841

Child Protection Standards in Ontario

www.children.gov.on.ca

<http://www.children.gov.on.ca/htdocs/English/documents/topics/childrensaid/childprotectionstandards.pdf>

The Social Work and Social Service Work Act

Service Ontario E-Laws: www.e-laws.gov.on.ca

http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_98s31_e.htm

To Contact Us



Phone: All locations

or Toll Free

All Faxes:

All Mail:

Email:

Website:

905-937-7731

1-888-937-7731

905-646-7085

P.O. Box 24028

St. Catharines, ON L2R 7P7

info@facsnigara.on.ca

www.facsnigara.on.ca

82 Hannover Drive, St. Catharines, ON L2W 1A4

654 South Pelham Road, Welland, ON L3C 3C8

7900 Canadian Drive, Niagara Falls, ON L2E 6S5

Regular Office Hours and 24 Hour Emergency Service available