Adoption

Policy and Procedure Manual

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Introduction

The provincial legislation governing adoptions in Newfoundland and Labrador is the **Adoption Act, 2013** and the legislative responsibility associated with the **Act** is the mandate of the Department.

Adoption is the social and legal process by which a person is no longer the child of the birth parents and legally becomes the child of the adoptive parents. Through an adoption process:

- the child becomes the child of the adoptive parent;
- the adoptive parent becomes the parent of the child;
- a birth parent ceases to have parental rights and obligations in respect of that child, except a birth parent who remains as a parent jointly with the adoptive parent; and,
- any person having custody of the child ceases to have that custody.

TYPES OF ADOPTION

Adoption services are available to children in care, birth parents, prospective adoptive parents, adoptive parents and adopted adults. All persons interested in applying to adopt in this province must submit an application and be assessed for approval by the Department. The only exception to this process is relative, step-parent, and persons with custody of a child adoption.

There are several types of adoption that may occur in this province:

A. **Domestic Adoption**: Children become available for domestic adoption in two ways:
   1) a child is removed by a court order from their birth parent(s) or guardian(s) care and the court has ordered continuous custody of the child to a Manager of the Department, which means the child will not return to their birth parent(s) or guardian(s);
   2) a birth parent(s) voluntarily places a child in the custody of a Manager of the Department for the purpose of adoption.

B. **Direct Placement**: A birth parent identifies a person(s) known to them to adopt their child. The prospective adoptive parent must meet the same requirements as an applicant applying for a domestic adoption in order to be approved.

C. **Interprovincial Adoption**: Children may be in the care of another province/territory or a birth parent in another province/territory may have identified a family in Newfoundland and Labrador to adopt their child. The prospective adoptive parent must meet the same requirements as an applicant applying for a domestic adoption. There are also situations where a child in the custody of a Manager of the Department may be placed for adoption in another province/territory. In these instances, the child is related to or has a significant relationship with a prospective adoptive parent in another province/territory.

D. **Intercountry Adoption**: Both the **Adoption Act, 2013** and the requirements of the **Hague Convention on Protection of Children and Corporation in Respect of Intercountry Adoption (Hague Convention)** govern adoptions of children from other countries by an approved adoptive applicant in this province**.**

E. **Step-parent, relative or persons having permanent custody of a child adoption:** Adoptions of a child by their relative or step-parent or person with permanent custody are completed using a **Self-Help Kit**, which is available online and at departmental offices. The relative, step-parent or person having permanent custody of the child, applies directly to the court for the adoption of a child. In considering the application to adopt a child, the court may request the involvement of the Department.

The overriding and paramount consideration in decisions made under the **Adoptions Act**, **2013** is the best interest of the child.

BEST INTEREST PRINCIPLES

Section 4 of the **Adoption Act, 2013** provides the legislative principles to govern the provision of adoption services to children and families. The best interest of the child is paramount in any decision made under the legislation. The **Act** outlines the relevant factors that shall be considered in determining a child's best interest. These factors include:

- the child's safety, health and well-being;
- the child's physical, emotional and developmental needs;
- the quality of the relationship the child has with a birth parent or other person significant to the child and the effect of maintaining that relationship;
- the importance of the relationship between siblings;
- the child's identity and cultural and community connections;
- the importance of preserving an Indigenous child's unique cultural identity;
- the child's views and wishes regarding their adoption, where possible;
- the importance of stability and permanency in the context of the child's care;
- the importance to the child's development of having a positive relationship with a parent and a secure place as a member of a family; and
- the effect on the child where there is delay in the making of a decision with respect to the child.

ADOPTION PROGRAM

The following services are available through the adoption program:

- Services to Birth Parents
- Applicant Approval
- Direct Placement
- Children Available for Adoption
- Placement of Children for Adoption
- Foster Parent Adoption
- Finalization
- Intercountry Adoption
- Interprovincial Adoption
- Adoption Subsidy
- Adoption Agencies
- Openness
- Post Adoption Services
- Step Parent, Relative and Persons with Permanent Custody Adoptions
- Disclosure

WHO CAN ADOPT

One adult alone or two adults jointly can apply to adopt a child. One person can also apply to jointly become a parent with the parent of the child (step-parent adoptions); and a relative of a child, as defined in the **Adoption Act, 2013**, may also apply to adopt a child. The **Act** defines "relative" as a parent, grandparent, sibling, aunt, uncle or first cousin of a birth parent or a child by birth or adoption.

All adoptive applicants, with the exception of relative, step-parent or persons with permanent custody adoptions, must be approved by the Department. This approval involves completion of a home assessment, personal interviews, references, medical checks, criminal records and Child Protection Clearance checks, and completion of educational sessions related to issues of adoption. A Self-Help Kit is available at departmental offices or through the department's website to assist with relative, step-parent or persons with permanent custody adoptions.

Before an **Adoption Order** is made, the child must reside with the prospective adoptive parent(s) for at least a six-month period. This requirement also applies to relative, step-parent or persons with custody adoptions.

WHO CAN PLACE THEIR CHILD FOR ADOPTION

Birth parent(s) or other persons having custody of the child identified for adoption placement must seek the services of the Department if they wish to plan adoption for their child. A child cannot be placed for the purpose of adoption in Newfoundland and Labrador if a Manager of the Department has not approved this plan. The only exception would be the case of a relative, step parent or persons with permanent custody adoption.

CHILD AVAILABILITY

The wait times for an applicant applying to adopt are impacted by various factors including:

- the type of adoption (i.e. Domestic, Direct Placement, Intercountry, or Interprovincial Adoption) that the prospective adoptive parent is applying for;
- the availability of children, including the age and type of developmental needs a prospective adoptive applicant has expressed an interest in accepting.

Applicants willing to accept older children, sibling groups or children with higher level complex needs in the continuous custody of a Manager may have significantly shorter wait times.

PLACEMENT CONSIDERATIONS

Adoption is the process of finding permanent parent(s) for a child. In keeping with the best interest principle, a child is matched with an adoption placement that can:

- protect and nurture them;
- support connections to those significant to them;
- respect and cultivate cultural heritage, spiritual beliefs and identity; and
- meet their emotional, developmental and service needs.

The Department has the responsibility for the assessment of applicants and maintaining information related to approved adoptive applicant(s) interested in adopting. This includes the adoption of children from other provinces or countries where approved.

FURTHER CONSIDERATIONS

Many of the children available for adoption in this province have complex needs. Complex needs generally refers to children who may be considered more difficult to place for adoption because they are older, are part of a larger sibling group, or have a particular physical, psychological, emotional, or developmental need. There is a need for applicants who are willing to accept children with Autism, children who may have a diagnosis related to being exposed to drugs or alcohol in utero, children with significant trauma based histories, a developmental delay, and/or other developmental issues.

The Department seeks applicants who possess the skills necessary in meeting the needs of children who are available for adoption. An adoption assessment assists applicants to clarify their motivation and expectations about adoption and to assess their ability to provide care to an adopted child. A home assessment considers an applicant's understanding of adoption issues including child development, the impact of early life experiences on development, loss and grief, attachment, and openness, etc. The adoption process will focus on the best interests of children.

Parent Resources for Information, Development and Education (**PRIDE**) is the educational and assessment tool used by the Department for the approval of all adoptive applicants. The core competencies identified through **PRIDE** present basic competencies that are expected from any applicant for children being placed for adoption.

It is the responsibility of the Provincial Director to match a child for placement with an approved prospective adoptive applicant. In the case of a Direct Placement Adoption, a Manager may approve a direct placement plan whereby a birth parent identifies someone known to them to adopt their child.

Prior to accepting a child for placement, an approved adoptive applicant shall be provided information on the medical and social history of the child and child's birth family. It is important that the social worker prepare and support the child and the adoptive applicant(s) through the adoption process. Pre-placement visiting should be facilitated and the social worker shall provide the child and the adoptive applicant(s) with relevant information about one another prior to placement where possible.

It is important for adoptive applicants to understand that many children who are available for adoption may have been removed from their family and have often experienced trauma and inconsistencies in their lives which can make it difficult for them to understand or accept rules and expectations. This, coupled with behaviors associated with maltreatment, feelings of loss, and other factors can make adoption both rewarding and challenging.

The social worker is responsible for monitoring placements of children for a minimum **six month** period. This is completed through a minimum of one in-home visit per month. Contact with the adoptive family includes observing the interaction between a child and their prospective adoptive parent(s) and private individual and family interviews with the child (where developmentally appropriate) and adoptive parent(s). This period of post placement monitoring is an important component of ensuring that children live in environments where they are accepted, protected and nurtured, are having their developmental needs met, and are connected with

people who are significant in their lives.

Adoption is a permanent placement for a child. At times it may be necessary for the Department to provide services that support adoptive parents and children following the granting of an **Adoption Order**. Adoption subsidy services are **ONLY** available to children in the continuous custody of a Manager and the child and adoptive applicants must be deemed eligible for services.

The concept of openness is one that promotes the continuation of relationships deemed important to a child. Where openness has been assessed to be in the best interests of a child, **Openness Agreements** may be approved to allow ongoing contact between interested parties after the granting of an **Adoption Order**. An **Openness Order** may also be considered as a means of ensuring contact between a child and someone significant to them and/or their cultural connections. Once an adopted person turns 19 years of age, they may seek the support of **Post Adoption Services** to locate birth parents, birth relatives, or others significant to them. Birth parents and relatives may also seek information and/or contact with an adopted person.

GLOSSARY OF TERMS

Adoptive Parent's Acknowledgement of Information Provided	A form completed by a prospective adoptive parent(s) outlining their decision to accept the child's profile. The form will outline information shared with the family and provide acknowledgement by the prospective adoptive parent that the developmental needs of the child may change over time.
Adopted Child	A child adopted under the **Adoption Act, 2013** or a former Act
Adopted Person	With the exception of Sections 56 and 57 of the **Adoption Act, 2013**, means a person who is 19 years of age or older who was, as a child, adopted under the **Adoption Act, 2013** or a former Act
Adoption Agency	An adoption agency licensed under section 7 of the **Adoption Act, 2013**
Adoption Order	A written order of a court granting an adoption which transfers the parental rights and obligations from the birth parent(s), other person having custody of the child, or a Manager of the Department to the adoptive parent(s). The adoptive parent(s) become the legal parent(s) of the child
Adoptive Parent	A person who has adopted a child under the **Adoptions Act, 2013** or a former Act
Adoption Subsidy	Supports available to eligible families who have adopted children in continuous custody who are assessed as having medical, physical, developmental, emotional, cultural or placement needs.
Affidavit	A written statement that a person swears or affirms is true. The person must swear or affirm in front of an official authorized to administer oaths.
Affidavit Regarding Paternity	A written statement that a birth mother swears or affirms is true acknowledging the circumstances related to the consent and paternity of her child.
Agency License	A license issued under Section 7 of the Act.
Attachment to Notification of Agreement	an attachment which is prepared by the Provincial Director and forwarded to Citizen and Immigration Canada with the Notice of Agreement.
Birth Parents	A birth or biological mother or father of the child being placed for adoption.

Birth Registration	The registration of a child's birth in Newfoundland and Labrador with Vital Statistics.
Central Authority	The provincial body designated to regulate requests for intercountry adoptions and accredit adoption agencies as specified in the **Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption**. In Newfoundland and Labrador, the Provincial Director is the central authority for Intercountry adoptions.
Certificate of Conformity	Where an adoption is finalized in the child's country of origin, that country is responsible for issuing a **Certificate of Conformity** verifying that the adoption was completed in accordance with the **Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption.**
Child	An unmarried person under the age of 19 years.
Child's Birth Family	A family to whom a child is born**.**
Child Maltreatment	The non-accidental infliction of injury or harm of a child or youth by a prospective adoptive parent, or the injury or harm of a child or youth by another person and the prospective adoptive parents does not protect the child. Child maltreatment includes the physical, sexual, emotional abuse and/or neglect of a child or youth.
Child Profile	Comprehensive information about a child available for adoption, including family history; medical, psychological and educational assessments; history of previous placements; and daily routines that is provided to a prospective adoptive parent(s).
Child's Guardian Jurisdiction	The province/territory, including the appropriate local authority, having legal responsibility of a child.
Citizenship and Immigration Canada	A department of the Government of Canada responsible for issues dealing with immigration and citizenship.
Client File	An electronic or paper copy of all client documentation and interventions.

Contracting States	Refers to all countries which are signatories to the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption.
Continuous Custody	A custodial arrangement in which a Manager becomes the sole custodian of the child and has the right to make all decisions regarding the child including medical decisions. The Manager or a social worker may consent to the provision of medical treatment for the child, and the Manager may consent to the adoption of the child under the **Adoption Act, 2013**.
Country of Origin	The United Nations **Convention on the Rights of the Child** defines country of origin as the child's country of nationality or, in the case of a stateless child, the country of habitual residence.
Court	The Supreme Court of Newfoundland and Labrador Trial Division (Family) or the Provincial Court.
FAMA Identified Adoption	An individual or family recruited and assessed by FAMA as being the best permanency placement option for adoption of a child.
Cultural Connection Plan	A description of the arrangements made or being made to foster an Indigenous child's connection with their culture, heritage, traditions, community, language and spirituality to preserve the Indigenous child's cultural identity.
Custody	The rights and responsibilities of a parent with respect to a child.
Deferred Adoption Subsidy	Ability to provide support to eligible families who adopt children in continuous custody who are at risk of having medical, physical, developmental, emotional, cultural or placement needs but did not require services prior to the granting of an **Adoption Order**.
Department	the Department of Families and Affordability.

Direct Placement	The selection, before a consent to adoption is irrevocable, of a prospective adoptive parent by a birth parent or other person having custody of the child and the approval of the placement of the child by a Manager.
Director's Certificate	For intercountry and interprovincial adoptions, a certificate issued by the Provincial Director certifying that the adoptive applicants are residents of the province and the child has lived with the applicants for at least six months immediately before the date of the application for an **Adoption Order** and that, during that time, the conditions under which a child has lived justify the making of the order; or (2) to the knowledge of the Provincial Director, the person applying to adopt is an appropriate person and stating the reasons why the applicant may be exempted from the requirement that the child must have resided with the applicant for at least six months.
Disclosure Veto	A document filed with Vital Statistics under the **Adoption Act, 2013** or a former Act or an Act of another province which prohibits the release of birth registration or **Adoption Order** information identifying the person who filed the veto.
Dispensing With Consent	A legal procedure where an application is made to a court requesting that the necessary consent to adoption by a birth mother, father, person having custody of a child, or child (where the child is 12 years of age or older) should not be required prior to the granting of an **Adoption Order**.
Domestic Adoption	Adoption of a child residing in this province by an applicant who also resides in this province.
Emergency Placement Home (EPH)	A residential placement that provides emergency care to children while assessing a child's placement needs and transitioning them to a long-term placement.
Exchange of Information	The facilitation of information sharing, through Post Adoption Services, between an adopted person, birth parent, adoptive parent, relative, or person significant to the child. Information may include letters, pictures, small parcels, etc. Identifying information is only shared with a person's consent.

Family-based Placement	A placement option whereby a licensee establishes either short-term or long-term placements for children in care using a family-based model, where it has been determined to be an extraordinary circumstance, and these children cannot be placed in a foster home.
Family –based Placement Provider License	A License issued under paragraph 71(1)(b) of the **Children, Youth and Families Act (CYFA)**.
Family Self-Assessment	A form contained in the Self-Help Kit. It is a self-assessment completed by a relative, step-parent, or person who has permanent custody of a child and has had custody of that child under a temporary or permanent custody order for at least 2 years who are applying directly to the court to adopt the child.
Finalization	The final legal step in the adoption process where, at a court hearing, an adoptive parent(s) becomes a child's legal parent through the granting of an **Adoption Order**.
Former Act	As the context requires, includes the **Adoption Act,** the **Adoption of Children Act,** the **Adoption of Children Act, 1964** and Part V of the **Child Welfare Act, 1952.**
Foster Parent	A person with whom a child (who is in the care or custody of a Manager) is placed for care with the approval of a Manager and who, by agreement with a Manager, has assumed responsibility for the care of the child. A foster parent may include a family member or a person significant to the child/youth but does not include the parent of the child**.**
Full Adoption	Where a child is adopted in their country of origin and the pre-existing legal parent-child relationship is terminated.
Group Home	A residential placement that provides group care for children who cannot be cared for in a family-based setting.
Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoptions	An international treaty setting the framework for co-operation between adoption authorities in the child's country of origin and the corresponding authority in the country where the child will be adopted. While each country which is signatory to the Hague Convention may have different laws governing adoption, the Convention establishes a system amongst participating countries to ensure that intercountry adoptions take place in the best interest of children. The Convention prevents abuses such as abduction of, sale of or trafficking in children. The Convention standardizes procedures between countries that have implemented the Convention. Each country that has ratified the Convention designates a central authority to regulate requests for intercountry adoption and accredit adoption agencies. In

	Canada each province has its own central authority: the Provincial Director is the central authority responsible for intercountry adoption in this province.
Home Assessment	The assessment of an adoptive applicant's suitability to adopt. The assessment considers the applicant's life experiences, education, employment, medical history, marital history, reasons for wanting to adopt and other key components using an education program to determine their strength and skill to parent a child.
Identifying Information	Information that reveals a person's identity, such as, name, address, phone number, etc.
Information	Personal information obtained under the **Adoption Act, 2013** or a former Act that is held in government records by, or is in the custody of or under the control of the Department, and includes information that is written, photographed, recorded or stored in any manner.
In Care Planning Team	A team of individuals involved in planning for a child in care. The team must include the social worker for the child and the child's parents where possible; the child (where developmentally appropriate); the foster parents, caregivers/licensee or residential staff person; the social worker for the adoption; and prospective adoptive parents (where identified); and may also include other professionals working with the child, extended family, significant others, or other community partners. For an Indigenous child in care who belongs to an Indigenous government or organization prescribed in Schedule B in the Adoptions Act, 2013, the respective Indigenous Representative will be invited to be part of the in care planning team.
In-care Progress Reports (IPR)	A comprehensive written report developed for each child in care/custody by the social worker in consultation with the child's planning team. The IPR will document the child/youth's progress on a number of developmental dimensions, outline the supports and services the child/youth requires, identify who will be responsible for linking the child to identified supports and services, and monitor the goals and outcomes for the child. The IPR will also monitor and document the implementation of the child's contact with their parent(s), siblings, extended family, significant others, their community and culture as outlined in the Plan for the Child filed with the court.

Indigenous Child	An Inuit child, a Metis child, an Innu, Mi'kmaq or other First Nations child, a child who has a parent who considers the child to be Indigenous, or a person who is at least 12 years of age but under the age of 19 who considers themselves to be Indigenous.
Indigenous Government or Organization	The entities prescribed in Schedule B.
Indigenous Representative	A person designated by an Indigenous government or organization in accordance with the regulations.
Individual Living Arrangement (ILA)	A residential placement for specific children who have a complex care needs and cannot be placed with a foster home, family-based placement, or group home.
Intercountry Adoption Agency	A licensed intercountry adoption agency authorized to facilitate adoptions of children from outside Canada. There are no such agencies currently operating in this province. Where required applicants must use the services of an intercountry adoption agency licensed in another Canadian province.
Intercountry Adoption	Adoption of a child residing outside of Canada. There are 2 types of intercountry adoptions: 1) the child's country is a member of the **Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoptions** (Hague Country); 2) the child's country is not a member of the Hague Convention (a non-Hague country).
Interprovincial Adoption	Where a child's originating province approves the placement of the child for adoption and where the receiving province approves the adoptive applicant and finalizes the adoption. The originating province is the province in which the child resided prior to the adoption placement or the province that has permanent custody of the child. The receiving province is the province in which the adoption will be finalized.
Investigation Plan	The plan for conducting an investigation. It minimally identifies the social worker assigned to the investigation, who will conduct the interviews, when and where the interviews will be conducted, what collaterals may be relevant and required to complete an adoption investigation, and whether police involvement will be required.
Judge	A judge of the court.
Jurisdiction	An area outside the province of NL and Labrador that provides adoption services.

Kin	Family or other persons who are significant to a child with whom a child has a connection.
Kinship Care Agreement	A written agreement that enables a parent to voluntarily transfer the care of their child to an approved kinship caregiver when the child is in need of protective intervention and requires an out of home living arrangement. The agreement is a voluntary arrangement unless there is a court order in effect pursuant to s.31(2) or s.32(2)(b) of the CYFA transferring temporary care and/or custody to the kinship caregiver.
Kinship Caregiver	Kin (extended family and persons significant to the child) who are approved to care for a child under a Kinship Service Program of the CYFA.
Kinship Services	A program available to provide supportive and financial services to approved kinship caregivers who are willing and capable of providing care to a child who is in need of protective intervention and requires an out of home living arrangement.
Letter of Acceptance	After an approved prospective adoptive parent accepts the profile of a child from another country, a Letter of Acceptance is sent by the Provincial Director to the child's country of origin.
Letter of No Objection	Issued by the Provincial Director to Citizenship and Immigration Canada where the proposed adoption is occurring in a country which is **not** a signatory to the Hague Convention (a Non-Hague country). This letter states that the Provincial Director has no objection to the selected child being brought to this province.
Level 1	The first level of the continuum of care which includes kinship homes, interim approved regular foster homes, and approved relative/significant other foster homes that have not completed PRIDE Pre-service sessions.
Level 2	The second level of the continuum of care, which consists of approved relative/significant other and regular foster homes that have completed PRIDE Pre-service sessions.
Level 3	The third level of the continuum of care which consists of approved specialized foster homes.
Level 4	The forth level of the continuum of care which consists of staffed residential placement resources including Emergency Placement Homes, Group Homes, and Individualized Living Arrangements.

Manager	A Manager appointed under the CYFA**.**
Manager's Certificate	For domestic adoptions**,** a certificate issued by a Manager certifying that the adoptive applicants are residents of the province and; (1) the child has lived with the applicant(s) for at least six months before the date of the application for an **Adoption Order** and that, during that time, the conditions under which a child has lived justify the making of the order; or (2) to the knowledge of the Manager, the person applying to adopt is an appropriate person and stating the reasons why the applicant may be exempted from the requirement that the child must have resided with the applicant for at least six months.
Matching	The process of finding a prospective adoptive family suited to the needs of the identified child.
Medical and Social History	A comprehensive report developed for each child in continuous or voluntary custody who is being profiled for adoption. It will document birth parent information related to family history, health, education, life experiences, development, etc. as well as information related to the child's progress on a number of developmental dimensions. The information will outline any supports and services provided to the child and considerations for placing the child.
Necessary Health Care	Health care that is recommended by a qualified health practitioner. The treatment is such that, in the opinion of the qualified health practitioner, it should be provided without delay.
Necessary Medical Treatment	Medical treatment that is recommended by a qualified health practitioner. The treatment is such that, in the opinion of the qualified health practitioner, treatment should be provided without delay.
Net Pay	The remaining earnings after deductions from gross earnings are made.
No Contact Declaration	A document filed under the **Adoptions Act, 2013,** a former Act or an Act of another province which prohibits a person seeking access to birth registration or **Adoption Order** information from contact with the person who filed the declaration.

Non-identifying Summary	A narrative report that may be completed on behalf of an adopted person or birth parent that contains non-identifying information related to the adoption placement and the person's social and medical history.
Notarize	The authentication of a document by a lawyer or other public official who is licensed by the province to do so.
Notification of Agreement	Where adoptive applicants accept the profile of a child from a country which is a signatory to the Hague Convention, a Notification of Agreement is prepared by the Provincial Director and is forwarded to Citizenship and Immigration Canada.
Notification of Intent to Sign Consent	The process whereby a Manager provides written notification to a person who has been permitted contact with a child under subsection 40(1)(c) of the CYFA of their intent to sign consent to adoption on behalf of a child in continuous custody.
Openness	Recognizes the importance of facilitating communication or maintaining personal relationships after an **Adoption Order** is granted. It involves contact between adopted persons, adoptive parents, birth parents, or other persons deemed significant to a child. Contact can include the exchange of letters and photos (either directly or indirectly), phone calls, email, or face-to-face visitation, etc.
Openness Agreement	An agreement made under Section 51 or 52 to facilitate communication or to maintain personal relationships after an **Adoption Order** is granted. Openness agreements are good faith agreements between parties and are not legally enforceable.
Openness Order	An order made by a court under Part IX for the purposes of facilitating communication or maintaining personal relationships or cultural connections after an **Adoption Order** is granted.
Parent	the custodial mother of a child; the custodial father of a child; a custodial step-mother of a child; a custodial step-father of a child; a non-custodial mother of a child who regularly exercise, or attempts to exercise rights of access; a non-custodial father of a child who regularly exercise, or attempts to exercise rights of access; a person to whom custody of a child has been granted by a written agreement or by a court order; or a person who is responsible for the child 'scare and with whom the child resides, except a foster parent.

Post Adoption Registry	A registry of applicants who do not want or do not qualify for search services, but who wish to exchange identifying information or to be contacted when an adopted person or birth parent registers.
Placement	The act of placing a child in the home of an approved adoptive parent.
Placement Date	The date in which a child was placed for adoption in an approved adoptive home. For foster parent adoptions the placement date is the date that the foster parent signs **Adoptive Parent's Acknowledgement of Information Provided.**
Plan for the Child	The plan for the child (in accordance with Section 29 of the **CYFA**) that is filed with the court after a social worker has filed an Application for Protective Intervention Hearing requesting a supervision or custody order. The Plan for the Child outlines prior involvement with the child and family, the child protection concerns, and the recommended services and interventions to address these concerns. In cases where the child has been removed and is in care, the Plan for the Child outlines the efforts planned to maintain the child's contact with the parent, family or other person significant to the child and a description of the arrangements made or being made to recognize the importance of the child's identity and cultural and community connections or where the child is an Indigenous child, a **Cultural Connection Plan**.
Post Adoption Services	Services provided to adopted persons, adoptive parents and birth families after the granting of an **Adoption Order** and includes search and reunion, contact in compelling circumstance (for example, medical priority search), and openness.
Post Placement Period	The period of time after the date of placement where a child is placed with prospective adoptive parents and before the adoption is finalized in court. For children in continuous or voluntary custody, visitation by a social worker occurs monthly until the adoption is finalized.

Post Placement Report	A comprehensive follow-up report detailing how the child is adjusting to their adoption placement. The report addresses the child's developmental progress and the prospective adoptive parents' ability to meet the needs of the child. A report is completed at the end of the 1st , 3rd and 6th month of placement. A 4th report may be completed where an extension to the post placement period is recommended. In the case of intercountry or interprovincial adoptions, the Provincial Director may approve an alternate schedule.
PRIDE	**Parent Resources for Information**, Development and Education (PRIDE). A standardized competency-based model for recruiting, preparing, and assessing foster and adoptive parents. It also refers to ongoing training components for approved foster families.
Province	Means the Province of Newfoundland and Labrador except when used in reference to a part of Canada other than the Province of Newfoundland and Labrador in which case "province" includes the Yukon Territory, the Northwest Territories, and Nunavut.
Provincial Director	The Provincial Director appointed under subsection 5 of the **Adoption Act, 2013.**
Provincial/Territorial Protocol on Children, Youth and Families Moving Between Provinces and Territories	A framework for the provision of consistent, quality services to children and families moving between provinces and territories.
Qualified Health Practitioner	A physician, nurse, nurse practitioner, licensed practical nurse, dentist or dental hygienist.
Receiving Jurisdiction	The province, including the appropriate local authority, which agrees to provide child welfare services at the request of another province (i.e. originating jurisdiction).
Relative	A parent, grandparent, sibling, aunt, uncle or first cousin of a birth parent or a child by birth or adoption.
Relative/Significant Other Foster Parent	A family member or person significant to the child with whom a child (who is in the care or custody of a Manager) is placed for care with the approval of a Manager and who, by agreement with a Manager, has assumed responsibility for the care of the child.

Return of Birth	A Vital Statistics document that states the details of a birth registration in this province, i.e. name, date of birth, place of birth, birth parent(s).
Registrar	Means the Registrar General appointed under section 3 of the **Vital Statistics Act, 2009.**
Residential Placement	A residence for children in the care or custody of a Manager in which staff provide daily care and supervision. Children who are over 16 who were previously in care and residing in a residential placement may remain in t heir residential placement under youth Services Agreement.
Revocation of Consent	A document that is completed by the person who signed the **Consent to Adoption** for the purpose of revoking consent.
Routine Health Care	Medical treatment that is not considered urgent. Following placement, a prospective adoptive parent may authorize a health care provider to examine the child where, in the opinion of the health care provider, the health care should be provided.
Sealed Records	Adoption records that are sealed and maintained in the adoptions vault. The sealed packet contains information including the **Adoption Order**, application, documents filed and record of proceedings in relation to an application for adoption. The sealed records shall be kept by the Provincial Director and court and may only be opened by order of the court or the direction of the Provincial Director.
Search & Reunion	A process whereby a person, as defined in Section 62 of the **Adoption Act, 2013**, requests Post Adoption Services assistance in locating those persons as outlined in Section 62 of the **Adoption Act, 2013.**
Self-Help Kit	An information package available online through the Department's website and is distributed through Government Service Centers and all departmental offices. The Self-Help Kit assists persons completing an adoption where the person applying to adopt is a relative, step-parent or who has permanent custody of a child and has had custody of that child under a temporary or permanent court order for at least 2 years. The kit provides court forms and general instructions necessary for the completion of the adoption.
Services to Birth Parents	Process for assisting a birth parent(s) or person who has custody of a child with the placement of their child for adoption.

Sibling	One of at least two individuals having one common parent.
Simple Adoption	Where a child is adopted in their country of origin and the pre-existing parent-child relationship has not been fully terminated.
Step-Parent Adoption	Where a person becomes a parent jointly with the parent of the child.
Social Worker	A person registered under the **Social Workers Association Act** and employed by the Department.
Supportive Service	Services provided to children as part of an **Adoption Subsidy Agreement**, Supportive services may include medical equipment, tutoring, counselling, braces, respite, transportation and accommodations or a service to ensure an Indigenous child maintains connections to their culture and community.
Undertaking	A document signed by a person seeking access to birth registration or **Adoption Order** information under the **Adoption Act, 2013**, a former Act or an Act of another province in which he or she agrees to not contact the person who filed a no-contact declaration while the no-contact declaration is in effect.
Vaulting	The process of sealing records related to an adoption. See **sealed records.**
Vital Statistics	A division of Service NL responsible for registering and certifying adoptions, births, deaths and marriages. It also registers legal name changes.
Voluntary custody agreement	A written agreement made under the **Adoption Act, 2013** that a parent signs to transfer custody of a child to a Manager of the Department for adoption.

Overview: Services To Birth Parents

The **Adoption Act, 2013** allows for birth parents or other persons having custody of a child to plan adoption for their child. This section does not apply to children who are in the continuous custody of a Manager.

The decision to place a child for adoption can be very difficult. This decision has lifelong impacts for both the birth parents and child and may involve feelings of loss and grief. This decision must be voluntary and one that is the result of being fully informed of what adoption means for both the birth parents and adopted child.

A social worker may assist a birth parent in one of the following three ways:

- a birth parent can choose approved prospective adoptive parent(s) for their child from up to three non-identifying profiles provided by the Provincial Director;
- the Provincial Director chooses the prospective adoptive parents from the list of approved applicants and matches the child with an approved family; or
- the birth parent(s) identifies the prospective adoptive parent(s) whom they wish to adopt their child. This option involves a Manager approving the birth parent's plan for this identified person(s) and approving the prospective adoptive parent(s) before a child can be placed.

Birth parents or persons having custody of the child identified for adoption must seek the services of the Department if they wish to plan adoption for their child. A child cannot be placed for adoption in the province of Newfoundland and Labrador if this plan has not been approved. The only exception would be the case of an adoption by a relative, step parent, or person with permanent custody of the child. In such cases, the applicant may proceed directly to court using the **Self-Help Kit**. See policies and procedures outlined in **Adoption by Step Parent, Relatives and Persons Having Permanent Custody of a Child** for additional information.

The **Adoption Act, 2013** requires that birth parents or persons with custody of the child be given information regarding adoption and alternatives to adoption. Prior to accepting an **Application for Services to Birth Parent(s)**, the birth parents or persons having custody must be advised of the implications of adoption and an **Adoption Order**. As per s. 38(1) of the **Adoption Act, 2013**, where an **Adoption Order** is granted:

a) the child becomes the child of the adoptive parent;
b) the adoptive parent becomes the parent of the child;
c) a birth parent ceases to have parental rights and obligations in respect of that child, except a birth parent who remains as a parent jointly with the adoptive parent;
d) a person having custody of the child ceases to have that custody; and
e) a person whose consent is required under section 19 ceases to have a right or obligation with respect to that child.

Alternatives to Adoption:

Providing information about the alternatives to adoption is essential to the birth parents or persons having custody making a fully-informed decision. The social worker should confirm that the

birth parents or persons having custody have had the opportunity to explore a variety of options and help them think through and understand the implication of each option as it pertains to their individual situations and the needs of the child.

The alternatives to adoption may include:

a) retaining custody of the child and assuming responsibility for the child's care and support. Formal or informal supports may be available to birth parents such as, community health nursing programs, Advanced Education and Skills programs, and services through the Youth Services Program;
b) living at home with parents, grandparents or relatives who may act as primary or secondary caregivers to the child;
c) placing the child temporarily with their parents or relatives to allow the birth parent(s) time to complete activities/education that will prepare them to eventually support themselves and their child;
d) birth parent(s) under the age of 16 years, who are in need of protective intervention under the **Children, Youth and Families Act**, could live in a foster home with a relative or in a significant other placement with their child;
e) birth parent(s) and child being supported to live independently in the community under the Youth Services Program if assessed as eligible.
f) the social worker could refer a birth parent to an appropriate service if they are considering terminating a pregnancy.

This may not be an inclusive list. Other alternatives should be discussed by the social worker with a program supervisor or Manager.

Birth parents or persons having custody **must** be advised of their right to seek legal counsel regarding their legal options.

Birth Parents and Child's Medical and Social History

The birth parent's and child's medical and social history are used by the Provincial Director to assist in the matching of a child with prospective adoptive parents. The Provincial Director will forward the child's social and medical information and the child's family history to the social worker for review with the prospective adoptive parent(s). This information will assist the prospective adoptive parents to make a more informed decision on the placement of the proposed child in their home. The information provided to the family **must** be non-identifying in nature prior to sharing it with the prospective adoptive family.

The medical and social history contains information related to an adopted person's health and identity. It is imperative for adopted persons to have as much information as possible about the medical and social history of their birth parents and families. Birth parents should be advised of the importance of providing as much detail as possible. Adopted persons and/or adoptive parents often request this information if the adopted person has medical problems or when the adopted person, as an adult, is deciding on whether to have children.

Required Information

A child cannot be placed for adoption until all required information has been obtained and the child has been matched with an approved adoptive applicant. Except in the case of a relative, step-parent, or persons having custody adoption, the following documentation must be obtained:

g) **Application for Services to Birth Parent(s);**
h) **Child's Medical and Social History;**
i) **Birth Parent Medical and Social History;**
j) **Voluntary custody agreement;**
k) **Consent of Parent/Person with Custody to Adoption;**
l) **Affidavit of Paternity** (where applicable);
m) **Notice of Proposed Adoption to Named Birth Father** and **Reply Letter from Name Birth Father** (where applicable);
n) **Order to Dispense with Consent** (where applicable);
o) **Cultural Connection Plan** or **Cultural Connection Plan for an Innu Child** (where child is Indigenous); and
p) Notification of the Manager's Intent to Sign Consent To Adoption using the **Notice to Indigenous Governing Body, Parent and Caregiver** form (where the child is Indigenous).

Where an Indigenous child is identified for direct placement adoption, the social worker will inform the birth parent that as per the best interest's principle, consideration must be given to the importance of preserving an Indigenous child's unique cultural identity. The birth parent must be provided information about the process and what information will need to be shared and discussed with the child's Indigenous government or organization. The social worker will encourage the birth parent to consult with the appropriate Indigenous government or organization to obtain any information, guidance or support they have available to offer. If the birth parent does not provide consent to share information or decide to work with the Indigenous government or organization, the social worker will begin this engagement once the child enters the voluntary custody of a Manager. Engagement with Indigenous government or organization is necessary to fulfil legislative requirements and to ensure the best interests of Indigenous children. The **Adoption Act, 2013** allows for the sharing of information by the Provincial Director when it is in the best interest of the child.

A **Cultural Connection Plan** must be completed for all Indigenous children as part of their adoption planning and this will be submitted to the court when an application for an **Adoption Order** is being made. See **Cultural Connection Planning for Indigenous Children** policy and procedures for more information. The Manager must also provide notification to the Indigenous government or organization of the Manager's intent to sign consent for adoption, the ability to apply for an **Openness Order** and advise when an **Adoption Order** is granted. In addition to the above requirements, a birth parent must be informed that where a child is Indigenous, registration and/or membership of the child with their respective Indigenous government or organization shall be explored. The child must be registered and if this has not already occurred the social worker will assist in this process on behalf of the child.

Openness

A birth parent or person having custody must be advised of their right to request an adoptive placement for their child where some contact may be maintained following the granting of an **Adoption Order**. The birth parents would need to consider the effect of such an arrangement on themselves and also on the life of the child that is being placed. Openness may include an agreed upon **Openness Agreement** which are good faith agreements and cannot be legally enforced or an **Openness Order** which is court ordered and legally binding. See **Openness** policy and procedures for more information.

Services to Birth Parents

Policy no.: 1.2
Effective Date: June 30, 2014
Date Revised: October 28, 2022; May 6, 2026
Policy Cross References: Children Available for Adoption; Placement of Children for Adoption; Applicant Approval
Legislative References: s.9(1) Transfer of custody to Manager**; s.11** Placement of child; **s.12(1)** Child's eligibility for placement**; s.19** Consents; **s.12** of the First Nations, Inuit and Metis Children, Youth and Families Act (Federal Act)

Purpose:

To outline the requirements and process for assisting birth parents or a person(s) who has custody of a child with the placement of their child for adoption.

Policy:

1. All birth parents or persons having custody of a child that are requesting placement of their child for adoption must complete an **Application for Services to Birth Parent(s)**.

2. Birth parents or persons having custody must be advised of their right to seek legal counsel regarding their legal options.

3. Birth parents or persons having custody must be advised of the alternatives to adoption.

4. Birth parents or persons having custody of an Indigenous child must be advised that consultation with the child's Indigenous Representative and/or Indigenous Government or organization shall occur and a **Cultural Connection Plan** is required for the adoption process.

5. Where a birth parent is eligible for beneficiary status or membership with an Indigenous government or organization, the birth parent must be advised that if the child is not registered the social worker will assist in the registration process for the child, if eligible.

6. All children being placed for adoption under the **Adoptions Act, 2013** must be in the custody of a Manager prior to being placed with prospective adoptive parents and up to the granting of an **Adoption Order** or consent is revoked.

7. Where a child is in the voluntary custody of a Manager but not been placed for adoption within **one (1) year** of the birth parent signing **Consent to Adoption**, a Manager shall notify the birth parent and a review of the adoption plan shall be completed. Where the child is Indigenous, the appropriate Indigenous Government or Organization shall be notified.

Procedures:

Application

1. An overview of the process and requirements for the adoption of a child in voluntary custody are summarized in **Appendix B: Child in Voluntary Custody Flowchart**.

2. All birth parents or persons having custody of a child interested in pursuing an adoption plan shall complete and submit an **Application for Services to Birth Parent(s).** Birth parents may apply individually or as a couple.

3. The social worker shall have, at minimum, one face-to-face interview with any person requesting placement of a child for the purpose of adoption. The purpose of the interview is to provide information regarding adoption and/or alternatives to adoption. During this initial meeting the social worker shall discuss the following:

   a) the birth parent(s) right to seek legal counsel regarding their legal options;
   b) the alternatives to adoption which include:

      i) birth parent(s) or person(s) having custody can retain custody of the child and assume responsibility for the child's care and support. Formal or informal supports may be available to birth parents such as, community health nursing programs, income support programs, and support services through the Youth Services Program;
      ii) birth parent(s) and their child may be able to live at home with parents, grandparents or relatives who may act as primary or secondary caregivers;
      iii) birth parent(s) could place the child temporarily with their parents or relatives to allow the birth parent(s) time to complete activities/education that will prepare them to eventually support themselves and their child;
      iv) birth parent(s) under the age of 16 years, who are in need of protective intervention under the **Children, Youth and Families Act** could live in a foster home, with a relative or in a significant other placement with their child;
      v) birth parent(s) and their child could be supported to live independently in the community under the Youth Services Program if assessed as eligible;
      vi) placement of the child with a sibling that was previously placed for adoption;
      vii) the social worker could refer a birth parent to an appropriate service if they are considering terminating a pregnancy.
   c) the impacts of the granting of an **Adoption Order** as outlined in s. 38 of the **Adoption Act, 2013** which include:
      i) the child becomes the child of the adoptive parent;
      ii) the adoptive parent becomes the parent of the child;
      iii) a birth parent ceases to have parental rights and obligations in respect of that child, except a birth parent who remains as a parent jointly with the adoptive parent;
      iv) a person having custody of the child ceases to have that custody;
      v) a person whose consent is required under s. 19 ceases to have a right or obligation with respect to that child;
   d) the birth parent's right to request an adoptive placement for their child where some

contact may be maintained following the granting of an **Adoption Order**. They would need to consider the effects of such an arrangement on themselves and also on the child who is being placed.

e) Information on **Openness Agreements** can range from exchange of information only to in-person contact as outlined in **Openness** policy. The birth parent(s) must also understand that openness agreements are good faith agreements and cannot be legally enforced. **Openness Orders** shall also be discussed and are legally binding;
f) the birth parents right to request placement for their child with a child they previously placed for adoption. Contact may be made with an adoptive parent of a previously adopted a sibling to determine whether they would consider adopting the child;
g) the option of seeking supportive counselling to assist in the decision to place their child for adoption;
h) the adopted person's and birth parent's right to identifying information when the adopted child reaches 19 years of age as part of post adoption services;
i) that consultation with the child's Indigenous government or organization shall occur regarding the adoption planning, and that the birth parent is strongly encouraged to voluntarily participate in that process. The importance of working with the child's Indigenous government or organization in developing a **Cultural Connection Plan** that promotes cultural permanency for the child and supports the development of a healthy identity will need to occur. That adoption planning needs to include a focus on preserving a child's unique cultural identity, significant relationships and community connections. The development of a **Cultural Connection Plan** shall occur following receipt of an **Application for Services to Birth Parent(s)**;
j) in accordance with s.12 of the **First Nations, Inuit and Metis Children, Youth and Families Act** (Federal Act), the Indigenous governing body will be notified of the Manager's intent to sign consent to adoption, which occurs after the birth parent's consent to adoption is completed;
k) in accordance with the **Adoption Act, 2013**, for all adoption plans involving an Indigenous child, a **Cultural Connection Plan** must be completed. When the child is an Indigenous child belonging to an Indigenous government or organization prescribed in Schedule B of the **Act**, the Indigenous Representative shall be asked to participate in the development of the plan;
l) the Indigenous government or organization will also receive notification of their right to apply for an **Openness Order** and be notified when an **Adoption Order** is received;
m) the social worker shall seek to obtain the birth parents consent to share information with the Indigenous government or organization as part of the adoption process. Where a birth parent does not provide consent, the social worker must explain that information will be shared **without consent** once the child enters the voluntary custody of the Manager to fulfil the legislative requirements for the adoption. The birth parent shall be informed of these requirements.

4. A birth parent shall be advised that when planning adoption for their child, they may review **up to three** non-identifying profiles of approved applicants prior to the matching of their child. This allows a birth parent to have input into the selection of an adoptive family for their child. They may identify specific criteria they wish an adoptive family to possess.

Examples may include religious affiliation, family composition, educational requirements, willingness to consider openness, etc. The social worker shall advise the birth parent that an adoptive family has the right to decline the child's profile when presented. Discussions shall occur on how the birth parent would like to proceed should this occur. The birth parent may identify another family from the non-identifying profiles as an alternate choice or revisit the adoption plan for their child.

5. There are occasions where the matching of a child placed voluntarily for adoption by a birth parent is challenging. This may be due to the child's developmental status, the preferred child preference criteria of approved applicants, etc. Where a birth parent has voluntarily placed their child for adoption, the social worker shall advise them that should the child not be placed for adoption within **one (1) year** of the birth parent signing **Consent to Adoption**, a Manager shall notify the birth parent and a review of the adoption plan shall be completed. Where the child is Indigenous, the appropriate Indigenous Government or Organization shall be notified.

6. The social worker shall obtain the following information as part of the information necessary to place a child for adoption:

Birth Parent Medical and Social History

6. Where a birth parent or person having custody of a child contacts a social worker and requests the placement of their child for adoption, the social worker **must** ensure that the **Birth Parent Medical and Social History**, is completed on both birth parents. This form shall be completed immediately upon being advised of the birth parent's (or person having custody) decision to choose adoption as a plan for their child. The social worker must educate the birth parent(s) on the importance of this information for their child and assist them in the completion of the required documentation. Birth parent(s) should be advised of the importance of providing as much detail as possible as adopted persons and/or adoptive parents often request this information if the adopted person has medical issues or when the adopted person, as an adult, is deciding on whether or not to have children. This information shall be collected as soon as the birth parent(s) choose adoption as the plan for their child or when a child enters the **Voluntary Custody** of a Manager. This information will ensure the child is placed with an adoptive family as quickly as possible and will also assist in the matching of the adopted child's needs with the abilities of the adoptive parent(s).

7. Where the child is Indigenous, the social worker shall assist the birth parent(s) or person having custody of the child with the registration of the child with the appropriate Indigenous government or organization. The social worker will discuss the importance of registering the child with the Indigenous government or organization where eligible. The social worker must ensure for the purpose of registering the child that the birth parent(s) is aware that their names and address may be provided to the Indigenous government or organization. If the applicant does not provide consent to share information with the Indigenous government or organization the social worker shall advise that when the child enters voluntary custody the social worker will share information **without consent** for the purposes of a child receiving a benefit as per the **Adoptions Act, 2013.** This sharing of information is deemed critical to ensuring that an Indigenous child's beneficiary status, membership and/or registration is maintained.

8. Where a person having custody of a child is seeking adoption and the birth parent is unavailable to assist in the completion of the **Birth Parent Medical and Social History,** the person with custody may complete the form to the degree possible.

Child's Medical and Social History

9. A **Child's Medical and Social History,** Part I, II, and III is to be completed on the child being proposed for adoption. The social worker shall complete Part I, and the appropriate physician or qualified health practitioner shall complete Part II and Part III.

Voluntary custody agreement

10. Where the birth parent(s) or person having custody of a child have decided to place their child for adoption and prior to accepting a child for the purpose of adoption, a social worker **must** obtain a **Voluntary custody agreement**, from the birth parent(s) or persons having custody. Prior to completing the agreement, the worker must ensure the birth parent(s) or person having custody of the child have been provided the alternatives to adoption. A **Voluntary custody agreement** may be signed at any time after the birth of a child.

11. If the **Voluntary custody agreement** is only signed by the birth mother, then the named birth father must be contacted by the social worker. If the birth father acknowledges paternity he has a right to:

    a) sign **Consent of Parent/Person with Custody to Adoption** on behalf of the child; or
    b) propose an alternate plan of care for the child. This proposed plan must be assessed by the social worker and a recommendation made to a supervisor to determine if it is in the best interests of the child. The alternate plan must be discussed with the birth mother and the social worker shall advise of her right to seek legal counsel where she is not in agreement with the proposed plan. The child shall not be placed for adoption until the matter is resolved legally;
    c) where the birth father acknowledges paternity but is not consenting to an adoption, the social worker must review his plan for the child. If the alternate plan proposed by the birth father is not acceptable to a Manager, a **Manager's Application to Dispense with Consent** can be made to the court. Consideration may also be given as to whether services will be required under the **Protective Intervention** program**;** and/or
    d) seek legal counsel regarding his plan for the child.

12. Once a child is placed in the custody of a Manager, the Manager shall place the child in a foster home until the legal time frames for the consent have lapsed. The child can then be matched by the Provincial Director and placed with prospective adoptive parents.

Consent(s) to Adoption

13. The social worker must obtain the necessary consent to adoption forms prior to a child being placed for adoption. Consent to adoption must be obtained from:

a) the birth mother;
b) the father;
c) where applicable, a person having custody of the child;
d) the child, where the child is 12 years of age or older;
e) where the child is in continuous custody of a Manager, the only consents required are the Manager's consent **and** the child's consent, where the child is 12 years of age or older.

14. The social worker must make reasonable efforts including phone calls, registered mail, and home visits to obtain all required consents immediately upon a child being placed in the voluntary custody of a Manager for adoption.

15. A birth mother may sign a **Consent of Parent/Person with Custody to Adoption** when her child is at least **8 days** old. A birth father can sign a **Consent of Parent/Person with Custody to Adoption** at any time following the child's birth.

16. A Manager's **Consent to Adoption** is required for all children in voluntary custody. A Manager may sign consent to adoption at any time prior to applying to court for the granting of an **Adoption Order**.

17. In accordance with **s.12** of the **First Nations, Inuit and Metis Children, Youth and Families Act** (Federal Act) when a significant measure will be taken in relation to an Indigenous child, a social worker shall provide notice of the significant measure to the child's birth parent and the Indigenous governing body. Notification of the Manager's intent to sign consent to adoption shall be provided in accordance with section 1.35 of the **Protection and in Care Policy and Procedure Manual,** using the **Notice to Indigenous Governing Body, Parent and Caregiver** form.

18. Notification of a Manager's Intent to Sign Consent to Adoption shall be provided at the earliest time possible, but no later than **30 days** prior to signing consent to adoption.

19. Both the birth mother and the birth father have a right to the care and custody of a child. Where the birth father has been named by the birth mother but has not been involved in the development of an adoption plan, reasonable efforts must be made to notify the birth father of the proposed adoption. Where possible, a social worker shall meet in person with the birth father. If the birth father proposes an alternate plan for the child, the social worker shall assess the suitability of the plan.

20. If the named birth father resides in a different community/region than the birth mother, the social worker can request assistance from another region where the birth father resides. If the named birth father resides outside the province, the social worker shall follow the **Provincial/Territorial Protocol on Children, Youth and Families Moving Between Provinces and Territories (PT Protocol)** when requesting the services of another province or territory in notifying the birth father of the adoption plan.

21. The social worker shall ensure a birth father is notified of the birth mother's intent to plan adoption on behalf of the child. If the birth father does not wish to be part of the adoption plan, a social worker shall ensure he completes a **Notice of Proposed Adoption to Named Birth Father**. Where the social worker cannot meet with the birth father in person, the **Notice of Proposed Adoption to Named Birth Father** shall be forwarded via registered mail to the identified birth father as soon as he is named by the birth mother. An expected return/response time of **2 weeks** is outlined in the letter.

22. A **Reply Letter from Named Birth Father** must also be included with the notice to expedite the process if the named birth father is denying paternity. If a named birth father denies paternity and signs the reply letter, his consent is not required.

23. Where a birth father acknowledges paternity and agrees to the adoption plan, his consent to adoption is required. The birth father must be advised of his right to seek legal counsel to complete the **Consent of Parent/Person with Custody to Adoption** form or to seek advice regarding the adoption.

24. Where the birth father acknowledges paternity, he must complete the **Birth Parent Medical and Social History**.

25. Where the birth father is not consenting to an adoption, the social worker must review his plan for the child. The alternate plan proposed by the birth father shall be shared with the birth mother. Where the birth parents disagree on the plan, parties shall be advised of their right to seek legal counsel. The child shall not be placed for adoption until the matter is resolved legally.

26. A **Manager's Application to Dispense with Consent** can also be made to the court where reasonable efforts have been made to obtain the necessary consents to adoption and no response from the named birth parent has been made. All efforts must be outlined to the court in an affidavit.

27. Where a **Manager's Application to Dispense with Consent** has been filed with the court, the Manager shall notify the respondent in writing of the application by forwarding the **Notice to Respondent** form to the birth parent.

28. In cases where the birth mother has not or cannot identify a birth father, an **Affidavit Regarding Paternity** shall be completed.

29. In cases where a birth father is attempting to acknowledge paternity and the birth mother has not identified him as the birth father, he may make application to the court to establish paternity. The child shall not be placed for adoption until the matter is resolved legally. Where paternity has been established through a court order, the birth parent may be involved in the adoption planning for their child.

30. A social worker must obtain a **Consent of Child** to adoption for all children over the age of 12 years prior to proceeding to finalization.

Revocation of Consent

31. A birth parent or person having custody of a child, who had signed a **Consent of Parent/Person with Custody to Adoption,** may revoke that consent in writing within **21 days** of signing the consent. The social worker shall meet with the person who signed consent and have them sign the **Revocation of Consent by Parent/Person with Custody.**

32. If a birth parent or person having custody of a child is revoking their consent to adoption, a social worker shall ensure they also complete the **Termination of Voluntary custody agreement** prior to the child returning to their care.

33. If the child **has been** placed in a home for the purpose of adoption, consent may only be revoked by a court order. The person(s) who gave consent must make an application to the court to request that their consent be revoked.

34. If the child **has not been** placed in a home for the purpose of adoption, the person(s) giving the consent may request to a Manager that the consent be revoked even after the 21 day period has lapsed. The final decision to revoke consent rests with the Manager and the primary consideration will be the best interests of the child.

35. A child who has consented to their adoption may revoke their consent **at any time** before the granting of an **Adoption Order** by notifying the social worker verbally or in writing. Once notified, the social worker shall complete the **Child's Revocation of Consent to Adoption** with the child. A copy shall be provided to the Manager and Provincial Director.

Cultural Connection Plan

36. Where the child is Indigenous, the social worker shall discuss with the birth parent, their interest in participating in the development of a **Cultural Connection Plan** on behalf of their child and the requirement for the plan to be completed as part of the adoption process. Discussions shall include:

    a) availability of a culturally consistent adoption placement;
    b) the birth parent's Indigenous status and their interest in pursuing the registration of their child with the Indigenous government or organization where eligible;
    c) the significance of developing a **Cultural Connection Plan** that promotes cultural permanency for the child, maintains connections to the child's culture and supports the development of a healthy identity. That the adoption planning needs to include a focus on preserving a child's unique cultural identity, significant relationships and community connections; and
    d) the importance of consulting with the Indigenous government or organization regarding the adoption plan, registration of the child and the development of a **Cultural Connection Plan**. Where possible, the Indigenous group or organization shall be involved in the completion of a **Cultural Connection Plan** as the importance of preserving an Indigenous child's unique cultural identity is determined to be in the child's best interest.

e) that the **Cultural Connection Plan** will be shared with the prospective adoptive parents who are matched to the child, and when the adoption placement proceeds the prospective adoptive family will be given identifying information from the plan pertaining to birth family members. The identifying information would include the child's family tree and action plan to ensure cultural connections are maintained for the child. The social worker will need to sign the **Affidavit Regarding Sharing Of Information In The Cultural Connection Plan** to acknowledge confirmation that the birth parent has been advised the information will be shared.

37. In accordance with the **Cultural Connection Planning For Indigenous Children** policy, the social worker shall complete a **Cultural Connection Plan** in consultation with the birth parent(s) outlining how the child's connection to their culture, heritage, traditions, community, language and spirituality will be maintained. The social worker shall discuss the importance of the birth parent participating in the process and consent to share information with the Indigenous government or organization shall be requested from the birth parent. If the birth parent does not agree to participate in the development of a **Cultural Connection Plan**, or provide consent to share information with the Indigenous government or organization, the social worker will explain the legislative requirement for the adoption plan and that the information would need to be shared in order to proceed with the adoption, once the child enters voluntary custody.

Openness Agreements and Openness Orders

38. A birth parent or person having custody of the child proposed for adoption may make a request for openness with their child's adoptive parents by completing an **Expression of Interest to Enter into an Openness Agreement** form**.** Those registering must be advised that **Openness Agreements** are good faith agreements and assistance can only be provided if the adoptive parent(s) are interested and also register. Refer to **Openness** policy for more information on **Openness Agreements**.

39. A birth parent or person having custody of a child proposed for adoption may register with Post Adoptions Services to indicate their interest in obtaining information related to their child placed for adoption once the child reaches 19 years of age. Registration shall be completed using the **Post Adoption Application** form. This registration will assist with a search once the child reaches maturity and also registers with Post Adoptions Services. The birth parent shall be advised it is their responsibility to ensure contact information remains updated.

40. All **Expression of Interest to Enter into an Openness Agreement** and **Openness Agreement** forms and **Post Adoption Application** form shall be forwarded to the Provincial Director for registration with post adoption services.

41. An **Openness Order** may also be granted as a means of ensuring openness occurs for a child following the granting of an **Adoption Order**. A Manager, persons who were granted access with the child and an Indigenous Representative of the appropriate Indigenous government or organization may apply to the court for an **Openness Order.** The social worker shall discuss this with a birth parent at the time of adoption planning.

42. Birth parents may also file a written document or small keepsake with Post Adoption Services that will be given to the adopted person once they have reached **19 years of age or older** and have registered for post adoption services. The birth parent should consider if they will include identifying information as the document and/or keepsake will not be opened or screened for identifying information by post adoption services.

43. Once the required documentation has been obtained, a social worker shall make a written recommendation regarding the birth parent plan to a supervisor.

44. All birth parent plans must be approved by a Manager. In cases where the child is being profiled to an approved adoptive applicant from the provincial adoption list, the Manager shall forward the child's original information to the Provincial Director for matching.

45. Application shall be made to Vital Statistics to obtain a birth certificate on behalf of the child. Where a birth parent has not provided a name for the child, the Manager may name the child and register the child with the Vital Statistics Division where the child is in **voluntary custody**. Where the Manager names in the child, consideration shall be given to names connected to the birth parent and would have significance to the child. Efforts to engage the birth parent in the naming of the child shall be documented. Where the child is Indigenous, consultation with the appropriate Indigenous Government of Organization shall occur.

    In the case of a direct placement where the birth parent has identified a significant person to adopt their child, the Manager shall notify the Provincial Director of the approval of the plan and shall forward a copy of the information. See **Direct Placement** policy for additional information.

46. Where a child is Indigenous, the birth parents must be advised that when an **Adoption Order** is granted, the Manager shall notify in writing the appropriate Indigenous government or organization of the child after the certified copy of the order is received from court.

47. **CHECKLIST: Services To Birth Parent(s)** outlining the documents required must be completed**.**

Exceptions: None

Relevant Documents:

- **Application for Services to Birth Parent(s)**
- **Birth Parent Medical and Social History**
- **Child's Medical and Social History**
- **Voluntary custody agreement**
- **Termination of Voluntary custody agreement**
- **Consent of Parent/Person with Custody to Adoption**
- **Consent of Child**
- **Revocation of Consent by Parent/Person with Custody**
- **Child's Revocation of Consent to Adoption**
- **Affidavit Regarding Paternity**

- **Notice of Proposed Adoption to a Named Birth Father**
- **Reply Letter from Named Birth Father**
- **Manager's Application to Dispense with Consent**
- **Cultural Connection Plan**
- **Cultural Connection Plan for an Innu child**
- **Affidavit Regarding Sharing of Information in the Cultural Connection Plan**
- **Notice to Indigenous Governing Body, Parent and Caregiver**
- **Expression of Interest to Enter Into an Openness Agreement**
- **Post Adoption Application**
- **Child in Voluntary Custody Flowchart**
- **CHECKLIST: Services to Birth Parent(s)**

Overview: Applicant Approval

The overriding and paramount consideration in the placement of children for adoption is the best interest of the child. Under the **Adoption Act, 2013**, adoptive applicants must receive the approval of a Manager prior to the placement of a child in their home for adoption. In the case of intercountry or interprovincial adoptions, adoptive applicants must receive the approval of the Provincial Director. Where the applicant is a relative, step-parent, or person having permanent custody of a child, the Department is not involved in the approval process unless requested by the court.

The **Adoption Act, 2013** enables one prospective adoptive parent or two prospective adoptive parents jointly, who are resident of the province, to adopt. Applicants must complete an **Application for Assessment to Adopt** and **Adoption Questionnaire** as part of the application process. Applicants must indicate their preferred child's age, gender, and developmental preferences in their adoption questionnaire. Applicants may be approved for both a domestic and intercountry or interprovincial where approved by the Provincial Director of Adoptions in exceptional circumstances. Only one placement may occur in a **twelve month** period allowing the family time to adjust to their new family composition.

The Provincial Director has the responsibility for maintaining all applicants expressing an interest in adopting children in the continuous or voluntary custody of a Manager. The exception to this would be the case of a direct placement. See **Direct Placement** policy and procedures for further detail.

Before an applicant can be approved as a prospective adoptive parent, a home assessment must be completed. The home assessment process includes:

- completion of the **PRIDE** program involving adoption information sessions aimed to help prepare prospective applicants for adoption;
- a home assessment to determine the applicant's suitability as a prospective adoptive parent and their ability to meet the developmental needs of a child. This process involves the submission of supporting documentation by way of criminal records checks; Child Protection Clearance Checks; references; medicals; financial assessment; and any other information deemed necessary to make a determination related to suitability.

The results of the applicant's home assessment are summarized in a written report that includes a recommendation on whether an approval is warranted. Once an applicant receives approval, the approval is forwarded to the Provincial Director in order to assist in the matching of the applicants to a child waiting placement. The Provincial Director may require additional information from the Manager prior to making a match between an approved applicant and a child.

Applicants may remain on the approved adoption list for up to **two years**. Where no match has been made following a two year period, an update on behalf of the applicants is required. This must involve a written assessment and updated supporting documentation. An updated home assessment, once approved, is valid for **two years**. The updated assessment is again forwarded to the Provincial Director for consideration in the matching process. A child cannot be placed with an applicant where the approval has expired.

Applicant Approval

Policy no.: 2.2
Effective Date: June 30, 2014
Date Revised: March 22, 2018, October 28, 2022; September 19, 2024, June 9, 2025
Policy Cross References: Placement of Children for Adoption
Legislative References: s.11 Placement of child; **s.13** Approval of prospective adoptive parent; **s.14** Matching by Provincial Director.

Purpose: To outline the requirements and process for assessing and approving prospective adoptive applicants.

Policy:

1. All applicants must be a resident of the province before an **Application for Assessment to Adopt** and **Adoption Questionnaire** will be accepted.

2. One applicant or two applicants jointly may apply to become adoptive parents, providing they meet the following criteria:

   a) are willing to participate in the **Parent Resources for Information, Development and Education (PRIDE)** assessment process including the pre-service education sessions; and
   b) if a couple have been in an established family-unit relationship for a minimum of **one year**.

3. An applicant may submit **one** domestic adoption application for a single child or sibling group.

4. An applicant may submit a **second** domestic adoption application following the placement of a child for adoption.

5. Applicants may apply for both a domestic adoption and an intercountry adoption. Where an interprovincial adoption plan is approved by the Provincial Director of Adoptions, an applicant may apply for both a domestic and interprovincial adoption.

6. Processing of all adoption applications are at the discretion the Provincial Director of Adoptions and dependent upon the number of children available for adoption as well as the applicant(s) child preference as outlined on the completed **Adoption Questionnaire.**

7. Adoption placement is considered a significant life event. A second placement may not occur until **one year** following the first placement or where approved by the Provincial Director of Adoptions in exceptional circumstances.

Procedures:

Application and Screening

1. Domestic adoption is defined as the adoption of a child in the voluntary or continuous custody of a Manager between birth and 19 years of age. See interprovincial, intercountry and direct placement policies for other types of adoptions.

2. All persons interested in becoming approved adoptive applicants shall complete and submit an **Application for Assessment to Adopt** and **Adoption Questionnaire** form.

3. During the initial intake call, or when an application has been submitted, the social worker shall discuss the following with the prospective adoptive applicants:

   a) processing of adoption applications is prioritized based upon the applicants identified child preferences. Preference for processing an adoption application is given to applicant's willing to adopt children over the age of 8 as most children available for adoption are between 8 and 16 years. Preference is also given to applicant's willing to consider a larger sibling group; a child with complex needs; a child exposed prenatally to drugs/alcohol in utero; a child with a serious cognitive impairment; and/or a child with a diagnosis of FASD, Autism, a trauma based diagnosis, or other identified complex needs;
   b) the application process including the anticipated wait times for processing varies according to age preference and the child criteria the applicant has indicated an interest in adopting. For applicants interested in a child under 5 years of age, the anticipated wait time on the reserve list is approximately **6 years** but may fluctuate depending on the number of children available for adoption and their developmental needs. Applicants applying to adopt a child under the age of 5 with no significant developmental issues will be processed according to date of application. The Provincial Director determines when all applications are requested for processing;
   c) the need for applicants willing to consider the adoption of children identified as having complex needs and/or a special placement need. These include larger sibling groups of 3 or more children, children over the age of 8 years, children with significant connections to birth family who require a family willing to support this openness, and/or children with complex needs;
   d) the adoption process, including **PRIDE** and the supporting documentation required for assessment. Any questions the applicant(s) may have regarding the adoption process and/or adoption issues should be addressed;
   e) motivation for applying and understanding of adoption. Explanation should be provided on ensuring the application adequately reflects the applicant's age preference from youngest to oldest, number of siblings, and developmental considerations. Applicants must be provided with a copy of the **Adoption Questionnaire Reference Guide** to assist in the completion of the Application;
   f) disruption to birth order where an applicant is applying for a child older than their child(ren);
   g) applicants' willingness to adopt a sibling group and/or child with complex needs and their understanding of this. Explore in detail the type of complex needs an applicant is willing to consider. The social worker shall clearly document an applicant's willingness to accept a child who has a history of pre-natal alcohol/drug exposure, given it may be several years before these issues arise or a diagnosis made and that use of drugs or alcohol during pregnancy is self-reported by a birth mother and cannot be verified;
   h) applicant's views regarding their interest in being considered for an adoption with an **Openness Agreement** or **Openness Order**; and

i) applicant's views regarding accepting a child of a different racial/cultural background from their own and the applicant's willingness and ability to meet a child's cultural needs.

4. Applications must be screened for criminal activity, physical or mental illness, and/or prior family issues. The social worker shall explore with the applicant(s) the identified issues of concern and shall advise that this will be thoroughly assessed and may impact on the outcome of the adoption assessment. Any information on the application that presents questions about whether or not the applicant(s) would be suitable to have a child placed with them must be addressed.

5. Once the application is submitted, the social worker shall review the application and questionnaire to ensure policy standards are met.

6. Once completed, a copy of the application is forwarded to the Provincial Director. The social worker shall complete the **Adoption Questionnaire Summary** in the ISM system when the application is received **and** again at the time of approval. This document will provide an update to the applicant(s) original **Adoption Questionnaire** and will assist in the matching process.

7. Applications will not be accepted from individuals who have an active protective intervention file; been charged with or convicted of a child-related criminal offence; stated that physical discipline will be used with a child; or had a child removed from their care. Applications may be accepted from applicants who have experienced a significant event in their lives in the past year, but processing will be deferred for **one year** from the occurrence of the event. A significant event may include, but is not limited to, a major illness; death of a child, spouse or close relative; recent separation and/or divorce; commencement of relationship/marriage/family unit; birth or placement of a child; miscarriage etc. The purpose of this deferment is to allow the family time to adjust to their new situation.

8. Adoption placement is considered a significant life event. A second placement may not occur until **one year** following the first placement or where approved by the Provincial Director of Adoptions in exceptional circumstances.

9. Where a social worker recommends accepting an application but deferring the processing of an application, the reasons for the deferral must be outlined and a written recommendation made to a supervisor.

10. All deferrals must be approved by a supervisor and written confirmation provided to the applicant. A copy of the application, recommendation and approval shall be forwarded to the Manager and Provincial Director.

11. Following assessment of the application information, the social worker shall make a recommendation to a supervisor regarding acceptance of an application. The final decision regarding acceptance shall be made by a supervisor.

12. Following acceptance, the prospective adoptive applicant(s) shall be advised in writing by a supervisor in a timely manner. A copy of the application and acceptance letter to the applicant(s) shall be forwarded to the Manager and Provincial Director.

13. If the application is not accepted, the social worker shall meet with the family in a timely manner to discuss the reasons for the decision. The applicant(s) should also be advised of the decision, in writing, as soon as possible after the meeting with the social worker. Following this, the file shall be closed by a supervisor.

14. Following receipt of an accepted application by the Provincial Director, the application is placed on a reserve waitlist until the Provincial Director advises the region that the application can be processed.

15. Once processing has been requested by the Provincial Director, an applicant or social worker may request deferred processing of an application for up to **one year**. In exceptional cases, processing may be deferred for more than one year with the approval of a Manager. Reasons for deferring the processing of an application may include but are not limited to major illness; death of a child, spouse, or close relative; recent separation and/or divorce; commencement of relationship/marriage/family unit; birth or placement of a child; miscarriage etc.

16. Where a deferral in processing is requested, the social worker shall make a written recommendation to a supervisor outlining the reasons for the delay.

17. All deferrals in processing must be approved by a supervisor. A copy of the recommendation and approval shall be forwarded to the Manager and Provincial Director. The prospective adoptive applicant(s) shall be advised in writing by a supervisor of approval of the deferral. During the deferral period, a prospective adoptive applicant(s) may withdraw their application upon request. If the applicant(s) is not ready to proceed with the processing of the application after the deferral, a recommendation for closure shall be made to a supervisor. An applicant may re-apply later.

18. The Manager and Provincial Director must be notified of all closures. If the applicant(s) proceeds with processing after the deferral the impact of the significant life event must be considered during the assessment process.

Assessment Process

19. Adoptive applicants are required to complete the **PRIDE** pre-service sessions and be assessed by a social worker using the **PRIDE** assessment model. The **PRIDE** model is a mutual assessment process of an applicant's suitability as an adoptive parent. **PRIDE** is a competency-based approach that requires applicants to have specific skills and knowledge to successfully parent a child. There are five competencies which include: protecting and nurturing children; meeting children's developmental needs and addressing developmental delays; supporting relationships between children and their families; connecting children to safe, nurturing relationships intended to last a lifetime; and working as a member of a professional team.

20. Following a request for processing, the social worker shall meet with the applicants to sign the **Affidavit to Update Adoption Application** attesting to the information contained in the application. Any change to the information in the original application may be reflected in the home assessment and documented in the electronic file.

21. To assist in the assessment process, the **Guide for PRIDE Adoption Assessments** may be used as it outlines considerations for the home assessment process.

22. Applicants will not be required to repeat **PRIDE** pre-service where previously completed unless recommended. For applicant's who previously adopted, a comprehensive assessment must be completed using the **Home Assessment for Applicants Who Have Previously Adopted.** All supporting documentation must accompany the assessment.

23. For foster parents who have previously adopted, a comprehensive assessment must be completed using the **PRIDE Assessment – Foster Parent Adoption** form and the policies and procedures outlined in **Foster Parent Applicant Approval** policy must be followed.

24. Family consultation meetings must occur during the **PRIDE** assessment. Several interviews are required, and applicants **must** be interviewed individually and privately, as well as jointly. Interviews should be structured and balanced between the assessment of an applicant's past functioning, connecting an applicant's past to their current functioning, and assessing how applicants may respond in a parenting role in the future. There must be at least one interview in the home. There must be one or more interviews alone with any children living in the home, as is age appropriate, and with any other person residing in the home.

25. All adult children of the applicants who no longer live in the home must be interviewed. Interviewing adult children can provide valuable information on the past functioning of an applicant as a parent and the degree of support that may be anticipated from the applicant's children in terms of an adoption. Where an adult child of the applicant is unwilling to participate in an interview, discussions around the reasons for that and any impact this may have on the assessment must be discussed with a supervisor and the applicants. Following these discussions, a decision must be made on the suitability of continuing the assessment process where the interview has not occurred. Any decision to discontinue an assessment process must be approved by a Manager.

26. Applicants who have been involved in family violence or violent behavior as an adult, have been charged with or convicted of a violent offence; have been (or any member of their household has been) involved in protective intervention services; or have been investigated for physical, emotional or sexual abuse or maltreatment of a child in this province or any other jurisdiction must be assessed in relation to these issues.

27. At any point during an assessment, where it has been determined that the applicants do not meet one or more of the five competencies of **PRIDE**, a social worker may make a recommendation to a supervisor to discontinue the assessment process and close the applicant's file.

28. All discontinuations of the assessment process must be approved by a Manager. The social worker shall meet with the applicant(s) in person to advise them of the reasons for the decision. Following the meeting, a Manager shall notify the applicant(s) in writing of the decision in a timely manner and the file shall be closed. A copy of the assessment and letter shall be forwarded to the Provincial Director.

29. In addition to compiling the home assessment information, the social worker shall obtain supporting documentation to identify strengths or concerns that may influence the ability of the

applicant(s) to provide quality care to a child, and which will help inform the assessment process. Supporting documentation such as medicals, references, and collateral contacts provide insight into how friends, co-workers, and other professionals in the community view the applicant's ability to become an adoptive parent.

30. In circumstances where a birth parent(s) decides to place their child for adoption at birth, the birth parent (s) may request to review up to 3 non-identifying profiles to assist in the selection of an adoptive family. Prospective adoptive parents may write a letter to a birth parent(s), which includes non-identifying information related to themselves and their reason for adopting. In addition, a **Non-Identifying Family Profile** may be completed which outlines the prospective adoptive parents' occupation, age, hobbies, neighborhood, etc. This information would be presented to the birth parent(s) who wishes to choose prospective adoptive parents for their child. A sample **Non-Identifying Family Profile** is located in ISM.

31. The social worker shall ensure all the supporting documentation and forms identified in the following sections are obtained as part of the approval process.

Child Protection Clearance Check

32. The social worker shall ensure that a Child Protection Clearance Check is completed for all persons residing in the home age 16 years and older including record checks from all areas of the province and other jurisdictions in which they may have previously resided since birth. If a social worker or applicant is unable to obtain a **Child Protection Clearance Check** from another jurisdiction, despite documented efforts to do so (e.g., letter from a child welfare agency indicating they do not provide checks or if another jurisdiction does not respond to a request), the social worker shall request the applicants sign an Affidavit as outlined in **Child Protection Clearance Check** policy before a decision is made regarding the clearance check. If there has been previous, or if there is current involvement, the social worker shall explore the circumstances and nature of the involvement, review all relevant file information and shall consult with a supervisor before a decision is made whether to continue with the approval process. Applicants shall not be approved if there are unresolved child protection concerns. The **Application for a Child Protection Clearance Check, Checklist for Child Protection Clearance Check,** and **Child Protection Clearance Check Affidavit** (where required), shall be forwarded as part of the documentation package.

Criminal Record Checks

33. All persons residing in the home age 12 years and older shall provide completed criminal record checks including the following:

    a) all persons age 12 years and older must make application to the police jurisdiction where they currently reside and give permission to have a criminal records check completed in all jurisdictions where they previous resided;
    b) all persons age 18 years residing in an RNC jurisdiction must also select to have the Vulnerable Sector Check completed on the Royal Newfoundland Constabulary (RNC) Criminal Records Check form;
    c) those residing in an RNC jurisdiction shall have a Provincial Court check completed. This can be obtained by the applicant(s) or FAMA;

d) all persons 18 years residing in an RCMP jurisdiction must also select to have a Fingerprint-based Criminal Record Check completed on the RCMP Consent for the Release of Police Information form. This check includes the verification of pardoned records for sex offences and provides the applicant with a Release of Results of Vulnerable Sector Check;
e) those residing in an RCMP jurisdiction are required to make an application to the provincial court to have a provincial court check completed prior to submitting the request for Fingerprint based Criminal Record Check to the RCMP.

34. The social worker must ensure all child protection clearance checks and criminal records checks include a check in all of the applicant's previous names including any maiden names. The social worker shall ensure accurate spelling of the applicant(s) name and date of birth as indicated on their birth certificate.

35. If a prospective adoptive applicant(s), or other individual residing in the home, has a current criminal charge(s), or a previous criminal conviction(s), the social worker must carefully assess the relationship of any criminal activity to the safety of a child that may be placed in the home using the following criteria:

a) time elapsed since past criminal activity;
b) number and type of charges/convictions;
c) conduct and circumstance of the individual since the offence;
d) relevance of criminal record activity to the provision of care for a child; and
e) age and circumstances of the individual at the time of the offence.

36. If a criminal record check identifies a current criminal charge(s) or previous criminal conviction(s) for a child, the social worker shall stamp the criminal record check documentation with the non-disclosure date. Please refer to the **Youth Corrections Records Management** policy for additional information.

37. Applicants shall not be approved if there is a previous conviction of a child-related crime.

Medical Reports

38. **Physician's Report on Adoptive Applicant** form shall be completed on the applicant(s) by a physician or qualified health practitioner. All children and other adults living in the home must be examined by a family physician or other qualified health practitioner (where deemed appropriate) and a letter provided outlining their general health and any significant findings or concerns. This does not apply to children in the care or custody of a Manager. If concerns are documented, the social worker shall contact the physician or other health practitioner directly to discuss how this may impact the ability of the applicant(s) to provide care to a child placed in the home.

39. If the applicant(s) is currently involved or has had prior involvement with a therapist/counsellor or other mental health professional, the social worker shall obtain, with the consent of the applicant(s), a professional opinion from the therapist/counsellor as to the progress of the counselling and whether or not the identified issues would affect the ability of the applicant(s) to parent a child. If this information is not available, the social worker must clearly outline attempts to obtain the information. Where it cannot be obtained, consultation with a program supervisor to discuss the impact of that on the assessment process is required.

References

40. Four **Letter of Reference** forms are to be obtained from individuals who have known the applicant(s) a minimum of **three years**. References must include one from a relative of the applicant(s); two non-relative references and one collateral reference. A collateral reference is a person who has knowledge of both applicant(s) through some form of community contact (e.g., clergy, community leader, teacher or other school official, daycare provider, neighbor but not close friend; coach; current or past landlord, etc.). A collateral reference should also be able to provide third party information about the applicants and the household without having personal connections to the family. If the applicant(s) has school age children, a teacher is the preferred collateral reference.

Financial Assessment

41. The social worker shall review with the applicant(s) their current financial circumstances using the **Adoptive Parent(s) Budget Analysis** form. The purpose of this is to ensure that the applicant(s) is not under financial stress and/or that they can manage the costs associated with raising a child. Applicants shall not be approved if there are financial mismanagement concerns. Where adoptive applicants indicate an interest in a sibling group, the social worker shall discuss with the applicant, their ability to provide care to more than one child. An applicant's current financial situation may impact on the number of children a social worker recommends for adoption.

    The social worker must verify items listed on the form in the sections for income expenditures and assets by reviewing the information provided by the applicants. This information can be observed only and is not required to be photocopied or placed on the file. The only section on the form that does not require a review of information for verification purposes would be under living expenses, unless there is concern in relation to this area. By signing the form, the social worker is confirming that the income, expenditures and assets have been reviewed and assessed.

Home Safety Check

42. A thorough check of the home of the applicant(s) shall be completed by the social worker to determine that they have the physical space to accommodate a child and there are no safety concerns. The **Foster Home Safety Checklist** may be used as a guide. The social worker shall consult the appropriate Government and/or community resources if questions are raised about the safety of the home.

Birth Certificates

43. The social worker shall obtain certified or true and exact copies of birth certificates for all persons living in the home. The birth dates shall be cross-referenced with the dates given on the Criminal Record Check/Vulnerable Sector Check form(s) and the **Child Protection Clearance Check** form.

Adoption Questionnaire Summary

44. Prior to submitting the PRIDE home assessment and supporting documentation for approval, the social worker shall complete a new **Adoption Questionnaire Summary** form. The form shall highlight the developmental issues, age, gender preference, an applicant is willing to consider. This will assist with the matching process.

Applicant(s) Profile

45. The social worker must complete the **Applicant Profile** form prior to submitting the home assessment and supporting document for approval. This form outlines details related to each of the applicant's and will assist in the matching process.

Approval

46. All applicants must demonstrate in the assessment process that they can meet the five **PRIDE** competencies.

47. When the social worker has completed the assessment process, the social worker shall submit the **PRIDE Adoption Assessment – Final Approval** or **Home Assessment for Applicants Who Have Previously Adopted** form and the supporting documentation to the supervisor with their recommendation about whether the applicant(s) should be approved.

48. The final decision regarding approval shall be made by the Manager. The applicant(s) should only be approved when all documentation submitted is no more than **one year** old from the date of approval. Approval **shall not** be granted if any person residing in the home has been charged with or convicted of a crime against children, or if the family is currently involved in a **Protective Intervention Program.**

49. Where approval is granted for a domestic adoption, the adoptive applicant(s) shall be notified in writing by the Manager. Once approved and signed by a Manager, the social worker may provide the applicant with a copy of the home assessment. See **Intercountry Adoption** and/or **Interprovincial Adoption** for specific approval information related to those programs.

50. The approval letter, **PRIDE** assessment and supporting documentation must forwarded to the Provincial Director. For domestic adoption, all original documentation shall be maintained in the applicant's file. For intercountry and interprovincial adoption, all originals must be forwarded to the Provincial Director for approval.

51. Matching of a child with an approved applicant rests with the Provincial Director. Where questions arise in relation to an approved applicant, the Provincial Director may seek further information related to the applicant's assessment prior to matching the applicant(s) with an available child.

52. If the applicant(s) is **not** approved, the social worker shall meet with them in a timely manner to discuss the reasons for the decision. The applicant(s) should be advised, in writing, of the decision, by a Manager as soon as possible following the meeting with the social worker. A copy shall be forwarded to the Provincial Director**.**

53. **CHECKLIST: Applicant Approval (Domestic)** outlining the documents required must be completed**.**

Exceptions:

1. Where an **Application for Assessment to Adopt** is requested for processing prior to the anticipated waitlist times as outlined in policy, an applicant may choose to return to the waitlist for processing at a later time. Approval of this shall be provided by the supervisor with notification in writing to the applicant(s). Confirmation of the approval and letter to the applicant(s) shall be forwarded to the Manager and Provincial Director**.**

Relevant Documents:

- **Application for Assessment to Adopt**
- **Affidavit to Update Adoption Application**
- **Adoption Questionnaire**
- **Adoption Questionnaire Summary**
- **Letter of Reference**
- **Application for a Child Protection Clearance Check**
- **Checklist for a Child Protection Clearance Check**
- **Child Protection Clearance Check Affidavit (where required)**
- **Physician's Report on Adoptive Applicant**
- **Adoptive Parent(s) Budget Analysis**
- **Home Assessment for Applicants Who Have Previously Adopted**
- **PRIDE Adoption Assessment – Final Approval**
- **Adoption Questionnaire Summary**
- **Applicant(s) Profile**
- **CHECKLIST: Applicant Approval - Domestic**

Updates for Approved Applicants

Policy no.: 2.3
Effective Date: June 30, 2014
Date Revised: March 22, 2018, October 28, 2022
Policy Cross References: Applicant Approval
Legislative References: s.13 Approval of prospective adoptive parent

Purpose: To outline the requirements for continued approval of an adoption application.

Policy:

1. The approval of prospective adoptive applicants shall be reviewed **two years** following the date of approval. A re-approval is valid for **two years.**

2. All updates shall be requested by the Provincial Director.

3. A social worker shall obtain updated medicals, references, **Child Protection Clearance** checks and criminal records checks as part of an update. Additional supporting documentation may also be requested.

Procedures:

1. The social worker shall interview all persons residing in the applicant's home as part of the continued approval update. A home visit and home safety check may be completed as part of the update process where deemed appropriate.

2. The social worker must complete the **PRIDE Adoption Assessment** – **Update/Subsequent Approval** form with a recommendation advising of any changes or significant events within the family since completion of their previous assessment. The following shall be included:

   a) names and relationship of individuals residing in the home;
   b) any change to family composition;
   c) any change of residence and/or employment;
   d) continued financial ability to provide care to a child;
   e) the applicant's continued ability to meet the five competencies of **PRIDE**;
   f) any concerns with the applicant's ability to provide care to a child and how these concerns have been resolved;
   g) information related to updated child protection record checks and criminal record checks; and
   h) a recommendation regarding the continued approval of the applicant(s).

3. Where an approved applicant(s) has experienced a significant event during the past **year**, a recommendation to defer placement of a child for **one year** from the date of the event may occur. A significant event may include, but is not limited to a major illness; death of a child, spouse or close relative; recent separation and/or divorce; commencement of relationship/marriage/family unit; birth or placement of a child; miscarriage etc. The purpose of this deferment is to allow the family time to adjust to their new situation. An applicant(s) may also request to defer their update to a maximum of **one year.** Following the **one year** deferral a decision must be made to process the update or close the file.

4. Where a social worker makes a recommendation to defer an update, the reasons for the deferral must be outlined and a written recommendation made to a supervisor.

5. All deferrals must be approved by a supervisor and a written confirmation provided to the applicant(s). A copy of the recommendation and approval shall be forwarded to the Manager and Provincial Director.

6. The social worker shall ensure the following documentation is obtained in accordance with the policy and procedures outlined in **Applicant Approval** when completing an update to an approved adoption assessment;

   a) **Application for a Child Protection Clearance Check** (for all persons residing in the home age 16 years and older);
   b) **Checklist for Child Protection Clearance Check** (for all persons residing in the home age 16 years and older);
   c) **Child Protection Clearance Check Affidavit (**where required);
   d) Criminal Record Checks (for all persons residing in the home age 12 and older) The social worker must ensure all child protection record checks and criminal record checks include a check in all of the applicant's previous names including maiden and/or previous married names. The social worker shall ensure accurate spelling of the applicant(s) name and date of birth as indicated on their birth certificate;
   e) **Physician's Report on Adoptive Applicant**.
      All children or other adults living in the home should be examined by a physician or other qualified health practitioner that should provide a letter outlining their general health and any significant findings or concerns;
   f) if applicants are currently receiving services from a mental health professional, the social worker shall, with the written consent of the applicants, obtain the professional opinion of the mental health professional regarding the duration, status and progress of the intervention and whether the presenting issues could potentially affect their ability to fulfill their role as an adoptive parent. The social worker shall ensure that the mental health professional is aware of the expectations for adoptive parents and the demands raising a child may have on an individual by reviewing the PRIDE competencies with them;
   g) four **Letter of Reference** forms;
   h) **Adoption Questionnaire Summary** form;
   i) **Applicant(s) Profile** form.

7. If concerns arise during the update, the social worker may request that any supporting documentation outlined in **Applicant Approval** be updated. Additional documentation may be necessary to assist the social worker in compiling a thorough review of the applicant's strengths and needs and may help to identify issues impacting on their continued ability to provide care to a child.

8. The social worker shall submit the **PRIDE Adoption Assessment-Update/Subsequent Approval** form and the supporting documentation to a supervisor with a recommendation about whether the prospective applicant(s) should receive continued approval.

9. The final decision regarding approval shall be made by the Manager. Approval **shall not** be granted if any person residing in the home has been charged with or convicted of a crime against children, or if the family is currently involved in a **Protective Intervention Program.**

10. If approval is granted, the adoptive applicant(s) shall be notified in writing by the Manager. Once approved and signed by a Manager, the social worker may provide the applicant with a copy of the **PRIDE Adoption Assessment – Update/Subsequent Approval** form.

11. A copy of the approval letter, **PRIDE Adoption Assessment – Update/Subsequent Approval** form, and supporting documentation must be forwarded to the Provincial Director.

12. If the applicant(s) is **not** approved, the social worker shall meet with them in a timely manner to discuss the reasons for the decision. The applicant(s) shall be advised of the decision, in writing, by the Manager as soon as possible following the meeting. A copy of the assessment and letter shall be forwarded to the Provincial Director.

13. **CHECKLIST: Updates for Approved Applicant(s)** outlining the documents required must be completed**.**

Exceptions: None

Relevant Documents:

- **Letter of Reference**
- **Application for a Child Protection Clearance Check**
- **Checklist for a Child Protection Clearance Check**
- **Child Protection Clearance Check Affidavit (where required)**
- **Physician's Report on Adoptive Applicant**
- **PRIDE Adoption Assessment – Update/Subsequent Approval**
- **Adoption Questionnaire Summary** form
- **Applicant(s) Profile**
- **CHECKLIST: Updates for Approved Applicant(s)**

Subsequent Applications and Approvals

Policy no.: 2.4
Effective Date: June 30, 2014
Date Revised: March 22, 2018, October 28, 2022, September 19, 2024
Policy Cross References: Applicant Approval
Legislative References: s.13 Approval of Prospective Adoptive Parent

Purpose: To outline the process for approved applicants requested to be assessed in relation to a subsequent adoption application.

Policy:

1. The Provincial Director makes the decision as to when an applicant will be requested for processing.

2. Applicants may be assessed for a subsequent approval where they have submitted both a domestic and intercountry application to adopt.

3. With the approval of the Provincial Director of Adoptions, applicants who have submitted a domestic application may submit an interprovincial application to adopt.

4. The placement of a child for adoption is considered a significant life event; therefore a second placement cannot occur for a period of **twelve months** following the first placement or where approved by the Provincial Director of Adoptions in exceptional circumstances.

Procedures:

1. As per **Applicant Approval** policy, an applicant may submit one domestic adoption application at a time. Applicants may apply for both a domestic adoption and an intercountry adoption. Where an interprovincial adoption plan is approved by the provincial director, an applicant may apply for both a domestic and interprovincial adoption.

2. The placement of a child for adoption is considered a significant life event. Where approved for both a domestic and intercountry or interprovincial adoption, a second placement cannot occur for a period of **twelve months** unless approved by the Provincial Director of Adoptions.

3. All applicants shall complete and submit an **Application for Assessment to Adopt** and **Adoption Questionnaire** form for each adoption type as per policies and procedures outlined in **Applicant Approval**.

4. The Provincial Director makes the decision as to when an applicant on the domestic adoption waitlist will be requested for processing.

Documentation

5. In cases where an applicant has been approved to adopt, and is being assessed for an additional

application, the adoption assessment and supporting documentation may be copied to the second application from the originally approved file provided the **documents** are less than **two years** old.

6. All original documentation will be used with the first application to proceed to finalization. New original documentation will be required for the additional adoption application should it proceed to finalization.

7. In cases where the **documents** are more than **two years** old, updated documentation will be required as per policy and procedures outlined in **Updates for Approved Applicants.**

Assessment of the Subsequent Application

8. Following a request for processing, the social worker shall meet with the applicants to sign the **Affidavit to Update Adoption Application** attesting to the information contained in the application.

9. During the assessment of the application, the social worker shall interview all persons residing in the applicant's home as part of the assessment.

10. The social worker must complete the **PRIDE Adoption Assessment – Update/Subsequent Approval** form with a recommendation advising of any changes or significant events within the family since completion of their previous assessment. This review should include the following:

    a) names and relationship of individuals residing in the home;
    b) any change to family composition;
    c) any change of residence and/or employment;
    d) continued financial ability to provide care to a child and the impact of caring for more than one child on the family's finances;
    e) the applicant's continued ability to meet the five competencies of **PRIDE**;
    f) any concerns with the applicant's ability to provide care to a child and how these concerns have been resolved;
    g) outcome of child protection clearance checks and criminal record checks; and
    h) age preference and developmental status of child being requested.

11. Prior to submitting the **PRIDE Adoption Assessment-Update/Subsequent Approval** form and supporting documentation for approval, the social worker shall complete a new **Adoption Questionnaire Summary** form. The form shall highlight the developmental issues, age, gender preference, etc., that the family would be willing to consider in the child's profile information. This will assist with the matching process.

12. The social worker must complete the **Applicant Profile** form prior to submitting the assessment and supporting documentation for approval. This form outlines current details related to each of the applicants and will assist in the matching process.

13. The social worker shall submit the **PRIDE Adoption Assessment – Update/Subsequent Approval** form and supporting documentation to a supervisor with a recommendation to approve the subsequent adoption application. In the case of an intercountry or interprovincial adoption, the supervisor shall forward all information to the Provincial Director for approval.

14. The final decision regarding approval of a domestic adoption application shall be made by a Manager. The final decision regarding approval of an intercountry or interprovincial adoption shall be made by the Provincial Director of Adoptions. If approval is granted, the adoptive applicant(s) shall be notified in writing by the Manager or Provincial Director. Once approved and signed, the social worker may provide the applicant with a copy of the approved **PRIDE Adoption Assessment – Update/Subsequent Approval.**

15. Approval **shall not** be granted if any person residing in the home has been charged or convicted of a crime against children, or if the family is currently involved in a protective intervention program.

16. The placement of a child for adoption is considered a significant life event; therefore, a second placement cannot occur for a period of **twelve months** following the first placement. An exception to this may be: a foster parent adoption where the child is already residing in the home and has been for more than a **twelve month** period or the proposed plan would allow siblings to be placed together; or where approved by the Provincial Director of Adoptions.

17. A copy of the **PRIDE Adoption Assessment – Update/Subsequent Approval** form, supporting documentation and approval letter shall be forwarded to the Provincial Director.

18. If the applicant(s) is **not** approved, the social worker shall meet with the applicant(s) in a timely manner to discuss the reasons for the decision. The applicants shall be advised in writing, of the decision, by a Manager or the Provincial Director (for intercountry or interprovincial adoptions) as soon as possible following the meeting with the social worker. A copy shall be forwarded to the Provincial Director.

Exceptions: None

Relevant Documents:

- **Application for Assessment to Adopt**
- **Adoption Questionnaire**
- **Affidavit to Update Adoption Application**
- **PRIDE Adoption Assessment – Update/Subsequent Approval**
- **Adoption Questionnaire Summary**
- **Applicant(s) Profile**

Overview: Direct Placement

The **Adoption Act, 2013** defines direct placement as "the selection, before consent to adoption is irrevocable, of a prospective adoptive parent by a birth parent or other person having custody of the child and the approval of the placement of the child by a Manager".

The **Adoption Act, 2013** outlines the best interest of the child as the overriding and paramount consideration in all decision making. Factors to consider must include:

- the child's safety, health and well-being;
- the child's physical, emotional and developmental needs;
- the quality of the relationship the child has with a birth parent or other person significant to the child and the effect of maintaining that relationship;
- the importance of the relationship between siblings;
- the child's identity and cultural and community connections;
- the importance of preserving an Indigenous child's unique cultural identity;
- the child's views and wishes regarding their adoption, where possible;
- the importance of stability and permanency in the context of the child's care;
- the importance to the child's development of having a positive relationship with a parent and a secure place as a member of a family; and
- the effect on the child where there is a delay in the making of a decision with respect to the child.

Where a birth parent or person having custody of a child requests a direct placement, they must submit a plan for approval to a Manager. A direct placement may only occur where:

- the plan has been approved by a Manager;
- the prospective adoptive applicant(s) identified by the birth parent(s) or person(s) having custody receives approval by a Manager to have that child placed with them; and
- the prospective adoptive applicant(s) has received information relating to the proposed child's social and medical history.

When considering the option of a direct placement, the social worker must consider the nature of the relationship between the birth parent(s) and the proposed adoptive applicant(s). The nature of the relationship between the parties must be significant and exist **prior to** the development of an adoption plan. Factors to be considered may include:

a) ensuring there is no exchange of reward, money or coercion;
b) ensuring the applicant(s) is not in a position of trust or authority with the birth parent(s);
c) details regarding the adoptive applicant's connection to the birth parent(s) and/or child including the nature of the relationship;
d) the length of time they have known one another;
e) how/when the relationship commenced;
f) a detailed account of their current contact/communication;
g) whether the proposed adoption plan enables the child to maintain birth family, sibling or significant other relationships;
h) information to confirm there has not been advertisement to elicit the proposed adoption (e.g. Facebook posts, distribution of personal profiles);

i) the applicants willingness to accept a child with limited social and medical information;
j) if the child is Indigenous how the adoption plan ensures the child's unique sense of culture and cultural connections are maintained; and
k) any other information deemed relevant.

All adoptive applicants must be approved as per the policies and procedures outlined in **Applicant Approval**.

The role of the social worker in a direct placement is as follows:

a) to assess the birth parent plan and make a written recommendation regarding that plan;
b) to ensure all policies and procedures related to **Services to Birth Parents** and **Applicant Approval** has been followed
c) to assess the prospective adoptive applicant's skill and ability to meet the needs of the proposed child;
d) once the prospective adoptive applicant(s) is approved, to provide the adoptive applicant(s) with, (i) **Birth Parent Medical and Social History** and (ii) **Child's Medical and Social History** prior to the placement of the child;
e) to advise the adoptive applicant(s) of the legal time frames for consents and to ensure the family completes an **Acknowledgement by Prospective Adoptive Parents of the Legal Status of the Child** where consents are not yet valid**;**
f) to ensure that the child (i) if 5 years of age or older, has been counselled on the effect of adoption, or (ii) if 12 years of age or older, has given their consent to the adoption.

Direct Placement

Policy no.: 3.2
Effective Date: June 30, 2014
Date Revised: March 22, 2018, October 28, 2022, September 19, 2024
Policy Cross References: Applicant Approval; Services to Birth Parents; Children Available for Adoption; Placement of Children for Adoption
Legislative References: s.12 Child's eligibility for placement**; s.16** Direct placement**; s.19** Consents

Purpose: To outline the direct placement requirements and process necessary to assist a birth parent(s) or person who has custody of a child and has identified a prospective adoptive parent(s) whom they wish to adopt their child.

Policy:

1. All birth parents or persons having custody of a child that are requesting placement of their child by direct placement must adhere to the policy and procedures outlined in **Services to Birth Parents.**

2. All birth parents or persons having custody of a child that request placement of their child by direct placement must submit their plan in writing for approval by a Manager.

3. All proposed adoptive applicants must be approved according to the policies and procedures outlined in **Applicant Approval.**

Procedures:

Submission of the Plan

1. Where a birth parent or person having custody of a child is expressing an interest in placing their child by direct placement, the social worker in consultation with a supervisor must meet with the birth parent(s) to:

    a) provide an overview of the **Services to Birth Parents** policy and procedures necessary to place their child for adoption. The birth parent(s) must be advised of the alternatives to adoption and the requirement to assess the nature of the relationship between the birth parent(s) and the proposed adoptive applicant(s);
    b) inform the birth parent(s) that the adoption plan must be submitted in writing for approval by a Manager; and
    c) ensure the birth parents of an Indigenous child have been advised of the requirements of a **Cultural Connection Plan**, which is required to be submitted with the adoption plan to the Manager. Cultural connection planning **for Indigenous Children** policy and procedures apply.

2. Following receipt of the birth parent's or person with custody's written plan and the **Cultural Connection Plan** (where the child is Indigenous), the social worker must make a written recommendation to a supervisor regarding the direct placement plan. The relationship between the parties must be significant and exist **prior to** the development of the plan. Factors that require assessment must include but are not limited to:

   a) ensuring there is no exchange of reward, money or coercion;
   b) ensuring the applicant(s) is not in a position of trust or authority with the birth parent(s);
   c) details regarding the adoptive applicant's connection to the birth parent(s) and/or child including the nature of the relationship;
   d) the length of time they have known one another;
   e) how/when the relationship commenced;
   f) a detailed account of their current contact/communication;
   g) whether the proposed adoption plan enables the child to maintain birth family, sibling or significant other relationships;
   h) information to confirm there has not been advertisement to elicit the proposed adoption (e.g. Facebook posts, distribution of personal profiles);
   i) the applicant's willingness to accept a child with limited social and medical information;
   j) if the child is Indigenous how the adoption plan ensures the child's unique sense of culture and cultural connections are maintained; and
   k) any other information deemed relevant.

3. When a birth parent requests placement of their child with an applicant who resides outside the province, the policies and procedures for **Interprovincial Adoption-Planning for a Child Leaving the Province** shall apply.

4. The final decision regarding approval of the plan shall be made by a Manager. Once a decision is made, the Manager must advise the birth parent(s) or person(s) having custody of the child and the proposed adoptive applicants in writing of the decision.

5. Where the applicant(s) resides in a different zone than the birth parents or person with custody, the Manager shall notify the Manager where the applicant(s) resides of the approval of the plan in writing and request that an **Application for Assessment to Adopt** and **Adoption Questionnaire** be accepted, and processing of the application begin.

6. If the plan is not approved, the social worker shall meet with the birth parent(s) or person(s) having custody as soon as possible to discuss the reasons for the decision. The Manager shall advise the birth parents or persons with custody of the child in writing of the decision. Where the plan is not approved, the social worker shall discuss other options regarding placement of the child with the birth parent(s) or person(s) having custody. This shall include the alternatives to adoption as outlined in **Services to Birth Parents** policy and adoption by approved adoptive applicants from the provincial adoption list. The birth parent(s) shall be informed that they may review non-identifying profiles related to already approved applicants for consideration.

7. Where the plan is approved by a Manager, the social worker must ensure that all required information and documentation required under **Services to Birth Parents** and **Children Available for Adoption** is obtained. **CHECKLIST: Direct Placement- Applicant Approval** and **CHECKLIST: Children In Voluntary Custody – Child Profile** must be completed.

Assessment Process

8. All proposed adoptive applicants must be approved according to the policies and procedures outlined in **Applicant Approval.**

9. Following a request for processing, the social worker shall meet with the applicants to sign the **Affidavit to Update Adoption Application** attesting to the information contained in the application.

10. Approval shall not be granted if any person residing in the home has been charged with or convicted of a crime against children, if the family is currently involved in a protective intervention program, has had a child removed from their care, or have stated that physical discipline will be used with a child. Applicants who have been involved in domestic violence or violent behavior as an adult; been charged or convicted of a violent offence; have been (or any member of their household has been) involved in protective intervention services; or have been investigated for physical, emotional or sexual abuse or maltreatment of a child in this province or any other jurisdiction must be assessed in relation to these issues.

11. At any point during an assessment, where it has been determined that the applicant(s) cannot meet the requirements for approval, a social worker may make a recommendation to a supervisor to discontinue the assessment process. All discontinuations of the assessment process must be approved by a Manager. The social worker shall meet with the applicant(s) in person to advise them of the decision. Following the meeting, a Manager shall notify the applicant(s) in writing of the decision in a timely manner and the file will be closed. The Manager shall also notify the Provincial Director of this decision.

12. An adoption cannot be finalized until a full **PRIDE** assessment or **Home Assessment Guide for Applicants who have Previously Adopted** has been successfully completed as per **Applicant Approval** policy. In cases where the applicants have previously completed the **PRIDE** pre-service sessions, they will not be required to do them again unless requested by a social worker.

13. Where an assessment is not approved by a Manager, the social worker shall advise the birth parent or person having custody and discuss other options regarding placement of the child. This shall include the alternatives to adoption as outlined in **Services to Birth Parents** policy, adoption by approved adoptive applicant(s) from the Provincial Adoption List or the option of proposing an alternate plan.

Placement

14. A child must not be placed for adoption until the direct placement plan is approved **and** the proposed adoptive applicant(s) are approved by a Manager through a **PRIDE Adoption Assessment – Final Approval**, or **Home Assessment for Applicants Who Have Previously Adopted** as outlined in **Applicant Approval** policy.

15. In the case of a direct placement, where the child is placed prior to consents being legal, prospective adoptive parent(s) must sign **Acknowledgement by Prospective Adoptive**

Parents of the Legal Status of the Child prior to placement.

16. Prior to placement, the child's social and medical information shall be forwarded to the Provincial Director for redacting prior to presenting the child to the approved applicants. See **Children Available for Adoption** and **Placement of Children for Adoption** for additional procedures related to the placement of the child. Where an applicant declines a child's profile, the social worker shall contact the birth parents and advise them of this decision and review the alternatives to adoption. The birth parents may submit an alternate plan for their child or request placement of their child with an approved adoptive applicant from the provincial adoption list.

17. Review **Placement of Children for Adoption** for additional procedures related to the placement of the child.

18. **CHECKLIST: Direct Placement – Applicant Approval** and **CHECKLIST: Children in Voluntary Custody – Child Profile** outlining the documents required must be completed**.**

Exceptions: None

Relevant Documents:

- **Application for Assessment to Adopt**
- **Adoption Questionnaire**
- **Affidavit to Update Adoption Application**
- **Reference Letter**
- **Application for a Child Protection Clearance Check**
- **Checklist for a Child Protection Clearance Check**
- **Physician's Report on Adoptive Applicant**
- **Acknowledgement by Prospective Adoptive Parents of the Legal Status of the Child**
- **PRIDE Adoption Assessment – Final Approval**
- **Home Assessment for Applicants Who Have Previously Adopted**
- **Adoptive Parent(s) Budget Analysis**
- **Cultural Connection Plan**
- **Cultural Connection Plan for an Innu Child**
- **CHECKLIST: Direct Placement – Applicant Approval**
- **CHECKLIST: Children in Voluntary Custody – Child Profile**

Overview: Children Available For Adoption

In order for a child to be considered for an adoption placement, they must be legally free for adoption. A child can become available for adoption in one of two ways:

a) a birth parent or person having custody of a child expresses an interest in placing their child for adoption; or

b) a child is in the continuous custody of a Manager and the permanent plan for the child is adoption.

Where a birth parent(s) or person having custody of a child expresses an interest in making an adoption plan, the policies and procedures outlined in **Services to Birth Parents** must be completed prior to placement. In cases of direct placement, the policies and procedures outlined in **Direct Placement** must also be completed. It is the responsibility of the social worker to notify a Manager when a child becomes available for adoption through the signing of a **Voluntary custody agreement** under the **Adoption Act, 2013** or as the result of the granting of a **Continuous Custody Order** under the **Children, Youth and Families Act.**

Planning adoption on behalf of a child shall be consistent with the best interest principles outlined in the **Adoption Act, 2013.** It is the responsibility of the social worker in consultation with their supervisor, to ensure that all relevant factors are considered including:

a) the child's safety, health and well-being;
b) the child's physical, emotional and developmental needs;
c) the quality of the relationship the child has with a birth parent or other person significant to the child and the effect of maintaining that relationship;
d) the importance of the relationship between siblings;
e) the child's identity and cultural and community connections;
f) the importance of preserving an Indigenous child's unique cultural identity;
g) the child's views and wishes regarding their adoption, where possible;
h) the importance of stability and permanency in the context of the child's care;
i) the importance to the child's development of having a positive relationship with a parent and a secure place as a member of a family; and
j) the effect on the child where there is delay in the making of a decision with respect to the child.

When making a permanency plan for adoption on behalf of a child in the continuous custody of a Manager, the social worker must have a thorough understanding of the child's needs to ensure that the best possible match with an approved adoptive applicant(s) can be made. This is critical to the success of an adoption placement. Part of this understanding involves obtaining the child's views and wishes regarding adoption (where applicable), obtaining consent to adoption for children over 12 years of age, preparing the child for adoption, and ensuring the necessary information and documentation is obtained and preserved on behalf of the child. The social worker shall explore supports and services that a child may require following placement. Where appropriate, a Manager may approve a child to receive an adoption subsidy. Before placing a child for adoption, a **Child's Medical and Social History** and **Birth Parent Medical and Social History** must be completed. It is imperative for adopted persons to have as much information as possible about the medical and social history of their birth parent(s) and birth families for their health and identity. Birth parents should be advised of the importance of providing as much detail as possible as adopted persons

and/or adoptive parents may often request this information in cases where the adopted person has medical issues or when the adopted person, as an adult, is deciding on whether or not to have children. The **Child's Medical and Social History** and **Birth Parent Medical and Social History** is also required to preserve important information on behalf of the child and to assist in the matching of the child's needs with the abilities of the adoptive parent(s).

A social worker must assess and make a recommendation regarding an adoption placement that is in the best interests of a child. These options may include:

a) consideration for the placement of siblings together or individually. This option must involve consultation between the child's social worker, supervisor, and Manager and any other professionals deemed necessary. Providing it is in the best interests of the child, the adoption plan for siblings should involve adoption together. Any decision to separate siblings must include detailed information on the factors considered in that decision including the children's relationship with one another, the degree of contact with one another if not residing together, current attachments, cultural connections, the children's special needs, the children's views and wishes, and a plan regarding openness. Where regular contact has not been occurring between siblings, the social worker is required to provide detailed information as to why regular contact has not occurred and any plan for future contact. If siblings have become available for adoption at different times, consideration may be given to contacting the adoptive parent(s) who adopted one of the children to determine their interest in adopting the other sibling; adoption by a birth relative or someone significant to the child. This may allow for the child to maintain personal, cultural and community connections which may be very important for the child's ongoing psychological and emotional health and overall development and well-being;
b) consideration of a foster parent adoption where significant relationships and attachments have formed and the foster parents have demonstrated an ability to meet the needs of the child, and a move for the child may not be in the child's best interests. Where discussions have occurred with a child's foster parents and they have indicated they are unable to commit to the adoption process, further discussions regarding permanency must occur. It is the responsibility of the social worker to ensure discussions occur with the foster parents around the importance of permanency for children through adoption as long term foster care would be the least preferred option to adoption. Following those discussions, and where the foster parents continue to indicate adoption is not an option, further discussions with the in care planning team must occur to determine whether an alternate adoption placement may be in the child's best interests.

The **Adoption Act, 2013** recognizes the importance of facilitating communication or maintaining personal relationships after an **Adoption Order** is granted, where it is deemed to be in the best interest of a child. Openness may be explored both formally and informally and may be maintained through the use of an **Openness Agreement** or **Openness Order**. Openness may also be a consideration in determining the best placement option for a child. Refer to **Openness** policy and procedures for detailed information.

Children Available for Adoption

Policy no.: 4.2
Effective Date: June 30, 2014
Date Revised: March 22, 2018, October 28, 2022, September 19, 2024; May 6, 2026
Policy Cross References: Services to Birth Parents; Placement of Children for Adoption; Cultural Connection Planning for Indigenous Children; Application for an Openness Order.
Legislative References: s.9 Transfer of custody to Manager; **s.12** Child's eligibility for placement; **s.15** Child's history; **s.19** Consents; **s.50.1** Manager to notify persons re: openness orders; **s.12** of the First Nations, Inuit and Metis Children, Youth and Families Act (Federal Act)

Purpose: To outline the process and requirements to be completed on behalf of a child whose permanency plan is adoption.

Policy:

1. Children being placed for adoption under the **Adoptions Act, 2013** must be in the continuous or voluntary custody of a Manager, prior to being placed with an adoptive parent(s) up to the time an **Adoption Order** is granted or consent is revoked.

2. All birth parents or persons having permanent custody of a child that are requesting placement of their child must adhere to the policy and procedures outlined in **Services to Birth Parents**.

3. Planning adoption for a child in the continuous custody of a Manager is the responsibility of the social worker, in consultation with the **In Care Planning Team** (as per the **Child Protection and In Care Policy Manual)** to ensure that:

   a) the child is the primary focus of all adoption planning;
   b) adoption planning is based on the child's needs, age and developmental stage;
   c) adoption planning considers the importance of the relationship between siblings;
   d) there is recognition of the importance of the child's identity and there is a plan to maintain cultural and community connections where possible;
   e) the importance of preserving an Indigenous child's unique cultural identity is considered;
   f) the child's views and wishes are considered where possible;
   g) the effect on a child if there is a delay in making an adoption plan with respect to the child is considered; and
   h) identified supports and services are considered for a child in continuous custody and are outlined in a child's **Request to Approve a Child for an Adoption Subsidy** where appropriate.

4. Any person who was granted access with the child as a condition of the continuous custody order shall be provided with notice of the Managers intention to consent to the adoption.

5. At least 30 days after the Manager provides notice of the intent to sign consent to those granted access, the Manager may sign the **Manager's Consent to Adoption** form.

6. Any person who was granted access with the child as a condition of the continuous custody order shall be provided with notice of their right to apply for an openness order after the

Manager's Consent to Adoption form is signed.

Procedures:

1. A social worker must immediately notify their supervisor in writing that a child has been placed in **voluntary custody** for the purposes of adoption or a **continuous custody order** has been granted and the recommended permanency plan for the child is adoption. A copy shall be provided to the Manager.

2. An overview of the process and requirements for the adoption of a child in voluntary or continuous custody are summarized in **Appendix B: Child in Voluntary Custody Flowchart and Child in Continuous Custody Flowchart**.

3. A completed package of information on the child must be forwarded to a Manager no later than **60 days** following the signing of the **Consent of Parent/Person with Custody to Adoption** or the granting of a **continuous custody order,** where adoption is the plan.

4. The social worker shall ensure the following information and documentation is obtained as part of an adoption package necessary to profile all children for adoption. In the case of a foster parent adoption recommendation, the policies and procedures outlined in Section 6.2 **Foster Parent/Significant Other (excluding foster parents) Adoption** apply**.**

Birth Parent Medical and Social History

5. The social worker must ensure that a **Birth Parent Medical and Social History** is completed for both birth parents on all children in voluntary or continuous custody of a Manager where adoption is the permanency plan. The social worker must educate birth parents on the importance of this information for their child and assist them in the completion of the required documentation. Birth parents should be advised of the importance of providing as much detail as possible as adopted persons and/or adoptive parents often request this information when the adopted person has medical problems or when the adopted person, as an adult, is deciding on whether or not to have children. This information shall be collected as soon as the birth parents choose adoption as the plan for their child or when the permanency plan for a child in continuous custody is adoption.

6. The **Birth Parent Medical and Social History** is **unique to each child** placed for adoption as it contains information related to each child's prenatal history as well as current information related to the birth parent at the time of the child's birth. The social worker must ensure **each** child has a completed **Birth Parent Medical and Social History** form at the time the child is being profiled for adoption.

7. For children in **continuous custody**, there may be times when engaging a birth parent in the completion of a **Birth Parent Medical and Social History** is not possible (for example, the birth parent refuses to assist in the completion of the form or cannot be located). If the information is not able to be obtained from the birth parent, reasonable efforts must be made to obtain as much information as possible from other sources including extended family or significant others, file information, or other professionals involved with the child.

8. Where the birth family is unwilling to participate, unavailable, or unable to be located, the social worker must document the efforts that were made to obtain the information (including telephone calls, registered letters, attempted home visits, etc.) and the other sources of information that were used in completing the **Birth Parent Medical and Social History**.

9. There may be times that the self-reported information provided to a social worker from a birth parent may be different from information known to the social worker and/or contained within the files of the Department. In such cases, where the child is in **continuous custody**, the birth parent shall be advised that information related to their involvement with the Department, that may assist in completing a more comprehensive and detailed social and medical history, will be included with the child's social/medical history. The social worker shall include in the child's package all information that may be helpful in profiling the child for adoption.

10. For children in **voluntary custody,** where a birth parent provides information and there is additional information available to the social worker (for example, as the result of a protective intervention file)**,** the social worker shall discuss this with the birth parent. The social worker shall advise the birth parent of the importance of including **all** information related to the birth family for the child in the future. Where the birth parent does not wish the information to be included, the social worker shall discuss this with a supervisor to determine next steps given the impact this has on the ability to match the child appropriately. This information is essential to ensuring all available social and medical information is presented to an adoptive family to allow them to make a fully informed decision regarding the placement of a child.

Child's Medical and Social History

11. A **Child's Medical and Social History**, Part I, II, and III must be completed on children being proposed for adoption. In the case of a foster parent adoption, Part III is **not** required given the child resides in the home and the foster parents would be aware of the child's current medical status. The child's current medical status must be outlined clearly in Part I to ensure the foster parents are provided all details related to the child's medical history. The social worker shall complete Part I and a physician or other qualified health practitioner shall complete Part II, and Part III.

12. **Child's Medical and Social History** also contains information related to the risk factors that resulted in the child entering the continuous custody of a Manager. This information is important to provide to adoptive families as it will provide them with critical insight into the experience of the child prior to placement.

Plan for the Child (that was submitted to the court)

13. While the **Plan for the Child** is **not** provided to adoptive applicants, it is an important document to be reviewed by the social worker presenting any child in continuous custody to an approved applicant. Review of this document allows a social worker to gain a thorough and comprehensive understanding of the risk factors present in the child's birth family that resulted in them entering continuous custody**.** Given these factors may impact on the future development of a child, it is important to be considered when profiling the child for adoption.

In Care Progress Report (IPR)

14. The **IPR** monitors ongoing case planning, progress and outcomes for every child in the custody of a Manager. It also provides a written history of a child's life in care and contains crucial information about a child's past.

15. The social worker shall complete an **IPR** for all children in **continuous custody** as per Policy 3.9 of the **CYFA** to be included in their adoption package**.** This document is an important document to be reviewed by the social worker presenting the child to an adoptive applicant.

16. An **IPR** shall also be completed on all children in custody as the result of a **voluntary custody agreement** obtained under the **Adoption Act, 2013** where the child has been in voluntary custody more than **six months**.

Views and Wishes Report

17. Part of preparing a child for adoption involves counselling them on the implications of adoption. This can be done once adoption is identified as the permanency plan for a child or at any other point before pre-placement. The paramount consideration in determining when to counsel a child on adoption is the best interests of the child. The social worker must ensure that the child understands the effects of adoption and, where over the age of 12 years, consents to adoption. The child's views are imperative to ensuring the success of the adoption. All children 5 years of age or older must be counselled on the effects of adoption and their views and wishes must be considered before proceeding with an adoption plan. Taking into consideration a child's developmental level, a discussion can be held with a child younger than 5 years of age. The extent of the child's involvement in the adoption decision will be determined by their capacity to make and understand decisions that affect their day-to-day life according to their level of development and maturity.

18. A narrative views and wishes report **must** be completed on every child 5 years of age or older who is being adopted.

19. If the child is 5 years of age or older and has **not** been counselled on the effects of adoption, a report outlining the reasons for this must be completed and submitted in writing to a supervisor with the child's documentation. Reasons for not completing the child's views and wishes may include the potential that a match may be delayed due to the child's special needs and counselling the child may impact stability in their current placement**.**

20. The Views and Wishes Report submitted may include, but is not limited to:

    a) the dates on which the interviews with the child took place and the type of interview;
    b) an indication that the child appears to have an age-appropriate understanding of adoption including: adoption is lifelong and intended to be permanent; adoption is a legal process where the child becomes the adopted child of the adoptive parents; that adoption terminates the legal rights and responsibilities of the child's birth parents or person with custody; that contact may be maintained where an openness agreement exists; and termination of a Manager's custody for a child in continuous custody;

c) a statement of the child's expressed view on being adopted and what adoption means to them;
d) the child's views on any proposed change of given or family name;
e) the extent of the child's relationships with significant persons, birth relatives or foster parents;
f) the child's understanding of why they are not living with their birth parent(s) or family members;
g) the child's views on whether their racial, cultural, linguistic and spiritual identity is being respected;
h) a clear statement from the social worker indicating:
   i. that the child has been counselled on the effects of adoption; and
   ii. where the child is 12 years of age or older, that they are indicating their consent to being adopted.

Consents

21. For children in voluntary custody, a **Consent of Parent/Person with Custody to Adoption** must be obtained from the birth mother, the father, or person having custody of the child. Please see the policies and procedures related to consents as outlined in **Services to Birth Parents**.

22. Where the child is in continuous or voluntary custody of a Manager, the Manager with custody of the child must complete the **Manager's Consent to Adoption**. Birth parent consent is not required for children in continuous custody.

23. An order for continuous custody ceases to have effect on the child's 18th birthday as per the **CYFA.** A **Manager's Consent to Adoption** remains valid for a child being adopted until **19 years of age** providing the consent was signed before the child's 18th birthday.

Notification of Intent to Sign Consent to Adoption

24. **At least 30 days** prior to consenting to an adoption under the **Adoption Act, 2013**, the social worker or Manager shall provide written notification of the Managers intention to consent to the adoption to any person who, as a condition of an order for continuous custody under paragraph 32(2)(d) of the **Children, Youth and Families Act,** was granted access with the child using the **Notice of Manager's Intent to Sign Consent to Adoption** form. The type and frequency of the access granted on a continuous custody order may vary. Any person granted access, regardless of the nature of the access on the continuous custody order, shall be provided with the notification**.**

25. In accordance with the federal **Act Respecting First Nations, Inuit, and Metis Children, Youth and Families**, when a significant measure will be taken in relation to an Indigenous child, a social worker shall provide notice of the significant measure to the child's birth parent and the appropriate indigenous government or organization. Notification shall be provided in accordance with section 1.35 of the **Protection and in Care Policy and Procedure Manual,** using the **Notice to Indigenous Governing Body, Parent and Caregiver** form.

26. **Notification of the Manager's Intent to Sign Consent to Adoption** shall be provided at the earliest time possible, but no later than **30 days** prior to signing consent to adoption. At least

30 days following the date the **Notice of Manager's Intent to Sign Consent to Adoption** is provided to those granted access on the continuous custody order, the Manager may sign the **Manager's Consent to Adoption** form. Children in continuous custody often have access that was not court ordered but deemed in the child's best interest. A Manager may also provide written confirmation of their intent to sign consent to adoption where the Manager has permitted access to a child that was not court ordered. This is a courtesy notification and is completed at the discretion of the Manager.

27. Once the **Manager's Consent to Adoption** form is signed, **Notice of Right to Apply for An Openness Order to Persons Granted Access** shall be provided to any person who was granted access on the continuous custody order as outlined in the **Application for an Openness Order** policy.

Cultural Connection Plan

28. A **Cultural Connection Plan** must be completed for all Indigenous children whereby the permanency plan for the child is adoption.

29. The social worker, in accordance with the **Cultural connection planning for Indigenous Children** policy, shall complete a **Cultural Connection Plan** form outlining the arrangements made or being made to foster an Indigenous child's connection with their culture, heritage, traditions, community, language and spirituality to preserve their cultural identity.

30. Where the child is an Indigenous child belonging to an Indigenous government or organization prescribed in Schedule B of the **Act**, the Indigenous Representative shall be asked to participate in the development of the plan. Consultations with the indigenous government or organization must occur regarding the permanency plan for adoption.

Other Professional Reports

31. Where a child has received services, any professional reports that may assist in the profiling of the child to an adoptive applicant **must** be obtained. This would include professional reports from occupational therapy, physiotherapy, speech therapy, counselling services and/or any other developmental report.

32. Transitory notes and/or jot notes (including hospital shift change or summary notes) would not be considered professional reports. Information obtained from these notes may be reviewed by the social worker and included in Part I of the **Child's Medical and Social History** form.

33. Where the child is enrolled in school, consultation with the school must occur to determine the child's educational needs. The child's most recent report card is required.

34. All policies and procedures related to obtaining records from the Newfoundland and Labrador English School District (NLESD) can be found at www.nlesd.ca. Information from both the cumulative and confidential files maintained at NLESD shall be requested.

35. All policies and procedures related to obtaining records from the Conseil Scolaire Francophone Provincial can be found at www.csfp.nl.ca.

36. Information obtained from the school records may be included in the completion of the **Child's Medical and Social History** form or submitted with the child's profile package.

37. Where a child is enrolled in daycare, consultation with the daycare shall occur to obtain information regarding the child's strength's, any identified needs and overall functioning. Information obtained from daycare may be included in the completion of the **Child's Medical and Social History** or submitted with the child's profile package.

Other Documentation

38. In addition to the above required documentation, the following must be obtained before any child can be placed for adoption:

    a) original or certified copy of the continuous custody order for children in the custody of a Manager;
    b) **Voluntary custody agreement** for a child being placed for adoption by a birth parent or person having custody of the child;
    c) **Manager's Consent to Adoption** for all children in continuous and voluntary custody;
    d) child's original Birth Certificate from vital statistics. In situations where the child's birth has not been registered, the social worker must complete the birth registration form called the Return of Birth form and the Application for Verification of Birth and forward it to Vital Statistics. When the birth is registered, the social worker must include the birth certificate, a certified copy of the birth certificate or an Application for Verification of Birth from the Vital Statistics Division;
    e) **Request to Approve a Child for An Adoption Subsidy** where applicable. See **Adoption Subsidy** policies and procedures for additional information; and
    f) recent photos of the child which should include professional photos. Photos are not required for foster parent/significant other adoptions.

39. The social worker must complete the **Child Profile Summary** form as this document will provide an overview of the developmental needs of the child and assist in the matching process.

40. Where openness is being recommended on behalf of a child, information related to **Openness Agreements** and/or **Openness Orders** shall be included with the child's information.

Recommendation

41. Once all information has been obtained, a social worker shall make a written recommendation regarding adoption to a supervisor. A recommendation may include adoption by an approved applicant from the provincial adoption list, adoption by a birth relative or significant other identified by the social worker as being the best placement option, or adoption by a foster parent.

42. Consideration must be given to contacting the adoptive parents of a previously adopted sibling to determine whether they would consider adopting the child's sibling. The Provincial Director may assist in providing information related to the whereabouts of the family.

43. Sibling contact is a critical need for children in care. Where a child proposed for adoption has siblings and adoption together is not the recommended plan, detailed information must be provided as to why adoption together is not a viable option. Information shall also include details related to the degree of contact between siblings and where contact has not been regularly occurring, the rationale as to why.

    Where adoption of siblings together is the recommended plan and regular contact has not been occurring while in care, details outlining the reasons for the recommendation and lack of contact must be provided. This is important information for adoptive families in developing an understanding of why contact is being recommended post placement but not currently occurring.

44. Where a foster parent adoption is being recommended on behalf of a child in continuous custody, the policies and procedures related to foster parent adoption as outlined in **Foster Parent/Significant Other (excluding foster parents) Adoption** shall apply**.**

45. In the case of a direct placement or profiling a child to the provincial adoption list, the final decision regarding approval of the adoption plan must be made by a Manager. The Provincial Director approves all foster parent and significant other adoption recommendations.

46. Where the plan for the child is adoption by an approved applicant from the provincial adoption list, after approving the plan, a Manager must forward the child's original information to the Provincial Director for review for matching with prospective adoptive parents. Where no match has occurred within **six months**, the Provincial Director may request an update to the **Child's Medical and Social History.**

47. Where updated information has been requested, all updated information shall be submitted to the Manager for review. The Manager shall make an updated recommendation to the Provincial Director as to the impact this information may have on the child's plan for adoption.

48. A **CHECKLIST: Children in Continuous Custody - Child Profile and CHECKLIST: Children in Voluntary Custody – Child Profile** shall be completed.

Exceptions:

1. An **IPR** will not be required if a **voluntary custody agreement** is signed and the child is placed for the purpose of adoption **within a six month period**.

Relevant Documents:

- **In Care Progress Report**
- **Birth Parent Medical and Social History**
- **Child Profile Summary**
- **Child's Medical and Social History**
- **Voluntary custody agreement**
- **Continuous Custody Order**
- **Manager's Consent to Adoption**
- **Request to Approve a Child for Adoption Subsidy**

- **Cultural Connection Plan**
- **Cultural Connection Plan for an Innu Child**
- **Notice of Manager's Intent to Sign Consent to Adoption**
- **Notice to Indigenous Governing Body, Parent and Caregiver**
- **Notice of Right to Apply for An Openness Order to Persons Granted Access**
- **CHECKLIST: Children in Continuous Custody – Child Profile**
- **CHECKLIST: Children in Voluntary Custody – Child Profile**
- **CHECKLIST: Services to Birth Parent(s)**
- **Child in Continuous Custody Flowchart**
- **Child in Voluntary Custody Flowchart**

Cultural Connection Planning for Indigenous Children

Policy no.: 4.3
Effective Date: October 28, 2022
Date Revised: n/a
Policy Cross References: Services to Birth Parents; Placement of Children for Adoption; Foster Parent; Finalization
Legislative References: s.28 Required documents

Purpose: To outline the process to ensure a **Cultural Connection Plan** is developed and included with, or attached to, the adoption plan when a recommendation for adoption is being submitted on behalf of an Indigenous child. This also includes ongoing development, review and monitoring of the plan until the granting of an **Adoption Order**.

Policy:

1. A recommendation for an adoption plan for an Indigenous child shall include a **Cultural Connection Plan**.

2. Prior to being matched with a prospective adoptive parent, all Indigenous children must have a completed current **Cultural Connection Plan**.

3. The **Cultural Connection Plan** shall include a description of the arrangements made or being made to foster an Indigenous child's connection with their culture, heritage, traditions, community, language and spirituality to preserve their cultural identity.

4. Where the child is an Indigenous child belonging to an Indigenous government or organization prescribed in Schedule B of the **Adoption Act, 2013** the Indigenous Representative shall be asked to participate in the development of the plan. Consultations with the Indigenous government or organization must occur regarding the permanency plan for adoption for the Indigenous child.

5. The **Cultural Connection Plan** submitted with the adoption recommendation must have been completed as per the policies and procedures outlined in Policy 3.17 of the **Protection and in Care Policy Manual.**

6. For adoption recommendations whereby the prospective adoptive parent(s) have been identified, such as a foster parent or significant other adoption plan, the social worker shall include the prospective adoptive parent(s) in developing the **Cultural Connection Plan**.

7. For adoption recommendations whereby the Indigenous child is being matched to the approved provincial list of prospective adoptive parent(s), the **Cultural Connection Plan** shall be included in the profiling process with the prospective adoptive parent(s) selected.

8. The **Cultural Connection Plan** shall be reviewed at minimum **every 6 months** until an **Adoption Order** is granted on behalf of the Indigenous child.

Procedures

Cultural Connection Plan:

1. The development of a **Cultural Connection Plan** is significant, as it promotes cultural permanency for Indigenous children and supports the development of a healthy identity. The **Cultural Connection Plan** facilitates the preservation of a child's unique cultural identity, significant relationships and community connections.

2. The **Cultural Connection Plan** includes a description of the arrangements made or being made to foster an Indigenous child's connection with their culture, heritage, traditions, community, language and spirituality to preserve their cultural identity. This plan shall outline the persons responsible for following through on the activities and tasks associated with the plan, including timelines. The **Cultural Connection Plan** shall include specifics related to the requirements of the prospective adoptive parent(s) in ensuring the child remains connected to their cultural identity and community.

3. Where a child is in voluntary custody and no previous **Cultural Connection Plan** has been completed the social worker shall ensure that a **Cultural Connection Plan** is completed prior to submitting an adoption plan recommendation.

4. Where a child is being considered for adoption and they are an Indigenous child belonging to an Indigenous government or organization prescribed in Schedule B of the **Adoption Act, 2013** a social worker shall make contact with the respective Indigenous Representative to request that they participate in the development of a **Cultural Connection Plan** and that they assist the social worker in identifying kin or others who could assist to develop the plan.

5. When an Indigenous child is being considered for adoption and they do not belong to an Indigenous government or organization prescribed in Schedule B of the **Adoption Act, 2013** a social worker shall identify a planning team as outlined below to assist in the development of the **Cultural Connection Plan**.

6. The social worker shall work with the child (based on age and development), the child's birth parents, if they are willing and available, the prospective adoptive parents, kin and/or other community partners who are part of, and understand the child's culture and can assist to develop a plan to support the child's cultural connections.

7. The **Cultural Connection Plan** shall be attached to the adoption plan submitted to the Manager and included in the completed package of information on the child. The plan shall include a description of the arrangements made or being made to foster the child's connection to their culture, heritage, traditions, community, language and spirituality, to preserve the child's cultural identity.

8. When an Indigenous child is in the care or custody of a Manager, the social worker shall work with the In Care Planning Team, to further develop, implement, review and monitor the **Cultural Connection Plan**. This **Cultural Connection Plan** shall be reviewed as needed, but at minimum, every 6 months, until an **Adoption Order** is granted.

9. Where a child is Indigenous and being matched for adoption, adoptive applicants are expected to abide by all conditions outlined in the **Cultural Connection Plan** due to the significance of the conditions to the child. All requirements regarding maintaining the child's cultural connections shall be fully discussed and agreed upon **prior to** pre-placement planning occurring. Where a prospective adoptive parent(s) is unable or unwilling to maintain the conditions outlined in the **Cultural Connection Plan**, the suitability of the match shall be reviewed. Placement of an Indigenous child cannot occur where the conditions of the **Cultural Connection Plan** cannot be maintained by the adoptive applicants.

10. Prior to the adoption placement the **Cultural Connection Plan** shall be reviewed and updated to include specific information related to the requirements of a prospective adoptive parent(s) in ensuring the child's cultural connections are maintained.

11. In developing the **Cultural Connection Plan** for children, the social worker, in partnership with the other In Care Planning Team members shall gather information about:

a) where age and developmentally appropriate, the child's views and wishes in relation to their connection to their birth family, Indigenous community and culture and what they feel they need to support their connection to their birth family, kin, community and culture following adoption;
b) the family's (birth parent and kin) views and wishes, where available, on how to strengthen and maintain the child's connection to their birth family, community and culture;
c) the role that the Indigenous Representative, kin and other identified community partners can play in supporting the child's connection to their birth family, community and their culture;
d) family/cultural traditions including how birth family, cultural or spiritual events are acknowledged or celebrated and how the prospective adoptive parents will maintain those traditions;
e) cultural activities the child likes to participate in and ongoing opportunities for future engagement and how the prospective adoptive parents will maintain those opportunities;
f) food, clothing, toys, etc. that are meaningful to the child and are a part of the child's culture, as well as the prospective adoptive parents willingness to incorporate this into the child's everyday life;
g) child's linguistic heritage, including their first language and preferred language if it not their first language and the adoptive parents plan to maintain and learn the child's first or preferred language;
h) cultural values and norms of the child's Indigenous group and how these values will be maintained by the adoptive parents;
i) the child's family tree; and
j) the availability of Indigenous mentors who can engage with and support the child and the prospective adoptive parent(s) and the adoptive parent(s) willingness to maintain contact with the child's mentors.

12. The social worker, in partnership with other members of the child's In Care Planning Team, including the Indigenous Representative and adoptive parents, shall support the implementation of the **Cultural Connection Plan**, which includes, but is not limited to, the following areas:

    a) maintaining birth family and community connections by facilitating, where possible, regular visiting for children in their home community to maintain a sense of belonging and identity as an Indigenous person, including opportunities to engage in cultural activities and celebrations that are occurring in and/or organized by their birth family and community (e.g. land-based activities, ceremonies, retreats, etc.);
    b) identifying Indigenous mentors, where available, who can engage with and support the child and the adoptive parents;
    c) creating positive representation and reflection of the child's culture in their adoptive home;
    d) acknowledging the importance of and exploring ways to preserve the child's language (e.g., visiting their community, music, videos, recording of elders speaking, resources that may be available);
    e) supporting the child's spiritual development; and
    f) incorporating traditional foods into the child's day-to-day life in the adoptive home.

13. Maintaining cultural connections for Indigenous children in continuous custody shall not be viewed as a barrier to adoption. Supports and services are available to ensure cultural connections are maintained and are outlined in the **Adoption Subsidy** policy.

14. The social worker, in partnership with the In Care Planning Team, shall develop the **Cultural Connection Plan** that is meaningful because it:

    a) is culturally appropriate, taking into consideration the unique aspects of both the child and their specific Indigenous community and culture;
    b) contains achievable opportunities for socialization activities and direct cultural contact (e.g. visits to the child's birth family and community);
    c) ensures reasonable steps are taken and responsibility is shared to complete the information where the child's cultural information is incomplete;
    d) identifies any barriers to completing the plan and ensures that barriers are appropriately managed prior to and following an adoption placement;
    e) ensures that goals and tasks are realistic and achievable, and the adoptive parents and other appropriate people are responsible for their implementation;
    f) ensures that timelines are established for implementing and reviewing all aspects of the **Cultural Connection Plan** prior to the granting of an **Adoption Order**;
    g) ensure adoptive parents have a good understanding of the expectations prior to and following adoption placement and until the child reaches 19 years of age; and
    h) where an **Openness Order** is being proposed, that the adoptive parents fully understand their legal obligation to ensure access outlined in the order is maintained.

15. The **Cultural Connection Plan** shall be documented on the applicable **Cultural Connection Plan** form and be reviewed and signed with all prospective adoptive parent(s) prior to the adoption placement. The social worker shall request that the Indigenous Representative sign the plan to indicate their agreement.

16. The social worker shall also request that other individuals involved in developing the plan sign and indicate their agreement with the **Cultural Connection Plan**.

17. Supporting the Prospective Adoptive Parent(s):

Where a child in care is placed for adoption outside their culture, the social worker in consultation with other members of the In Care Planning Team, including the Indigenous Representative, shall identify ways to support the prospective adoptive parent(s) for an Indigenous child. The social worker shall discuss with the prospective adoptive parent(s) their need to respect the child's culture and support their developing cultural identity. This discussion should include the many ways adoptive parent(s) can support the well-being of an Indigenous child including:

a) engaging directly with the Indigenous Representative, kin and/or other community partners who are part of and understand the child's culture and can assist the adoptive parent(s) in understanding the cultural values, norms and unique history of the Indigenous child and how they can support the child's cultural connections following adoption placement;
b) asking the Indigenous child and their birth families (where possible) about their lives and culture, as this is the best way to get to know them and what is meaningful to them. The more prospective adoptive parent(s) understand a child's Indigenous culture and experiences, the better they will be able to support the Indigenous child;
c) supporting children to stay connected with their birth family (where possible), culture and community to promote a sense of belonging and identity as an Indigenous person (e.g. supporting a child to visit their birth family and community so they can participate in land-based activities, ceremonies, retreats, etc.);
d) where possible, working to develop positive relationships with birth parents and kin as relationships help people understand each other and promotes greater collaboration. Birth parents and kin are an important source of information and can often provide insight about children and about the hopes or concerns, they might hold for them. Positive relationships and supporting birth families conveys respect for a child's culture and fosters the social and emotional well-being of children;
e) where possible, visiting the child's Indigenous community and meeting with members of their culture to learn more about the specific values and norms of the child's culture. Being thoughtful about communication when English (spoken or written) is a barrier. Interpreters or translated material can help prospective adoptive parent(s) and birth families communicate with one another; and
f) continually trying to convey respect for the Indigenous child's culture. This could include providing opportunities for the child or and/or their birth family to tell their own stories and remaining open to the different ideas and ways of seeing the world that may be shared. Prospective adoptive parent(s) show respect for the child's Indigenous culture when they can acknowledge cultural differences in parenting and other ways of living. When prospective adoptive parent(s) are sensitive to issues faced by Indigenous families and are aware of historical and other kinds of power differences, this shows respect for the child's culture and helps support the development of positive relationships with the Indigenous child and their families.

18. Participating in training opportunities and availing of other resource materials on topics such as Residential Schools and the Truth and Reconciliation Commission Report, the impacts of intergenerational trauma, and material on the child's specific Indigenous culture and history are ways to further support meaningful cultural connections for the Indigenous child. When an Indigenous child is placed for adoption within their culture of origin, a **Cultural Connection Plan** is still required. The social worker, in partnership with the In Care Planning Team, including the Indigenous Representative, shall work with the prospective adoptive parent(s) to continue to support the child's connection to their culture and family. This shall include a discussion with the prospective adoptive parent(s) about their knowledge of their Indigenous heritage, as some prospective adoptive parent(s) may have a strong knowledge of, and connection to, their Indigenous community and culture, where as some may have more limited connection to, or knowledge about, their culture.

19. The **Cultural Connection Plan** is included in the completed adoption package of information which is submitted to court for finalization. Refer to the policies and procedures outlined in the **Finalization** policy.

20. An **Openness Order** is an order made by the court for the purposes of facilitating communication and maintain personal relationships and cultural connections after an **Adoption Order** is granted. All **Openness Orders** are legally binding. A Manager shall notify an Indigenous representative of the appropriate Indigenous government or organization where a child is an Indigenous child of their right to apply for an **Openness Order**. Refer to the policies and procedures outlined in the **Openness Order** policy.

21. Following the granting of an **Adoption Order**, a copy of the **Cultural Connection Plan** will be included with any applicable **Expression of Interest to Enter into an Openness Agreement**, **Openness Agreements** and **Openness Orders** documents forwarded to **Post Adoption Services.** The social worker in Post Adoption Services shall open an Openness program in ISM.

Exceptions: None

Relevant Documents:

- **Cultural Connection Plan**
- **Cultural Connection Plan for an Innu Child**
- **CHECKLIST: Children in Continuous Custody- Child Profile**
- **CHCEKLIST: Children in Voluntary Custody- Child Profile**

Overview: Placement Of Children For Adoption

The role of a social worker in the placement of children for adoption is critical. Social workers are responsible for:

- preparing the child for the adoption placement so that the transition is comfortable, where anxiety and disruption are minimized. A well-planned process of pre-placement familiarization is essential;
- assisting the adoptive applicant(s) in preparing for the placement of a child; and
- supervising and assisting in the adjustment period both during pre-placement and after placement until an **Adoption Order** is granted.

The Provincial Director is responsible for the matching of adoptive families to children who are available for adoption. The Provincial Director will forward the child's information including the child's family social/medical history to the social worker to review with the prospective adoptive parent(s). This information will assist the prospective adoptive parent(s) to make a more informed decision on the placement of the child in their home.

Where a child's profile has been accepted by an adoptive applicant, a period of pre-placement must occur prior to the placement of the child. The purpose of pre-placement familiarization is to ensure a child has an opportunity to begin the development of a relationship with the adoptive family and to allow them time to adjust to a new environment. In addition, the transition of a child to another placement may be difficult for the foster parents and other significant persons and this period allows them the opportunity to deal with the loss associated with a child leaving.

Pre-placement plans must be written and be developed based on the best interests and individual needs of the child. Factors to consider are the child's age, developmental issues, and child's views and wishes. The length of the pre-placement visitation plan will vary depending on the age and needs of each individual child. All pre-placement plans should include specifics around the degree of monitoring during the placement and who will be present during the visits.

The social worker is also responsible for monitoring the adoption placement until an **Adoption Order** is granted. Regular monitoring of the placement must include in home contact with the adoptive home, observations of the interactions between the child and the prospective adoptive parents and others residing in the home, and ongoing consultation with the child, where age and developmentally appropriate. Support to the adoptive parents and child during this time is a critical requirement of the post placement period.

While the majority of adoption placements are successful, there may be times when either the child or the prospective adoptive family experience difficulty with the placement. In some cases, the provision of supportive services may not be enough to maintain the placement resulting in an adoption disruption and the child leaving the home. The decision to move a child from an adoption placement must involve consultation with those involved with the child due to the significant short and long term implications of that decision on the child. A Manager must notify the Provincial Director of any adoption disruption. Decisions regarding the permanency plan for the child and the continued approval of the adoptive applicants will be required.

Information Provided to Adoptive Applicants

Policy no.: 5.2
Effective Date: June 30, 2014, October 28, 2022; May 6, 2026
Date Revised: n/a
Policy Cross References: Services to Birth Parents; Children Available for Adoption; Applicant Approval; Cultural Connection Planning for Indigenous Children
Legislative References: s.15 Child's history; **s.** 14 Matching by Provincial Director

Purpose: To outline the information to be provided to an approved adoptive applicant(s) that will assist the applicant(s) in making an informed decision on the placement of the child in their home.

Policy:

1. The social worker shall ensure that an approved adoptive applicant is provided with information on the medical and social history of the child and the child's birth family prior to the placement of the child. An overview of the process and requirements for the adoption of a child in voluntary custody are summarized in **Appendix B: Child in Voluntary Custody Flowchart**.

2. The social worker must ensure that **all** information is non-identifying.

Procedures:

1. Prior to adoption placement, the social worker must provide the adoptive applicant(s) with information related to the medical and social history of the child and the child's birth family.

2. An overview of the process and requirements for the matching, placement and finalization of an adoption are summarized in **Appendix B: Domestic Adoption: Matching to Finalization**

3. Information sharing regarding the child and their birth family serves three primary purposes. It will assist the adoptive applicant(s) to:

   a) be aware of the child's potential needs and to help them decide if they can parent a child with these needs;
   b) understand the family history of the child and alert them to possible medical and social needs of the child; and
   c) provide them with social and medical information which they can later share with the child.

4. The Provincial Director shall forward a copy of the child's profile package on behalf of the child for presentation to the adoptive applicant(s). The information contained in the package shall include:

   a) non-identifying information to be provided to the adoptive applicants; and
   b) identifying information to be reviewed by the social worker prior to meeting with the adoptive applicant(s). This may include additional information that cannot be released to the applicants but is necessary information for the social worker to review prior to meeting with the adoptive applicant(s).

5. The social worker shall review all the information prior to presenting the information to the adoptive applicant(s) in order to gain an understanding of the developmental needs of the child. Information provided includes but is not limited to, the **Birth Parent Medical and Social History**, **Child's Medical and Social History,** child's current **In Care Report (IPR),** plan for the child that was submitted to the court, **Cultural Connection Plan** (where applicable), pictures of the child and any other reports received from other professionals involved with the child.

6. Prior to providing any information to the adoptive applicants, the social worker **must** review and ensure any information that might identify the child's name or location or any third party has been removed.

7. Prior to releasing any documentation, the social worker **must** ensure:

   a) each applicant completes a **Confidentiality Agreement for Prospective Adoptive Parents** agreeing to ensure confidentiality of the information provided;
   b) the applicant(s) is advised of the importance of ensuring all copies of information provided is kept in a safe place and only shared with those authorized as necessary to assist them in their decision related to acceptance of the child.
   c) the applicant(s) is advised that all information provided on the child is immediately returned to the Provincial Director if the placement does not proceed or ends any time prior to the granting of an **Adoption Order**.

8. The social worker shall meet with the adoptive applicants to review the information related to the child that has been forwarded by the Provincial Director. The prospective adoptive applicant(s) shall be provided with:

   a) a non-identifying copy of the **Birth Parent Medical and Social History** for each birth parent (where available),
   b) a non-identifying copy of the **Child's Medical and Social History** Part I, II, and III. Part III is not required for a foster parent adoption; and
   c) non-identifying copies of any professional reports included in the profile package.

9. The social worker may **verbally** share information contained in the **In Care Progress Report, Plan for the Child**, (that was submitted to the court, or other information provided with the adoptive applicant(s) to ensure they are provided with all information related to the child. Information shared verbally **must** also be non-identifying.

10. Where the child's profile package contains a **Cultural Connection Plan** form, the social worker shall verbally share non-identifying details of the plan to ensure the adoptive applicants are aware of the expectations and responsibilities related to the **Cultural Connection Plan**. All expectations regarding maintaining the child's cultural connections shall be discussed and agreed upon prior to pre-placement planning occurring. Where an adoptive applicant is unable to maintain the conditions outlined in the **Cultural Connection Plan**, the suitability of the match shall be reviewed. Refer to the policies and procedures outlined in the Cultural connection planning **for Indigenous Children** policy.

11. Where the adoption profile package contains an approved **Request to Approve a Child for**

an Adoption Subsidy, the social worker shall advise the adoptive applicants of the child's eligibility for an adoption subsidy and that an eligibility assessment on behalf of the adoptive applicant(s) will be required prior to the approval of an **Adoption Subsidy Agreement** or **Deferred Adoption Subsidy Agreement.** See **Adoption Subsidy** policies and procedures for further information.

12. The social worker must also advise the adoptive applicants that changing a child's name may have significant impacts on the child. A name is a large part of a child's identity and can hold a great deal of significance to the child. Keeping a child's name may send a message of acceptance and acknowledgement of the child's birth history. Naming a child is a highly valued practice in Indigenous culture and has a strong cultural, heritage, and spiritual linkage. Adoptive applicants should be discouraged from changing an Indigenous child's name prior to the finalization of an adoption.

    Where a name change is being proposed, consideration must be given to the child's age, whether the child's birth name may pose safety concerns to the child in relation to being identified by their name, the significance of the child's name for the child, and the child's views and wishes regarding their adoptive name.

13. The adoptive applicants should be encouraged to take the child's social and medical information to review and consult with any professional they feel would assist in their decision making. Where appropriate, the social worker shall make arrangements with any other professional involved with the child to assist the applicants in their decision making.

Acceptance Of The Child

14. Where the prospective adoptive applicant(s) make the decision to accept the child, they must sign **Adoptive Parents' Acknowledgement of In**form**ation Provided.** On the form, the social worker must clearly identify the information that was shared with the family and the identified needs or risk factors present in the information. A copy of this shall be forwarded to the Provincial Director.

15. Where the adoptive applicants make the decision to accept the child, refer to **Pre-Placement Planning** for policies and procedures on the development of a pre- placement plan for the child.

16. Where the child is Indigenous, the adoptive applicants must sign the **Cultural Connection Plan** form prior to the adoption placement occurring. Identifying information contained in the child's family tree and work plan from the plan may be shared with the adoptive applicants.

Non-Acceptance Of The Child

16. Where the adoptive applicants make the decision not to accept the child, they must sign the **Adoptive Parent(s) Acknowledgement of In**form**ation Provided** form indicating their decision not to accept the child. **All** information including the non-identifying copy of the child's

information **must** be returned to the social worker. The social worker shall return all information to the Provincial Director.

17. A social worker shall complete a written report outlining the reasons why the child was declined by the applicant(s) within **30 days** following presentation of the child. The social worker shall submit this report to a supervisor for approval and forward the form to the Provincial Director. This form will assist with decisions related to any future matching of a child to the adoptive applicant(s). A non-identifying copy of this report must be placed on the adoptive applicant's file.

18. Where concerns present following the presentation of the child's profile information and the applicant's decision to not accept the child, the social worker shall outline these concerns in the written report and make a recommendation regarding their continued approval as adoptive applicants.

19. In the case of a direct placement, where an applicant declines a child's profile, the social worker shall contact the birth parent(s) or person with custody and advise them of this decision. The social worker shall review the alternatives to adoption as outlined in **Services to Birth Parent(s)** policy. The birth parent or person having custody may submit an alternate plan for their child may submit an alternate plan for their child or request placement of their child with an approved adoptive applicant from the provincial adoption list.

Exceptions: None

Relevant Documents:

- **Birth Parent Medical and Social History**
- **Child's Medical and Social History**
- **Adoptive Parents' Acknowledgement of Information Provided**
- **In Care Progress Report (IPR)**
- **Confidentiality Agreement for Prospective Adoptive Parent**
- **Cultural Connection Plan**
- **Cultural Connection Plan for an Innu Child**
- **Domestic Adoption: Matching to Finalization**

Pre-Placement Planning

Policy no.: 5.3
Effective Date: June 30, 2014
Date Revised: n/a
Policy Cross References: Child Placement; Post Placement Period; Cultural Connection Planning for Indigenous Children
Legislative References:

Purpose: To outline the social worker's responsibility in facilitating pre-placement visitation between a child proposed for adoption and an adoptive applicant.

Policy:

1. The child's social worker shall determine the nature of the pre-placement visitation and complete a written pre-placement plan for all children being proposed for adoption.

2. A social worker shall facilitate the pre-placement visitation and **must** be present for the first in person contact, placement day and regular intervals throughout the pre-placement period.

Procedures:

1. The process of pre-placement is often associated with many different emotions being experienced by the child, adoptive applicant(s), foster parent(s) and other children residing in both the foster home and adoptive home. It is for this reason that social workers must be sensitive to the range of emotions that may be displayed by each of the parties involved.

2. Where a child has been accepted by adoptive applicants, the social worker for the child must complete a written pre-placement plan on behalf of the child.

3. Any pre-placement plan between the adoptive parent(s) and the proposed child shall be made in consultation between the child's social worker(s) and the social worker for the adoptive applicants.

4. The social worker shall also consult with the foster parent(s) for the child to determine their ability to support the plan. Prior to the development of a pre-placement plan, the social worker may need to consider the foster parents' work schedule, the needs of other children who reside in the foster home, and the distance between the child's and adoptive applicants residence.

5. The social worker shall ensure that the foster parents are advised not to disclose identifying information to the adoptive applicant(s).

6. In determining the nature of the pre-placement visitation, the social worker in consultation with a supervisor, shall consider:

a) the best interest of the child;
b) the age and developmental stage of the child;
c) the views and wishes of the child;
d) the type and duration of contact;
e) who will be present at each of the visits and where the visits will occur; and
f) the role of the foster parent(s) in the pre-placement plan.

7. In developing a pre-placement plan, the following activities shall be considered for inclusion:

   a) an introductory meeting that includes the social worker(s) for the child, foster parent(s), social worker for the adoptive applicant(s), adoptive applicant(s) and anyone else deemed significant to the child who could contribute to the development of a pre-placement plan;
   b) the sharing of information (where age appropriate) such as videos and photo albums between the child and adoptive applicants prior to their first face-to-face meeting;
   c) the location, date and duration of the first and second face-to-face visits. A social worker must be present for the first visit. In most circumstances, these visits should occur in the foster home;
   d) a planned consultation with all parties following the preliminary visits to asses everyone's perception of the visits and to address any questions or concerns or to determine if any change needs to be made to the pre-placement plan;
   e) the frequency and duration of visits. Consideration shall be given to: the child's age, developmental needs, attachments, location of child and adoptive applicants, child's views of the adoption placement, and ability of the foster parent(s) to support the child's transition;
   f) an overview of all subsequent visits outlining the type, date, duration and activities planned for the visits. Visits should occur frequently and at different times of the day to allow the adoptive family an opportunity to become familiar with the child's routine. Visits in the adoptive home should as closely as possible resemble the adoptive applicant's day to day routines so as to provide the child with an accurate notion of what residing in that home is like. Regular observations by the social worker of the child's progress and adjustment should be clearly documented and reflected in the pre-placement planning;
   g) specifics related to a goodbye activity with the foster family. This will assist in the transition and allow the child the opportunity to say their goodbyes to the foster family;
   h) date of placement and a plan for moving/transition day. Where possible, the foster parent(s) and the adoptive family should participate in the final preparations associated with moving. A social worker must be present and feelings should be expressed and encouraged;
   i) where deemed appropriate, a plan for the foster parent(s) to visit the new adoptive home approximately 3 to 6 weeks following the transition;
   j) where deemed appropriate, a plan for the adoptive family and the child to visit the foster home during the post placement period. Telephone, email and other forms of contact should be encouraged in between;

8. Adoptive applicants are expected to travel at their own expense, unless a social worker determines that the cost associated with travel would place undo financial stress on the adoptive family. In such cases, the cost associated with travel may be provided or cost shared with the approval of a Manager.

9. All pre-placement plans must be approved by a program supervisor.

10. The social worker shall assess the progress of the pre-placement plan at various intervals during the plan. Where deemed in the best interests of the child, the pre-placement plan may be updated and/or changed to better address the needs of the child.

11. Placement of a child must not occur until the child's social worker has assessed that the child has had proper preparation and is comfortable with the placement plan.

12. A period of pre-placement is not a guarantee of an adoption placement. If at any time during the pre-placement stage it is determined that the placement of the child would not be in the child's best interest, the pre-placement phase may discontinue.

13. In cases where concerns exist during the pre-placement period, the social workers involved may revise the written pre-placement plan to address the concerns or issues. This revised plan shall be submitted and approved by a program supervisor.

14. In cases where concerns exist and the recommendation is to discontinue the pre- placement and ultimately placement of the child, a written report outlining the reasons shall be completed by a social worker and submitted to a program supervisor. A recommendation regarding the family's continued approval as adoptive applicants shall also be made.

15. Final approval to discontinue an adoption placement must be made by a Manager. The final decision regarding a family's continued approval as adoptive applicants shall also be made by a Manager. A copy of the reports and Manager's approval shall be forwarded to the Provincial Director.

16. Where it is decided not to proceed with an adoption placement, the child's social worker must make every effort to assist the child in dealing with feelings associated with this decision. The child should be counseled on the reasons for the decision.

17. The social worker shall meet with the adoptive applicants to discuss the reasons for the decision to discontinue placement. The decision regarding the continued approval of their adoption file shall also be discussed with them.

18. Following the meeting, the Manager shall notify the adoptive applicants in writing of the decision to discontinue the placement. The letter shall also advise the adoptive applicants of the decision regarding continued approval of their file. A copy of this letter shall be forwarded to the Provincial director.

19. There may be times where the decision is made to discontinue the placement but maintain the adoptive applicant(s) approval where the family has demonstrated a continued ability to meet the five competencies of PRIDE. In these cases, the social worker for the adoptive applicant(s) shall complete a written recommendation to the supervisor related to the applicant's approval. The Manager shall approve the continued approval. A copy of the recommendation and approval shall be provided to the Provincial Director and the applicants may remain on the provincial approved list to await another match.

Exceptions: None

Relevant Documents: None

Child Placement

Policy no.: 5.4
Effective Date: June 30, 2014
Date Revised: February 19, 2020, October 28, 2022, June 9, 2025
Policy Cross References: Pre-Placement Planning; Post Placement Period
Legislative References: s.11 Placement of child; **s.12** Child's eligibility for placement

Purpose: To outline the procedures to be followed when placing a child in an adoptive home.

Policy:

1. A social worker shall meet with the child **on the day** of placement and again **within seven days.**

2. The social worker for the child shall complete a **Notification of Adoption Placement** form **immediately** following placement and a copy shall be forwarded to the Provincial Director.

Procedures:

1. A child may be placed with prospective adoptive parents only after the adoptive parents have received all necessary information concerning the child and a satisfactory process of pre-placement familiarization has taken place.

2. Prospective adoptive parents are expected to travel to the child's area of residence for the placement and a social worker **must** be present on the day of placement.

3. Until an **Adoption Order** is granted, all children in adoption placements remain in the care of a Manager and are subject to the policies related to all children in care as per the **Protection and In Care Policy and Procedures Manual**. The social worker shall ensure that the prospective adoptive parent(s) have been advised and understand the requirements of the post placement period as outlined in **Placement of Children for Adoption** policy**.**

4. Prior to placement, the social worker must review the **Personal Privacy for Children in an Adoption Placement** policy with all adoptive applicants.

5. A social worker shall meet with and observe a child on the **day of placement** and again within **seven days** of placement. A social worker shall talk to the child where age and developmentally appropriate in private to assess the progress of the placement. Factors to consider are:

a) whether the child appears to be adjusting to the family;
b) whether the adoptive parents and any children in the home appear to be adjusting to the placement;
c) whether an attachment between the child and adoptive parent(s) appears to be developing;
d) whether the family has managed dealing with any concerns or issues that may have occurred;
e) the child's adjustment to school or childcare, where applicable;
f) whether the family is maintaining the child's family and social relationships, where requested;
g) whether the family is adhering to the child's **Cultural Connection Plan** (where applicable); and
h) whether the family requires any additional supports to assist with the adjustment period.

6. The social worker for the child shall complete a **Notification of Adoption Placement** form immediately following the placement of the child. A copy shall be forwarded to the supervisor, Manager, and Provincial Director and a copy retained in the child's in care file.

7. Immediately following placement, the social worker **must** advise the family that they are required to register the child with MCP in the child's anticipated adoptive name. The social worker **must** discuss any proposed name change with the adoptive applicants. The social worker must also advise the adoptive applicants that changing a child's name may have significant impacts on the child. A name is a large part of a child's identity and can hold a great deal of significance to the child. Keeping a child's name may send a message of acceptance and acknowledgement of the child's birth history. In addition, naming a child is a highly valued practice in Indigenous culture and has a strong cultural, heritage, and spiritual linkage. Adoptive applicants should be discouraged from changing an Indigenous child's name prior to the finalization of an adoption.

   Where a name change is being proposed, consideration must be given to the child's age, whether the child's birth name may pose safety concerns to the child in relation to being identified by their name, the significance of the child's name for the child, and the child's views and wishes regarding their adoptive name.

8. All children over **5 years of age** must be counselled on the effects of any name change and an **Affidavit Re: Counselling Child Under Age 12 on Change of Name and Effects of Adoption** or **Affidavit Re: Counselling Child Age 12 and Over on Change of Name and Effects of Adoption** is required.

9. A letter is provided to the adoptive parents and required in order for MCP to issue a new card in the child's new adoptive name. The standard MCP letter can be found in the Adoption Placement Case Forms listing in ISM. The social worker shall complete and forward to the Provincial Director a copy of the MCP letter identifying the child's anticipated new adoptive name along with the required **Notification of Adoption Placement** form.

Where the child being placed is **not** changing their surname, the adoptive family are not required to register the child with MCP. Following receipt of the **Notification of Adoption Placement** form, the Provincial Director of shall notify the Center for Health and MCP of a change in demographic information only for the child. At the time of placement, the social worker must notify the Provincial Director of any and all changes to a child's given names, including changes to middle names, or confirmation of no name change.

10. Where a name change occurs, adoptive applicants are **not** to be provided with a copy of the child's original birth MCP card, the original birth MCP number, hospital cards, or any other identifying information related to the child. The social worker must collect the birth MCP and maintain it in the child's in care file. All other identifying information on the child must also be collected from the foster family prior to placement and returned to the child's in care file. The Provincial Director will request the termination of the birth MCP card associated with the child.

11. Where attending school, the social worker shall make arrangements to have the child's school records transferred to the child's new school. All information pertaining to the transfer of records with the Newfound and Labrador English School District (NLESD) can be found at www.nlesd.ca. The social worker shall request copies of all records located in the both the cumulative and confidential files be transferred.

12. All policies and procedures related to obtaining records from the Conseil Scolaire Francophone Provincial can be found at www.csfp.nl.ca.

13. The social worker shall request a new school record be created in the child's anticipated adoptive name in the school where the child is transferring. All identifying information shall be removed from any previous records being transferred. Consultation with school personnel shall occur to ensure all educational requirements for the child have been reviewed and appropriate measures established on behalf of the child prior to the child transferring to a new school.

14. All children placed for adoption are entitled to health services as outlined in **Health Services**. Prior to receiving health services following placement, the social worker shall make contact with any health care provider scheduled to see the child following placement to ensure they have the child's new adoptive name, new MCP number, and to ensure confidentiality of the child's birth name where the child's name is not known to the adoptive applicants. The social worker shall request the clinic and/or service provider change the demographic information related to the child prior to the scheduled appointment.

15. The social worker shall refer all infants and pre-school children to the community health nurse using the child's new name in the area in which they were placed. Contact information for the Regional Health Authorities can be accessed online.

16. Following the placement of a child for adoption, the social worker shall notify the community health nurse where the child previously resided of the child's placement so that the services received in the child's birth name can be closed.

17. The social worker shall obtain a child's immunization record and ensure that it is updated and redacted copy accompanies the child to their adoption placement. The vetted copy shall be scanned and uploaded into the child's in care ISM file.

18. A social worker shall arrange to have the child's foster care rate cancelled at the time of placement. In the case of foster parent/significant other adoptions, the in care rates may be maintained until the granting of an **Adoption Order**. Where an adoption subsidy has been approved, the subsidy program may be opened at the time of placement or any time prior to the adoption being finalized in court. The adoptive parents shall be advised they may apply for the **Child Tax Benefit** and/or other child benefits where eligible following placement.

19. In keeping with monitoring requirements for children in care, a social worker shall have, at minimum, **one private, in-person contact per month** with each child in an adoption placement. Please refer to **Post Placement Period** policy for information regarding monitoring an adoption placement.

20. **CHECKLIST: Placement of Children (Domestic)** outlining the documents required must be completed**.**

Exceptions:

1. In the case of a foster parent adoption, a social worker shall meet with and observe the child on the **day of placement**. A visit within **seven days** of placement is not required given the child has been residing in the home for a minimum of **six months.**

Relevant Documents:

- **Notification of Adoption Placement**
- **CHECKLIST: Placement of Children (Domestic) (Appendix A)**
- **Sample MCP Letter**

Post Placement Period

Policy no.: 5.5
Effective Date: June 30, 2014
Date Revised: March 22, 2018, April 15, 2021, October 28, 2022
Policy Cross References: Pre-Placement Planning; Child Placement; Cultural Connection Planning for Indigenous Children
Legislative References: 27(3) Who May Apply to Court

Purpose: To outline the procedures to be followed during the post placement period for children in adoption placements.

Policy:

1. A social worker must have, at minimum, **one private in-person contact per month,** where age and developmentally appropriate, with each child in an adoption placement until an **Adoption Order** is granted.

2. A social worker shall have, at minimum **one in-person home visit per month with each** adoptive parent during the post placement period.

3. A social worker must complete the Post Placement Report form at the end of the **1st, 3rd, and 6th month** where a child has been placed for adoption.

4. A child must have resided with the prospective adoptive parents for **six months** prior to applying to court for an **Adoption Order**.

Procedures:

1. A social worker shall have, at minimum, **one private in-person contact per month** with **each** child in an adoption placement. The social worker must observe the child during home visits and privately interview the child within the child's developmental level.

2. A social worker shall have, at minimum, **one in person home visit per month** with each adoptive parent during the post placement period.

3. A social worker shall observe the interactions of all adoptive parent(s) and the child each month during the post placement period. The type of contact, frequency, and who was present during the visits must be included in the **Post Placement Report**. Where one of the adoptive parents are unable to attend a required monthly visit, the social worker must discuss the reasons for this with the supervisor and devise an alternate plan to address the missed visit. If necessary, an extension to the post placement period may be required. Where concerns arise in an adoption placement or there are significant adjustment issues, there will need to be more frequent visitation and ongoing assessment**.** Where significant issues are identified that may

question the long term stability of the placement, the social worker shall assess the placement and develop a strategy for dealing with the issues. A plan shall be developed in consultation with a supervisor.

4. At the end of the **1st , 3rd , and 6th month,** a social worker must complete the Post Placement Report. The report shall include the following:

   a) dates of visits and who was present;
   b) detailed information related to interviews with the child, prospective adoptive parent(s), and all other persons residing in the home;
   c) whether the child appears to be adjusting to the family;
   d) whether the adoptive parents and any children in the home appear to be adjusting to the placement;
   e) whether an attachment between the child and adoptive parent(s) appears to be developing;
   f) whether the family has managed dealing with any concerns or issues that may have occurred;
   g) the child's progress in school or childcare, where applicable;
   h) whether the family is maintaining the child's family and social relationships, where requested;
   i) whether the family is adhering to the child's **Cultural Connection Plan** (where applicable);
   j) whether the family requires any additional supports to assist with the adjustment period;
   k) the ability of the adoptive parent(s) to meet the five competencies of PRIDE during the adoption placement; and
   l) a recommendation as to the suitability of continued placement for that child. In making a recommendation, a social worker shall also assess the adoptive parents' ability to meet the developmental needs of the child and the child's interactions with the family.

5. In the case of adoption by a foster parent/significant other or family based caregiver, a Manager may waive the post placement period, providing that the child has resided in the home for a minimum of **six months** and ongoing regular monthly private interviews have occurred with the child and the adoptive parents. Refer to **Waiving of the Post Placement Period** policy for additional information.

6. The social worker shall forward the **Post Placement Report** to their supervisor for review. Following review by the supervisor, the report shall be forwarded to the Manager.

7. Approval of the Post Placement Report is the responsibility of a Manager. A Manager shall forward a copy of the report and approval to the Provincial Director.

8. Following the **six month** post placement period, the social worker must complete in the report whether the placement should be finalized in court or a request for an extension of the post placement period should occur. Please refer to **Finalization** policy for information regarding finalizing an adoption placement in court.

9. In cases where a social worker has concerns with the continuation of the adoption placement, an extension to the post placement period may be made. A post placement period may be

extended for a maximum of **three additional months** and the recommendation may be included in the completion of the 3rd **Post Placement Report**. Following that time, a decision must be reached regarding the suitability of the placement. In cases where an extension is being recommended, the social worker shall complete a Post Placement Report and include in their recommendation:

a) an assessment of the issue(s);
b) a plan for resolving the issue(s); and
c) the child's views and wishes regarding the placement, where age and developmentally appropriate.

10. Where a **three month** extension has been granted by a Manager, it is not always necessary to wait the full three months to make a recommendation regarding the placement and finalization.

11. In the case where a decision has been made to end the adoption placement, please refer to **Adoption Disruption** policy.

12. Following receipt of the 3rd **Post Placement Report**, recommendation and all court documentation, approval to proceed to finalization is the responsibility of the Manager. Original documentation on file with the Provincial Director shall be forwarded for finalization.

13. Where the decision is made to finalize the adoption, see **Finalization** policy for further information.

14. In cases where a child is in the continuous custody of a Manager and has been approved for an adoption subsidy, any approved Adoption Subsidy Agreement or Deferred Adoption Subsidy Agreement shall accompany the final report. Refer to **Adoption Subsidy** for additional information.

15. Following approval to finalize the adoption, the social worker shall complete an Application for **Adoption Order** on behalf of the adoptive parents. A copy of the final report and application shall be forwarded to the Provincial Director

Exceptions: None

Relevant Documents:

- **Notification of Adoption Placement**
- **Adoption Subsidy Agreement**
- **Deferred Adoption Subsidy Agreement**
- **Application for an Adoption Order**
- **Post Placement Report**
- **Cultural Connection Plan**
- **Cultural Connection Plan for an Innu Child**

Waiving of the Post Placement Period

Policy no.: 5.6
Effective Date: June 30, 2014
Date Revised: March 22, 2018, April 15, 2021, October 28, 2022
Policy Cross References: Foster Parent Adoption; Significant Other Adoption (excluding foster parents).
Legislative References: s. 27(3) Who may apply to court; **s.28** Required documents

Purpose: To outline the procedures to be followed when recommending the waiving of the post placement period for a child being adopted by a foster parent/significant other or family based caregiver.

Policy:

1. A recommendation to waive the post placement period must only occur where:

    a) the child has resided in the home for **six months** on an **in care** status prior to the adoption plan; and
    b) regular **In Care Progress Reports** have been completed and no concerns are noted regarding the care of the child; and
    c) the social worker has had, at minimum, **one in person contact per month** for the previous **six months** with each of the foster parents/caregivers.
    d) the social worker has had, at minimum, **one in person private interview,** where age and developmentally appropriate**, per month** for the previous **six months** with the child**;** and
    e) the home has an updated annual review as per the **Protection and In Care Policy and Procedures Manual**.

2. Prior to making a recommendation to waive the post placement period for foster parents/significant others or family based caregivers, the social worker must ensure the child has been formally accepted and an adoption placement has occurred.

Procedures:

1. Prior to making a recommendation to waive the post placement period, foster parents/significant others must be approved in accordance with the policies and procedures outlined in **Foster Parent Applicant Approval.** Family based caregivers must be approved in accordance with the policies and procedures outlined in **Applicant Approval.**

2. The social worker can make a recommendation to a supervisor to waive the post placement requirement. This would apply to situations where the social worker, based on their clinical judgement assesses that this period of post placement review is not necessary. This may be considered where:

a) the child has resided in the home for **six months** on an **in care** status prior to the adoption plan;
b) regular In Care Progress Reports have been completed and no concerns are noted regarding the care of the child;
c) the social worker has had, at minimum, **one in person contact per month** for the previous **six months** with each of the foster parents/significant others or family based caregivers;
d) the social worker has had, at minimum, **one in person private interview,** where age and developmentally appropriate, **per month** for the previous **six months** with the child**;** and
e) the home has an updated annual review as per the **Protection and In Care Policy and Procedures Manual.**

3. The placement date for foster parents and family based caregivers can occur anytime following the presentation of the child and the family's formal acceptance of the child through the completion of the **Adoptive Parents' Acknowledgement of Information Provided** form. A Notification of Adoption Placement form must also be completed on all children being placed for adoption. Copies shall be forwarded to the Provincial Director. See **Foster Parent/Significant Other (Excluding Foster Parents) Adoption** policy for additional information.

4. Once a child has been placed, the social worker may consider recommending waiving the post placement period. In such cases, the social worker must complete the **Post Placement Report** form that includes:

   a) a follow-up private interview with the child following the placement date reflecting the child's current views and wishes and comfort with the adoption plan;
   b) where the child is 12 years of age or older, confirmation of their continued consent to adoption. The social worker shall ensure the child completes or previously completed a **Consent of Child** form;
   c) information related to the relationship between the child and all members of the family since the original recommendation for adoption was completed;
   d) any concerns and how they have been addressed;
   e) date of placement and confirmation that the child has resided in the home for a minimum **six month** period;
   f) the continued ability of the adoptive parent(s) to meet the five competencies of **PRIDE** since a recommendation for adoption had been made; any other information deemed significant to the recommendation.

5. The completed **Post Placement Report** shall be forwarded to a supervisor. All recommendations regarding the waiving of the post placement period must be approved by a Manager.

6. Where approval has been given to waive the post placement period, a social worker must continue to have, at minimum, **one private in person contact per month,** where age and developmentally appropriate, with each child in an adoption placement until an **Adoption Order** is granted.

7. Where approval has been given to waive the post placement period, a Manager must notify the Provincial Director of this in writing. This letter of approval along with the **Post Placement Report must** be submitted to the court at the time of finalization. Following receipt of the **Post Placement Report,** recommendation and all court documents, approval to proceed to finalization is the responsibility of the Manager. Original documentation on file with the Provincial Director shall be forwarded to be included.

8. Where the decision is made to finalize the adoption, please refer to **Finalization** policy and procedures for additional requirements.

Exceptions: None

Relevant Documents:

- **Consent of Child**
- **Adoptive Parents' Acknowledgement of In**form**ation Provided**
- **Post Placement Report**

Health Services

Policy no.: 5.7
Effective Date: June 30, 2014
Date Revised: n/a
Policy Cross References: Consents: Medical Consent
Legislative References: s.18 Child's Health Care

Purpose: To outline the social worker's role and the responsibility to adoptive parents in obtaining health services following the placement of a child.

Policy:

1. Children in continuous or voluntary custody of a Manager are entitled to complete medical, dental and vision care as per Policy 3.21 of the **Protection and In Care Policy and Procedures Manual.**

2. In cases where a child is covered by a prospective adoptive parent's private insurance, costs associated with medical, dental or vision care would be the responsibility of the adoptive parent(s).

3. Following the placement of a child in an adoptive home, the prospective adoptive parents must apply for a new MCP card in the child's anticipated new name.

Procedures:

1. Children in the custody of a Manager are entitled to complete medical, dental and vision coverage provided through:

   a) Medical Care Plan (MCP);
   b) NL Prescription Drug Program (NLPDP);
   c) Regional Health Authority direct payment for service; and
   d) The Department direct payment for service.

2. All forms associated with MCP and NLPDP can be accessed online at http://www.health.gov.nl.ca/health/forms/index.html#3

3. Adoptive parent(s) are not to be provided with a copy of the child's original birth MCP card, the original birth MCP number, hospital cards, or any other identifying information related to the child. At the time of placement, the social worker must collect the birth MCP and return it to the child's in care file. All identifying information on the child must be collected from the foster family prior to placement and returned to the child's in care file.

4. Prior to receiving health services, the child must be registered with MCP in their anticipated adoptive name as outlined in **Child Placement.**

5. Prior to receiving health services following placement, the social worker shall make contact with any health care provider scheduled to see the child following placement to ensure they have the child's new adoptive name, new MCP number, and to ensure confidentiality of the child's birth name. The social worker shall request the clinic and/or service provider change the demographic information related to the child prior to the scheduled appointment.

Immunizations

6. The social worker shall refer to the **Consents: Medical Consent** policy for information on who can provide consent and when consent for medical treatment, including immunizations is required.

Dental Care

7. A child in the custody of a Manager is entitled to, at minimum, **annual** dental care as per Section 3.21 of the **Protection and In Care Policy and Procedures Manual**.

8. All adoptive parents, where eligible, shall add a child placed for adoption to their personal dental care plan. In cases where a child is not eligible under an adoptive parent's plan until the granting of an **Adoption Order**, dental services may be provided on their behalf.

9. Following the granting of an **Adoption Order**, dental care becomes the responsibility of an adoptive parent unless dental services have been previously approved on behalf of the child by way of an adoption subsidy. See **Adoption Subsidy** policies and procedures for additional information.

Vision Care

10. A child in the custody of a Manager is entitled to receive **annual** vision care as per Section 3.21 of the **Protection and In Care Policy and Procedures Manual**.

11. All adoptive parents, where eligible, shall add a child placed for adoption to their personal vision care plan. In cases where a child is not eligible under an adoptive parent's plan until the granting of an **Adoption Order**, vision services may be provided on behalf of the child.

12. Following the granting of an **Adoption Order**, vision care becomes the responsibility of an adoptive parent unless vision care has been previously approved on behalf of the child by way of an adoption subsidy. See **Adoption Subsidy** policies and procedures for additional information.

Other Health Care Services

13. Following placement, where the child has been in the continuous custody of a Manager, the social worker may continue with already approved services not exceeding those available to all children in care. Exploration of the suitability of an adoption subsidy on behalf of the child may occur. Where possible, the child shall be referred to community services or those offered through the adoptive parent's private medical plan. See **Adoption Subsidy** policy and procedures for further information.

Exceptions: None

Relevant Documents:

- **MCP and NLPDP** http://www.health.gov.nl.ca/health/forms/index.html#3
- **Regional Health Authorities**

http://www.health.gov.nl.ca/health/findhealthservices/in_your_community.html#contact

Health Services – Hospitalization

Policy no.: 5.8
Effective Date: June 30, 2014
Date Revised: n/a
Policy Cross References: Consents: Medical Consent
Legislative References: s. 18 Child's Health Care

Purpose: To outline the social worker's responsibility where a child in the custody of a Manager placed for adoption has been admitted to hospital.

Policy:

1. Where a child in the continuous or voluntary custody of a Manager who has been placed for adoption has been admitted to a hospital, the social worker shall actively monitor the child's progress.

2. The social worker shall advise the adoptive parent at the time of placement that all hospitalizations must be reported.

Procedures:

1. The social worker shall advise the adoptive parent that they must be informed when a child in the custody of a Manager, who has been placed in their home for the purpose of adoption is taken via ambulance, medevac'd, or admitted to hospital.

2. The social worker shall notify hospital administration and/or the attending physician that the child is in the custody of a Manager.

3. The social worker shall refer to **Incident Reporting in Family-based and Residential Placements** and **Critical Incident and Death Protocol** policy in the **Protection and In Care Policy and Procedure Manual** for information related to the reporting of a critical incident for children in the custody of a Manager.

4. The social worker shall refer to **Consents: Medical Consent** policy for information related to providing consent for medical treatment for children in custody placed for adoption. The social worker shall discuss the provision of medical consent with hospital administration and/or attending physician and adoptive parent(s).

5. In cases where a birth parent has signed **Consent of Parent/Person with Custody to Adoption** and it is not valid or time to revoke consent has not expired, the social worker shall consult with a supervisor regarding notifying the child's birth parent(s) of the hospitalization.

6. The social worker shall maintain regular contact with the hospital to monitor the progress of the child. The frequency of contact would be dependent on the severity of the child's illness.

7. The social worker shall provide and receive on-going information to/from the adoptive parent to ensure they are aware of the child's progress and condition.

8. The social worker shall notify hospital administration if there are any restrictions with who may visit the child.

9. The social worker shall work with hospital staff to develop a discharge plan for the child that shall include provisions for who will assume care of the child upon discharge. The social worker shall consult with the adoptive parent to ensure they are equipped to respond to any on-going health needs for the child.

Exceptions: None

Relevant Documents:

- **Consent of Parent/Person with Custody to Adoption**

Consents: Consent to Travel

Policy no.: 5.9
Effective Date: June 30, 2014
Date Revised: n/a
Policy Cross References: Consents: Medical Consent
Legislative References: s.18 Child's Health Care

Purpose: To outline the process for providing consent for travel for a child who is in the continuous or voluntary custody of a Manager and who has been placed for adoption.

Policy:

1. Where a child is in the continuous or voluntary custody of a Manager and placed for adoption:

    a) an adoptive parent may travel within the province without the consent of a social worker;
    b) a supervisor shall provide consent for a child to travel to another province or territory within Canada; and
    c) a Manager shall provide consent for a child to travel internationally.

2. In order for a child in voluntary custody to travel, all necessary **Consent of Parent/Person with Custody to Adoption** forms must be valid and the time to revoke consents expired. A birth parent may provide written consent to a Manager for travel where time to revoke consents has not expired.

Procedures:

1. When a social worker receives an out of province or out of country travel request for a child that has been placed for adoption, they shall first consider the nature of the request (i.e. school trip, vacation/trip with adoptive parents) and the plans in place to ensure the safety of the child prior to providing consent.

2. When a request for a child who is in the voluntary or continuous custody of a Manager to travel within Canada is received, a letter of permission to travel must be completed and signed by a supervisor.

3. When a request for a child who is the voluntary or continuous custody of a Manager to travel internationally is received, a letter of permission to travel must be completed and signed by a Manager.

4. A birth parent is required to signed content for travel where the time to revoke consent has not expired.

5. A letter of permission to travel shall be provided to the adoptive parent(s). The permission letter shall contain the following information:

a) child's new adoptive name;
b) child's date of birth;
c) child's current address;
d) date of travel;
e) name, date of birth and address of the persons with whom the child is authorized to travel;
f) name, address, telephone and fax numbers of the Manager;
g) emergency contact numbers should consent for non-routine medical treatment be required.

6. Where a passport is required for a child in voluntary or continuous custody, the social worker shall work with the adoptive parent(s) with whom the child is placed to complete the application as required by Passport Canada. Information regarding applications and requirements related to passports for children in care and placed for adoption can be found online at http://www.ppt.gc.ca/form/adoption.aspx?lang=eng.

Exceptions: None

Relevant Documents:

- **Passport Canada** http://www.ppt.gc.ca/form/adoption.aspx?lang=eng
- **Consent of Parent/Person with Custody to Adoption**

Consents-Medical Consents

Policy no.: 5.10
Effective Date: June 30, 2014
Date Revised: n/a
Policy Cross References: Health Services; Health Services: Hospitalization
Legislative References: s.18 Child's Health Care

Purpose: To outline the process for providing medical consent for a child who is in the continuous or voluntary custody of a Manager who has been placed for adoption.

Policy:

1. Where a child is in the voluntary or continuous custody of a Manager and placed for adoption, the adoptive parent(s) shall have authority to authorize routine health care for the child.

2. Where a child is in the voluntary or continuous custody of a Manager and placed for adoption, the social worker may provide consent for medical treatment that would be considered non-routine.

3. In order for a social worker to provide medical consent for a child in voluntary custody, all necessary **Consent of Parent/Person with Custody to Adoption** forms must be valid and the time to revoke consents expired.

4. Where **Consent of Parent/Person with Custody to Adoption** has not been signed or time to revoke consent has not expired, all reasonable attempts shall be made to contact the birth parent(s) to obtain medical consent.

Procedures:

1. Where it is the opinion of a qualified health care provider that medical treatment is required, the adoptive parent(s) must be informed they have the ability to provide consent for routine medical treatment following the placement of a child for adoption who is in voluntary or continuous custody. Routine health care would include but is not limited to:

   a) examination by a medical physician or other health care professional;
   b) immunizations; and
   c) treatment for illness or injuries considered routine.

2. Where a child has been provided routine medical care, the social worker must be notified and made aware of the circumstances related to the treatment. This shall

be documented in ISM in both the child's in care file and the adoptive parent's file.

3. Medical consent may also be required that would not be considered routine. Where a child requires this, the social worker shall:

   a) consult with the qualified medical practitioner to become fully informed of the medical situation, the prescribed course of treatment and the potential risks associated with receiving or not receiving the recommended treatment;
   b) consult with a program supervisor prior to providing consent for medical treatment;
   c) consult with a Manager prior to providing consent for medical treatment that is potentially life threatening or may have long lasting or permanent impacts on the child (i.e., major surgery).

4. If age and developmentally appropriate, the child may be included in the decision making process as it relates to their medical treatment.

5. Where **Consent of Parent/Person with Custody to Adoption** has not been signed or time to revoke consent has not expired, all reasonable attempts shall be made to contact the birth parent(s) to obtain medical consent.

6. All efforts to contact the birth parent(s) to seek medical consent shall be documented in the Services to Birth Parents file and the child's In Care file.

7. If the social worker has been unable to contact the birth parent(s) and necessary medical treatment is recommended by a qualified health practitioner, they shall:

   a) consult with the qualified health practitioner to become fully informed of the medical situation, the prescribed course of treatment and the potential risks associated with receiving or not receiving the recommended treatment; and
   b) consult with a supervisor prior to providing consent for medical treatment.

8. When a social worker has consented to medical treatment for a child in an adoption placement and there is ongoing access or openness between the child and their birth parent(s), the social worker shall advise the birth parent(s) of the treatment **as soon as possible**.

9. The social worker shall advise the adoptive parent(s) that until the granting of an **Adoption Order**, an adoptive parent cannot consent to medical treatment not considered routine for a child placed in their home.

Exceptions: None

Relevant Documents:

- **Consent of Parent/Person with Custody to Adoption**

Personal Privacy for Children in an Adoption Placement

Policy no.: 5.11
Effective Date: October 28, 2022
Date Revised: n/a
Policy Cross References: Placement of Children for Adoption
Legislative References:

Purpose: To outline the importance of privacy for children in an adoption placement and the role of the social worker in ensuring privacy is maintained.

Policy:

1. Every child in the continuous or voluntary custody of a Manager is entitled to personal privacy in an adoption placement.

2. All documentation provided to adoptive applicant(s) as part of the adoption process shall be kept in a secure location in the adoption placement.

3. Personal information or pictures of children in the continuous or voluntary custody of a Manager shall not be posted on any form of social media outlets by the prospective adoptive parent(s) or any other person involved with the child in their adoption placement.

Procedures:

Personal Privacy in the Child's Adoption Placement

1. The social worker shall ensure discussions occur with the prospective adoptive parent(s) about privacy for all children in an adoption placement. An adoption placement often results in the additional need for privacy as a child adjusts to their new environment. Until an **Adoption Order** is granted the policies and procedures outlined in **Policy 3.13, Personal Privacy for Children and Youth in Care or Custody** of the Protection and In Care Policy and Procedure Manual shall apply.

2. The social worker shall also review the conditions of any **Openness Agreements** and/or **Openness Orders** with the prospective adoptive parents and the child (where developmentally appropriate) and how this may impact privacy for the family. Where appropriate, some forms of communication may be private between the child and a birth family member or someone significant to the child as agreed upon as part of any **Openness Agreements** and/or **Openness Order.**

Storage Of Information Provided To Prospective Adoptive Applicant(s)

1. A social worker shall ensure that the prospective adoptive applicant(s) are aware that they must keep all confidential records and documentation pertaining to the child placed in their home in a secure location. Information to be securely stored includes a copy of all redacted information provided to them during the profiling process including:

    a) the **Child's Medical and Social History** and the **Birth Parent Medical and Social History**;
    b) all professional reports and IPR where provided;
    c) all school records and information;
    d) the child's **Lifebook**;
    e) all **Openness Agreements** or **Openness Orders** ;
    f) all information pertaining to an adoption subsidy including the **Adoption Subsidy Agreement** or **Deferred Adoption Subsidy Agreement**;
    g) all information pertaining to the post placement period including all **Post Placement Reports**;
    h) all legal documents including the **Application for an Adoption Order** and **Adoption Order** once provided by the Manager;
    i) **Cultural Connection Plan**; and
    j) any other written documentation related to the child and their birth family.

2. Should an adoption disruption occur, the social worker must ensure that all records and documentation pertaining to the child are returned to the social worker. The social worker shall forward all documentation to the Provincial Director.

Social Media

3. A social worker shall ensure that the prospective adoptive applicant(s) are aware that until the granting of an **Adoption Order**, the prospective adoptive applicant(s) **shall not** post photos or other information about the child in continuous or voluntary custody on any form of social media (e.g. Facebook, Twitter, Instagram).

4. The social worker shall ensure discussions occur with the adoptive applicant(s) regarding the implications of posting personal and private information on social media where disclosure of their location may pose a risk to the child.

Exceptions: None

Relevant Documents: None

Adoption Disruption

Policy no.: 5.12
Effective Date: June 30, 2014
Date Revised: October 28, 2022
Policy Cross References: Adoption Investigations.
Legislative References:

Purpose: To outline the process to be followed where consideration is being given to the termination of an adoption placement prior to the granting of an **Adoption Order**.

Policy:

1. An adoption placement can be terminated at any time prior to the granting of an **Adoption Order**.

2. All allegations of maltreatment in an adoption placement shall be assessed in accordance with the policy and procedures outlined in **Adoption Investigation**.

3. The social worker shall immediately advise a program supervisor of any concerns that may result in an adoption disruption during an adoption placement.

Procedures:

1. There may be times when an adoption disruption, where the decision that a child can no longer stay in an adoption placement, must be considered. This may occur as a result of:

   a) the child's difficulty in adjusting to their new placement;
   b) the child's decision to revoke their consent to adoption;
   c) the prospective adoptive parents difficulty adjusting to the placement of a child in their home;
   d) an allegation of maltreatment has been received in relation to the child in the placement.

2. The social worker shall immediately notify the program supervisor of any placement concerns during the post placement period.

3. A Manager must be notified in all situations where a disruption is being considered.

4. In all cases where an adoption disruption is being considered, the social worker must interview the child in private, where age and developmentally appropriate, and the adoptive parents to determine:
   a) whether concerns exist that may warrant an adoption investigation;
   b) the child's views and wishes regarding continuing in the placement;
   c) whether the identified concerns of the child or adoptive parent(s) can be resolved through supportive services and intervention; or

d) whether it is in the child's best interest to continue in the adoption placement.

5. Where information arises that may warrant an adoption investigation, the social worker shall refer to the policies and procedures outlined in **Adoption Investigation.**

6. The social worker, in consultation with the supervisor, shall complete a written report with a recommendation regarding the continued placement of a child in all cases where a disruption is being considered.

7. The completed report must also include but is not limited to:

   a) description of the identified concern and any previous concerns;
   b) summary of interviews completed, observations and findings;
   c) summary of files/information reviewed to assess the concerns;
   d) assessment of information gathered pertaining to the identified concerns;
   e) an assessment of the ability of the prospective adoptive parent(s) to continue to meet the five **PRIDE** competencies;
   f) supportive services offered to the prospective adoptive parent(s) to address the identified concerns;
   g) assessment and recommendations regarding the placement and a plan for addressing the identified concerns or discontinuation of the placement of the child; and
   h) outcome of any services offered in addressing the issue of concern.

8. The written report shall identify all interviews completed. This would include private interviews with the child and prospective adoptive parent(s) and interviews with other persons who may have information which will assist in assessing the concerns identified (such as other children and adults living in the home, social workers who have been involved with the family in the past, and other professionals working with the child).

9. In cases where concerns present during the completion of the 3rd post placement report, a request to extend the post placement period may be made. Refer to the policy and procedures outlined in **Post Placement Period** for further information.

10. The completed report must be reviewed by a program supervisor.

11. A Manager shall make the final decision regarding the continued placement of the child.

12. In cases where the decision is made to discontinue the placement, the social worker shall notify the prospective adoptive parent(s) and the child in person. The Manager shall provide written confirmation of the decision to the prospective adoptive parent(s) as soon as possible after the in person meeting.

13. In addition to a decision regarding the placement, a decision regarding continued approval of the prospective adoptive parents adoption file must also be made and approved by a Manager.

14. A copy of all information related to the decision to discontinue an adoption placement must be forwarded to the Provincial Director.

15. In cases where the decision is made to continue with the placement, the social worker shall notify the prospective adoptive parent(s) in person of this decision. If the placement continues but there is a conditional approval, the prospective adoptive parent(s) shall agree to the conditions as part of the continued approval and the conditions shall be documented in the prospective adoptive parent(s) file and monitored as part of the ongoing work with the family and reflected in the post placement reports. The Manager shall provide written confirmation of the decision outlining the conditions to the prospective adoptive parent(s) as soon as possible after the in person meeting.

16. In cases where conditions were outlined, the final post placement report must outline the specifics as to how the issues were resolved. This information shall be forwarded to the Provincial Director as per the policies and procedures outlined in **Post Placement** policy.

17. Where the child was placed as a result of a direct placement, the social worker shall notify the birth parent(s) **immediately** of the decision to end the adoption placement. The birth parent shall be given the opportunity to develop a new plan on behalf of their child. Refer to the policies and procedures outlined in **Services to Birth Parents** for additional information.

Exceptions: None

Relevant Documents: None

Adoption Investigations

Policy no: 5.13
Effective Date: June 30, 2014
Date Revised: March 22, 2018, October 28, 2022, June 9, 2025
Policy Cross References: Adoption Disruption
Legislative References:

Purpose: To outline the process for assessing and investigating allegations of maltreatment and/or quality of care concerns regarding a child in an adoption placement.

Policy:

1. An adoption investigation can occur at any time prior to the granting of an **Adoption Order.**

2. All referrals regarding the quality of care or the maltreatment of a child in an adoption placement shall be assessed on the same day of receiving the information to determine what action is necessary to ensure the safety and well-being of the child and to determine whether an adoption investigation is required.

3. All referrals of physical and sexual abuse shall be referred to the local police on the same day of receiving and assessing the information.

4. When it is determined that an investigation is necessary, the prospective adoptive parent(s) shall be notified of the decision to investigate and whether the concerns are quality of care, maltreatment or both, as soon as possible. This notification shall occur the same day of determining that an investigation is required.

5. The safety of the child in the adoption placement shall be assessed on the **same day** that the investigation decision is made to determine if the child should be moved to an alternate placement while the investigation is being completed. This shall include face-to face contact with the child and the prospective adoptive parent(s).

6. A social worker and supervisor shall be assigned to complete the investigation. The persons assigned shall not be the worker responsible for monitoring the adoption placement.

7. If the child is in **voluntary custody**, the birth parent(s) or person with custody of the child shall be notified of the investigation. If the child is in **continuous custody,** the parents may be notified depending on their degree of involvement with the child.

8. The adoption investigation, including all required documentation and final decision regarding placement and the continued approval or closure of the prospective adoptive parent's home, shall be completed within **forty-five days** of determining that an investigation is required.

Procedures:

1. All referral information regarding quality of care or maltreatment shall be assessed on the **same day** of receiving the information to determine what action is necessary to ensure the safety and well-being of the child(ren).

2. Maltreatment in an adoption placement incudes physical, sexual or emotional harm of a child that is non-accidental and is as a result of an action, inaction or lack of appropriate action by a prospective adoptive parent. Examples include, but are not limited to, the following:

   a) deliberately using force against a child in such a way that the child is injured or at risk of being injured;
   b) hitting, shaking, pushing, kicking;
   c) harmful use of an approved restraint, (the use of a restraint in an adoption placement can only occur where such behavior management strategies has been requested by a Behavior Management Specialist and approved by a Regional Manager, as part of formal Behavior Support Plan). The prospective adoptive parent(s) must be trained in Non-Violent Crisis Intervention® prior to engaging in physical restraints.
   d) verbal threats, social isolation, intimidation, exploitation, and unreasonable demands;
   e) family violence;
   f) sexual assault including kissing, touching, intercourse, exposure to or involvement in pornography, etc.;
   g) chronic and/or serious quality of care issues that have resulted in a child being harmed or at risk of being harmed. Examples of quality of care concerns may include, but are not limited to, the following:

      i. lack of age and developmentally appropriate supervision;
      ii. absence of an adequate and healthy diet (including nutritious meals, snacks and school lunches, etc.);
      iii. lack of adequate and seasonally appropriate clothing;
      iv. insufficient or unexplained delays in access to education, health and medical services;
      v. absence or lack of support for children to maintain family, community, social and cultural connections: and
      vi. absence/lack of support for children to participate in age/developmentally appropriate activities

Assessing and Determining the Response to a Referral

3. When a referral is received that a child is or may be at risk of maltreatment or there are quality of care concerns in an adoption placement, the information shall be documented on the **Referral on a Placement Resource** form.

4. When there is an allegation of physical or sexual abuse a social worker shall refer the allegation to the local police immediately, using the **Referral on a Placement Resource** form, and, in consultation with the local police, make a joint decision regarding how to proceed with the investigation.

5. A supervisor shall screen the referral information on the same day the referral is received and make one of the following decisions:

a) **No Action Required** - If no action is required the social worker responsible for the adoption placement shall document the decision in ISM. The prospective adoptive parent(s) shall be informed of the referral information as soon as possible following the decision that no action is required.

b) **Follow up by a Social Worker (No Investigation Required)** - Where it is determined that an investigation is not required, the social worker responsible for the adoption placement shall:

   i. Document the decision on the adoption placement case in ISM.
   ii. Meet with the prospective adoptive parent(s) **within 7 days** of the **screening decision** to discuss the referral information, provide an opportunity for the prospective adoptive parent(s) to respond to the referral and identify any outstanding issues or concerns that may require follow up. Where necessary, the social worker and prospective adoptive parent(s) shall identify ways to address any issues or concerns and/or supports that may be required and the social worker shall document any tasks or activities requiring follow up in the case notes.
   iii. Conduct a follow up private, in person interview with the child (where age and developmentally appropriate) **within 7 days** of making the decision that no investigation is required. The purpose of this contact is to determine if/how the referral information has impacted the child.
   iv. If a child cannot be interviewed due to their age or developmental level, the social worker shall observe the child.
   v. If the social worker responsible for the adoption placement receives additional information as a result of meeting with the prospective adoptive parent(s) or interviewing the child placed in the home, and the additional information indicates that an investigation may be necessary, the social worker shall discuss the additional information with the supervisor and, where necessary, complete a new referral form and screen the information received.

c) **Investigation Required -**Where it has been determined that an investigation is required, an investigating social worker and supervisor shall be assigned **within 3 days** of making the decision to investigate.

   i. The persons assigned to conduct the investigation shall not be responsible for the adoption placement or any child placed in the home.
   ii. The investigating social worker shall conduct a thorough investigation with the supervisor monitoring and overseeing the investigative process.
   iii. The investigating social worker and supervisor shall also be trained in **Structured Decision Making (SDM)** and knowledgeable of the five PRIDE competencies.
   iv. If the referral information alleges that a child of the prospective adoptive parent(s) is or may be at risk of maltreatment, the information shall be assessed under s.12 (1) of the CYFA to determine whether a protective intervention investigation is required. If a protection intervention investigation is required, the standards set out in SDM shall be followed.
   v. Where it is determined that both an adoption placement investigation and a protective intervention investigation is to occur at the same time, the two assigned social workers from the program areas shall collaborate to avoid any unnecessary duplication and to ensure the integrity of the investigation is not compromised.

Assessing the Immediate Safety of Children in an Adoption Placement

6. The social worker responsible for the adoption placement, in consultation with the supervisor, shall decide if the child can safely remain in the home while the investigation is being completed. This decision shall be made on **the same day** the decision is made to investigate.
7. The social worker responsible for the adoption placement shall use the Alternate Care Provider Safety Assessment tool (ACPSA) to guide and document the safety decision and make a determination regarding whether the child should be moved to another placement location.
8. The social worker for the adoption placement shall familiarize themselves with the items included in the ACPSA tool in SDM and shall use their clinical social work skills to gather information to inform the ACPSA assessment. In making the decision of whether the child is safe, the social worker for the adoption placement shall have face-to- face contact with the child and the prospective adoptive parent(s). The social worker may also speak to other social workers who have been involved with the child and/or home, and other collateral contacts. On the same day the decision is made to investigate, the social worker for the adoption placement, in consultation with the supervisor, shall determine whether the child can safety remain in the home.
9. When it is determined that a child cannot safely remain in the adoption placement during the investigation, the social worker shall notify the prospective adoptive parent(s) of the decision **immediately** and shall ensure that an alternate placement arrangement is made for the child and that the child is supported during the transition.
10. The social worker shall complete the ACPSA form in ISM by the **end of the next business day** following the first face to face contact with the child and place a hard copy of the ACPSA on the prospective adoptive parents file.
11. Where a decision is made to **not** move a child during the investigation process and where additional information is received that indicates the child may be unsafe, a subsequent ACPSA shall be completed by the social worker for the placement with the supervisor. A second ACPSA is not required if additional referral information is received and the child has already been moved to an alternate placement.

Providing Information and Support to the Child

12. The social worker for the child shall provide regular, ongoing support to the child throughout the investigation process. The nature of this support should be assessed on a case by case basis depending on the age and developmental level of the child. Support may also include referring a child to counselling services, arranging medical appointments, etc. Where it is assessed to be in the child's best interest, the social worker shall arrange contact between the child and the prospective adoptive parent(s)/ family (e.g. telephone calls, supervised visit).
13. The social worker shall also provide the child with age and developmentally appropriate information about the status and progress of the investigation.

Providing Information to the Parent(s) of the Child

14. If the child is in voluntary custody and placed as a result of a direct placement, the social worker shall **immediately** notify the parent(s) or person with custody of the plan to investigate and the placement plan for their child, unless the integrity of the investigation could be jeopardized by this notification.

15. Where the child is in continuous custody, the parent(s) may be notified depending on their level of involvement with the child as a result of ongoing openness, unless the integrity of the investigation could be jeopardized by this notification.

Providing Inform**ation and Support to the Prospective Adoptive Parent(s)**

16. The social worker for the placement shall meet with the prospective adoptive parent(s) on the **same day** the decision is made to investigate and inform them whether the concerns are quality of care, maltreatment or both, unless there are documented concerns that providing this information will interfere with the investigation process (e.g. interfere with the police investigation, if applicable). Where possible, the prospective adoptive parent(s) shall also be provided with details of the nature of the concerns outlined in the referral. The timeframe for the provision of this information shall not exceed **two days** unless there are documented reasons why this information should not be provided.

17. During this meeting, the social worker shall advise the prospective adoptive parent(s) that they may have a person present with them when the decision is made to conduct an interview as part of the investigation process. The social worker shall advise the adoptive parents that should they wish for such to occur, they must advise the social worker in advance of the interview so that the social worker can assess the suitability of the person and to determine that the person identified is not part of the investigation.

    a) the social worker for the adoption placement shall provide information and support to the prospective adoptive parent(s) throughout the investigation process. This shall include but is not limited to explaining and clarifying the role of the social worker for the prospective adoptive parents and how that differs from the role of the investigating social worker;
    b) providing policy information regarding the investigation process including the Department's responsibility to investigate, how decisions are made, and when they can expect to receive updates regarding the progress of the investigation; maintaining regular contact with the prospective adoptive parent(s) and responding to questions raised by the prospective adoptive parent(s);
    c) if a child has been moved during the investigation process, the social worker shall discuss the parameters around the prospective adoptive parent(s) continued contact with the child and where contact is determined to be in the child's best interest, develop a plan with the prospective adoptive parent(s); where a monthly financial care rate is being provided through the adoption subsidy program, informing the prospective adoptive parent(s) of the policy regarding the financial remuneration that will be received during the investigation process;
    d) acknowledging and respecting the prospective adoptive parent(s) feelings and concerns regarding the investigation process and remaining neutral while providing support, so as to not interfere with the outcome of the investigation process.

Conducting an Investigation in an Adoption Placement

18. The assigned investigating social worker, in consultation with the assigned supervisor, shall be responsible for conducting the adoption placement investigation. The supervisor is required to provide ongoing, regular, clinical direction and support to the investigating social worker.

19. The investigating social worker, in consultation with the supervisor shall develop a plan regarding the investigation process. The plan should include a clear focus on the nature of the concerns and what is being investigated, the role of the police, what information will be gathered and from whom, the approach regarding how information will be gathered, critical timelines for the investigation, information compilation process and other steps/information deemed to be relevant in the investigation process.

20. In determining who should be interviewed, the investigating social worker should include, but is not limited to, all children in care currently residing in the home (where age and developmentally appropriate), the prospective adoptive parent(s), other individual's residing in the home (where consent provided by the prospective adoptive parents), parents of the child (where deemed appropriate and regular openness is occurring between the applicants and the birth parents), and other collateral and/or professionals working with the child and/or adoptive family.

21. In situations where the referral information has been forwarded to the police and the police are also investigating, the investigating social worker shall talk with the police to determine how both parties can collaborate to conduct a joint investigation. Where the time frames of the police investigation do not correspond with the time frames required, the Manager shall consult with the police to determine whether the investigation can proceed to ensure the investigation is concluded in a timely manner.

22. The outcome of an adoption placement investigation is not dependent or contingent on the outcome of a police investigation. The social worker, in consultation with the supervisor may make a recommendation to the Manager to end the adoption placement and/or close the prospective adoptive parent's adoption file prior to the conclusion of the police investigation.

23. For domestic adoptions, the Manager has the final decision regarding the continued approval of the home. For interprovincial and intercountry adoptions, the Provincial Director has the final decision.

24. If during the process of investigation new referral information is received, the investigating social worker shall consult with the supervisor and develop a plan to address the new referral information.

25. The investigating social worker, in consultation with the supervisor shall complete the investigation and document all information regarding the investigation, and the outcome, on the **Investigation on a Placement Resource** form.

26. This form shall contain all the information regarding the investigation, which shall include, but is not limited to:

    a) summary of the referral information;
    b) length of time in the adoption placement including pre-placement;
    c) details related to the prospective adoptive parents history as foster parents (where applicable);
    d) any current or past children who have resided in the home on an in care status or an adoption placement;
    e) children of the prospective adoptive applicant(s) (with signed consent);
    f) training completed (PRIDE or other);
    g) ability to meet the PRIDE competencies to date;
    h) date and recommendations of any completed post placement reports (if applicable);
    i) list of person(s) interviewed;

j) summary of interviews completed;
k) summary of files reviewed;
l) nature of police involvement;
m) clinical assessment and analysis of the information gathered related to the referral information;
n) whether the referral was verified;
o) the prospective adoptive parent(s) ability to continue to meet the five PRIDE competencies;
p) findings, conclusions and recommendations regarding continued approval (including any restrictions or conditions) of the placement and/or the prospective adoptive parents approval.

27. The social worker shall submit the completed **Investigation on a Placement Resource** form to the supervisor assigned to the investigation for review.

28. The supervisor shall review, recommend and forward the **Investigation on a Placement Resource** form to the Manager responsible for the adoption placement.

29. The Manager responsible for the adoption placement shall make the final determination regarding the continued placement and approval (including any restrictions/conditions) or closure of the home. In making this determination, the Manager may request a meeting with the investigating social worker and supervisor to discuss the outcome of the investigation and the recommendations regarding the continued approval of the placement and home.

30. When the Manager responsible for the adoption placement has made the final decision regarding the continued placement and/or approval or closure of the home, the investigating social worker shall notify the social worker(s) for the home, the child (where age and developmentally appropriate), and the parent(s) (where applicable and where the parents have ongoing openness with the prospective adoptive parent(s)), of the outcome of the investigation.

31. The Manager responsible for the adoption placement shall also notify the Manager with custody of the child (where applicable), where the decision is made to terminate the adoption placement.

32. The investigating social worker, the social worker for the placement and the supervisor responsible for the investigation, shall meet with the prospective adoptive parent(s), within 2 days of the conclusion of the investigation, to notify them of the outcome of the investigation and shall provide them with a letter regarding the outcome. This letter shall contain the following information:

    a) nature of the allegations;
    b) findings/outcome of the investigation;
    c) decision regarding the placement and the approval status of their adoption assessment;
    d) reasons for the decision, including how this relates to the PRIDE competencies; and
    e) any conditions or restrictions (if applicable) on the placement.

33. If the continued approval includes conditions and/or restrictions, the conditions and/or restrictions shall be discussed with the prospective adoptive parent(s), as the prospective adoptive parents will need to agree to and comply with the conditions and/or restrictions as part of continued placement and/or approval of their home assessment. All restrictions and/or conditions shall be documented on the prospective adoptive parent's file and regularly monitored by the adoption placement social worker as part of the ongoing work with the family.

34. The child (where age and developmentally appropriate) shall be informed of the outcome of the investigation and shall be consulted regarding any continued placement decisions in the adoption home. Where the adoption applicants maintain their approval and their assessment remains approved as a result of an investigation it shall be determined if this placement is still in the child's best interest.

35. The child's parent(s) (if notified of the investigation and where deemed appropriate as a result of ongoing openness) shall be informed of the outcome of the investigation and any placement change as a result of same.

36. A paper copy of the **Investigation of a Placement Resource** form shall be placed on the prospective adoptive parent's file. A redacted version of the **Investigation of a Placement Resource** form shall be scanned and uploaded in ISM to the child's in care file.

37. A case note shall be entered on the adoptive applicant(s) ISM file documenting the outcome of the investigation.

Exceptions:

1. If there are extenuating circumstances that interfere with the completion of an investigation **within the 45 day** time frame an extension may be granted with the approval of a Manager. This extension request must outline the reason for the extension and the anticipated additional time frame required for completion, including the new anticipated completion date. The prospective adoptive parent(s) shall be immediately notified in writing, by the investigating social worker, of the extended time frame and the new anticipated completion date.

Relevant Documents:

- **PRIDE Facilitators Manual & Competency Chart**
- **Structured Decision Model (SDM) Manual**
- **Memorandum of Understanding with RNC/RCMP**
- **Referral on a Placement Resource**
- **Investigation on a Placement Resource**
- **Alternate Care Provider Safety Assessment tool (ACPSA)**

Overview: Foster Parent/Significant Other (Excluding Foster Parents) Adoption

Planning for a child in continuous custody must always be made using the best interests principles outlined in Section 4 of the **Adoption Act, 2013.** When a child first enters care, the **Children, Youth and Families Act** makes every effort to match them with the best suited placement and considerations include: placement with kin; placement with siblings; openness and contact with birth family; and maintaining cultural connections for Indigenous children. Where these options are not suitable, a child may be placed in another type of placement including placement with a family-based caregiver or a residential placement (including Emergency Placement Homes, Group Homes and Individualized Living Arrangements) that best meets the child's needs.

All options for permanency on behalf of children and in continuous custody require the social worker to have a thorough understanding of the developmental needs of the child. Policy 3.4 of the Protection and In Care Policy and Procedures Manual indicate that the social worker in consultation with the child's planning team shall develop a plan that best addresses the needs of the child. This plan may include:

- adoption;
- permanent transfer of custody;
- continuation of existing placement; or
- supported transition to independent living.

Considerations for adoption by a child's foster parent(s) or person(s) significant to them who is not their current foster parent shall include:

- the child's age;
- the child's length of placement in the home (for foster parents and family based caregivers);
- the length of time the child has known the person(s) proposed to adopt;
- the quality of the relationship between the proposed person(s) and the child;
- sibling relationships and whether sibling connections will be supported in the proposed adoption placement;
- the child's cultural and community connections and whether connections will be maintained and supported in the proposed adoption placement;
- consultation with the appropriate Indigenous Representative where the child is Indigenous;
- ability of the proposed person(s) to meet the future developmental needs of the child independent of Departmental monitoring and ongoing regular support;
- the child's views and wishes; and
- the motivation of the proposed person(s) to adopt.

Once a child enters continuous custody, discussions should occur with their foster parent(s) regarding the anticipated permanency plan for the child. Options may include exploring adoption by the foster parent(s). Where the foster parent(s) has expressed their interest in adopting the child and this plan is not the recommended plan, detailed discussions with the foster parent(s) around the permanency plan, their role in supporting the child during the planning process, and ways to support them in the decision will be required. Where adoption by the foster parent(s) is the preferred plan and the foster parent(s) has indicated they are unable to commit to the adoption process, further discussions regarding other permanency options must occur. It is the responsibility of the social worker to ensure discussions occur with the foster parent(s) around the importance of permanency for children through adoption as long term foster care would be the least preferred option to adoption. Following those discussions, and where the foster parent(s) continues to indicate adoption is not an option, further discussions with the in care planning team must occur to determine whether an alternate adoption placement may be secured for the child that would meet their long term needs.

The decision to recommend a foster parent adoption must be completed in consultation with a supervisor and Manager and a written recommendation made to the Provincial director. Where a plan is approved, all foster parents must meet the requirements for adoption as outlined in **Foster Parent Applicant Approval.** In cases where a foster parent has previously adopted, any subsequent foster parent adoption should also be completed according to the **Foster Parent Applicant Approval** policy.

Where a social worker is recommending adoption by a person significant to the child who is not their current foster parent, a written recommendation must be completed according to the **Significant Other (Excluding Foster Parents) Adoption Recommendation** policy. Where the plan is approved, the applicants must meet the requirements for adoption as outlined in **Applicant Approval** policy.

Waiving of the post placement period may be considered for foster parents or family based caregivers **only**. This may occur in cases where the plan is approved, the foster parent(s) or significant other(s) have received approval as adoptive applicants, and regular monitoring of the home has occurred. See **Waiving of the Post Placement Period** and **Placement of Children for Adoption** for further information.

Foster Parent Adoption Recommendation

Policy no.: 6.2
Effective Date: April 15, 2021
Date Revised: March 22, 2018, April 15, 2021, October 28, 2022, June 9, 2025
Policy Cross References: Foster Parent Applicant Approval; Applicant Approval; Children Available for Adoption; Placement of Children for Adoption; Cultural Connection Planning for Indigenous Children.
Legislative References: s.13 Approval of prospective adoptive parent; **s.14** Matching by Provincial Director; s.28 Required Documents

Purpose: To outline the process for recommending the adoption of a child in continuous custody by their foster parent(s).

Policy:

1. All permanency plans where the recommendation is adoption by a child's foster parent(s) must be approved by the Provincial Director.

2. All proposed foster parents must be approved as adoptive applicants according to the policies and procedures outlined in **Foster Parent Applicant Approval.**

3. Foster parents who have previously completed PRIDE are not required to complete it again as part of the adoption assessment unless recommended.

Procedures:

1. When developing a plan for adoption on behalf of a child in continuous custody, the social worker shall consider all options including adoption by a relative or significant other, adoption by an approved applicant from the provincial adoption list, and adoption by the child's foster parent(s).

2. In determining the best permanency plan for the child, consideration must be given to:

   a) the child's age;
   b) length of current placement and placement history;
   c) quality of the relationship between the foster parent(s)/foster family and the child;
   d) the child's cultural and community connections and whether connections will be maintained and supported in the proposed adoption placement;
   e) the importance of preserving an Indigenous child's unique cultural identity;
   f) consultation with the appropriate Indigenous Representative, where the child is Indigenous;
   g) the importance of sibling relationships, whether placement with siblings was explored is an option, and whether sibling connections will be supported in the proposed adoption placement;

h) the developmental needs of the child and the ability of the foster home to meet those needs independent of Departmental monitoring and regular support;
i) the child's views and wishes, where possible; and
j) the motivation of the proposed person(s) to adopt.

3. Where discussions have occurred with a child's foster parent(s) and they have indicated they are unable to commit to the adoption process further discussions regarding permanency must occur. It is the responsibility of the social worker to ensure discussions occur with the foster parent(s) around the importance of permanency for children through adoption as long term foster care would be the least preferred option to adoption. Following those discussions, and where the foster parent(s) continue to indicate adoption is not an option, further discussions with the in care planning team must occur to determine whether an alternate adoption placement may be secured for the child that would meet the child's long term needs.

4. The social worker shall submit a written assessment to a supervisor where the recommendation is adoption by the child's current foster parent(s). The assessment shall include information related to the above considerations and the following:

   a) a summary of the foster parent's file and the child's in care file as it relates to the quality of care that has been provided since the child was placed in the home, the foster parent's length of time fostering and any other relevant information;
   b) information related to any protective intervention involvement, foster home investigations and annual reviews. Copies of the most recent annual review, and any foster home investigations must be included and forwarded with any recommendation;
   c) any demographic information related to the foster parent(s) such as, employment status, health issues, that may impact the foster parent's ability to be approved as adoptive applicants;
   d) detailed information related to the degree and type of contact between the social worker, the child, the foster parent(s), and other persons residing in the home. An overview of monthly visits in the home including who was present and the number of private interviews with the child must be included. Regular monthly visitation with each foster parent in the home and the child (in private) is required;
   e) observations of the child in the home, their views on the current placement as it relates to their connections to the family, attachments, the child's view of their place in the family, level of comfort in the home, etc.;
   f) foster parent's motivation for adoption and their understanding of the difference between the role of foster parent and adoptive parent; and
   g) the social worker's assessment as to how the child's needs are being met in the foster home using the five competencies of PRIDE.

5. The social worker shall advise the foster parent(s) that a financial assessment will be required where the recommendation to adopt is approved. The assessment will require completion of the Adoptive Parent(s) Budget Analysis form. The foster parent(s) shall also be advised that any concerns in the area of finances, including financial mismanagement that present during the assessment process may impact on their approval where it has been determined that the financial concerns may impede the family's ability to care for the child.

6. In accordance with the Cultural connection planning **for Indigenous Children** policy, the social worker shall complete a **Cultural Connection Plan** form. The form is required for all foster parent recommendations where the child is Indigenous. The recommendation will need to indicate the foster parent(s) willingness and agreement to adhere to the **Cultural Connection Plan**.

7. The recommendation shall also include:

   a) a copy of the child's current In Care Progress Report (IPR);
   b) a true and exact copy of the continuous custody order;
   c) the child's birth certificate;

   All other information related to the child as outlined in **Children Available for Adoption** policy and procedures will be required at the time the child is profiled to the foster parent(s). Profiling of all children for adoption is completed in accordance with Section 5.2 **In**form**ation Provided to Adoptive Applicants**.

8. The social worker shall advise the foster parents on the profiling process for all children in care being adopted as outlined in **Children Available for Adoption** policy. Profiling all available social and medical history documented in relation to the child since entering care ensures the foster parent(s) receive a comprehensive history of the child's in care experience and developmental needs. The information may be shared with the child at appropriate developmental stages, to assist them in understanding their in care and adoption journey. It also ensures the foster parent(s) have written documentation following adoption should it be required as part of the child's ongoing developmental follow up once services are no longer provided to the child. The child may only be profiled to their foster parent(s) where the foster parent's adoption plan has been approved, the foster parents are approved adoptive applicants, and the Provincial Director has requested profiling of the child.

9. All recommendations for a foster parent adoption must be approved by the Provincial Director. The Manager shall forward a copy of the social worker's written recommendation along with their support of the plan, the child's IPR, a cultural connection plan (where the child is Indigenous) and any reviews or investigations to the Provincial Director.

10. A copy of the recommendation shall be scanned and uploaded in ISM to the foster home file and the child's in care file.

11. Where a foster parent adoption plan is approved by the Provincial Director, all foster parents must be assessed and approved to adopt in accordance with the policies and procedures outlined in **Foster Parent Applicant Approval.**

12. Where a foster parent adoption is approved, the social worker shall complete all required documentation related to the child in accordance with the policies and procedures outlined in **Children Available for Adoption** policy**.** To ensure the child's documents do not expire, it is recommended completion of the child's documents coincide with the completion of the foster parent's home assessment and supporting documentation.

13. Once the Manager approves the foster parent(s) as adoptive applicants, written notification of this approval, home assessment, and supporting documentation must be forwarded to the Provincial Director

14. There may be times where the Provincial Director may request additional information related to the child and/or foster home prior to presenting the child's social and medical information to the foster parent(s).

15. Once all information has been received, the Provincial Director shall forward information related to the child's social and medical history for presentation to the foster parent(s). All foster parents must complete the **Adoptive Parents' Acknowledgement of Information Provided** form as part of their acceptance. See policies and procedures related to **Placement of Children for Adoption** for additional information.

16. Once a foster parent is presented and accepts the child, the child may be considered placed for the purpose of adoption. The social worker must complete the **Notification of Adoption Placement** form and forward a copy to the Manager and the Provincial Director.

17. A social worker may recommend waiving the post placement period in cases of a foster parent adoption. See policy **Waiving of Post Placement Period for Foster Parent Adoption** for further information and policy requirements. The social worker must have completed in person contact with each foster parent for the previous six months in order waive the post placement period for foster parents.

18. Where the social worker does not recommend waiving the post placement period, the policies and procedures outlined in **Post Placement Period** shall apply.

19. In cases where a foster parent adoption plan is not supported or approved, the social worker shall share this decision in person with the foster parent in a timely manner. A new permanency plan must be developed on behalf of the child.

20. A **CHECKLIST**: **Foster Parent - Applicant Approval** outlining the required documentation for a foster parent adoption shall be completed.

Exceptions: None

Relevant Documents:

- **PRIDE Assessment - Foster Parent Applicant Approval**
- **Notification of Adoption Placement**
- **Adoptive Parents' Acknowledgement of In**form**ation Provided**
- **CHECKLIST: Foster Parent - Applicant Approval**
- **Cultural Connection Plan**
- **Cultural Connection Plan for an Innu Child**

Foster Parent Applicant Approval

Policy no.: 6.3
Effective Date: April 15, 2021
Date Revised: September 19, 2024
Policy Cross References: Applicant Approval, Placement of Children for Adoption
Legislative References: **s.11** Placement of child; **s.13** Approval of prospective adoptive parent **s.14** Matching by Provincial Director.

Purpose: To outline the requirements and process for assessing and approving a child's foster parent(s) as a prospective adoptive applicant(s).

Policy:

1. All foster parents must be a resident of the province before an **Application for Assessment to Adopt** and **Adoption Questionnaire** will be accepted.

2. One applicant or two applicants jointly may apply to become adoptive parents, providing they meet the following criteria:

   a) are willing to participate in the **Parent Resources for Information**, Development and Education (PRIDE) assessment process including the pre-service education sessions where not previously completed; and
   b) if a couple, have been in an established family-unit relationship for a minimum of **one year.**

3. All permanency plans where the recommendation is adoption by the child's foster parent(s) must be approved by the Provincial Director.

4. All foster parents who have previously adopted a child placed in their home must be assessed for any additional foster parent adoption using the **Foster Parent Applicant Approval** policy.

Procedures:

1. All policies and procedures outlined in Policy 6.2 **Foster Parent Adoption Recommendation** must be followed and the plan approved by the Provincial Director prior to completing an adoption assessment on behalf of the child's foster parent(s).

2. Where the plan has been approved, the foster parent(s) shall complete and submit the **Application for Assessment to Adopt** and **Adoption Questionnaire** forms. The foster parent(s) shall be advised in writing by a supervisor in a timely manner of acceptance of the application. A copy of the Application and Questionnaire shall be forwarded to the Provincial Director.

3. Following a request for processing, the social worker shall meet with the applicants to sign the **Affidavit to Update Adoption Application** attesting to the information contained in the application.

Assessment Process

4. Foster parents who have not completed the PRIDE pre-service sessions must complete them prior to being approved as adoptive applicants. The PRIDE model is a mutual assessment process of an applicant's suitability as a foster and/or adoptive parent. PRIDE is a competency-based approach and is of the belief that adoptive applicants require specific skill and knowledge to successfully parent a child. There are five competencies which include: protecting and nurturing children; meeting children's developmental needs and addressing developmental delays; supporting relationships between children and their families; connecting children to safe, nurturing relationships intended to last a lifetime; and working as a member of a professional team.

5. All foster parents shall be assessed as adoptive parents using the **PRIDE Assessment - Foster Parent Adoption** form regardless of whether they have adopted previously.

6. Family consultation meetings must occur during the PRIDE adoption assessment. Applicants must be interviewed individually and privately, as well as jointly if applicable. There must be one or more interviews alone with any other children residing in the home, as is age appropriate and with any other person residing in the home to discuss their relationship with the child and their views on how adoption may affect the family.

   Interviews are not required with other children in care residing in the home. The social worker shall consult with the social worker for any children in care to discuss the adoption plan, the child's relationship with the child being adopted, and any issues relevant to the adoption that may impact any of the children in care in the home. All adult children no longer residing in the home must be interviewed where not previously interviewed.

7. The primary focus of the foster parent adoption assessment is the current functioning of the applicant(s) and an assessment of their ability to meet the five competencies of PRIDE since becoming an approved foster parent(s). The social worker shall review the foster home file and provide a summary of the level of care provided to all children in the home by the foster parent(s). Any investigations, quality of care issues, or concerns require assessment of the issues identified. All annual reviews completed on the foster home shall be reviewed by the social worker.

8. The social worker shall also review the in care files of any child currently residing in the foster home and include in the home assessment a review of information related to the quality of care provided to the children. The social worker shall also consult with the in care worker for the children to discuss their experience working with the foster parent(s).

9. At any point during the assessment, where it has been determined that the foster parent(s) is unable to meet one or more of the five competencies of PRIDE as adoptive parents, a social worker may make a recommendation to a supervisor to discontinue the assessment process and close the applicant's foster home adoption application. Discussions regarding the continued suitability of the foster care placement for the child and a review of the child's permanency plan will also be required. All decisions to discontinue the assessment process must be approved by a Manager. The social worker for the foster parent(s) shall meet with them in person to advise of the reasons for the decision to discontinue the assessment and the impact on the child's placement in their home. Following the meeting, the Manager shall notify the foster parent(s) in writing of the decision in a timely manner and the file shall be closed. A copy of the assessment and letter shall be forwarded to the Provincial Director.

10. The role of a foster parent differs from that of adoptive parents. The granting of an **Adoption Order** means the Manager no longer has custody of the child and there is no longer involvement with the child or adoptive parents unless an adoption subsidy has been provided. The social worker must complete a thorough assessment as it relates to adoption, the foster parents understanding of their role as adoptive parents and that of the Department, and their ability to meet the needs of the child independently of the Department. An assessment of the applicant's strengths and/or any concerns that may influence the ability of the foster parent(s) to provide quality care to the child after adoption is also required.

11. The following supporting documentation is required for a foster parent adoption and is completed in accordance with Policy 2.2 **Applicant Approval**. The documentation includes:

    a) Child Protection Clearance Checks. Child protection clearance checks are not required for other children in the care or custody of a Manager or receiving services from the Department who are residing in the home;
    b) Criminal Records Checks. Criminal records checks are not required for other children in the care or custody of a Manager receiving services from the Department who are residing in the home;
    c) **Physician's Report on Adoptive Applicant** forms for each prospective adoptive applicant. Narrative medical reports are required for all other persons living in the home. A medical is not required for other children in the care or custody of a Manager receiving services from the Department who are residing in the home;

       A professional opinion related to all past and present counselling or other mental health services provided is required for all adoptive applicants. Information related to whether or not the identified issues would affect the ability of the applicant(s) to parent a child should be included. If the service occurred in the past and the information was not obtained at the time of approval as a foster parent(s), the social worker shall obtain, with the consent of the applicant(s), the necessary information. Where reports were previously obtained as part of the foster home approval, these reports may be copied and included in the adoption assessment and new requests of previous reports are not required. If this information is not available, the social worker must clearly outline attempts to obtain the information. Where it cannot be obtained, consultation with a program supervisor to discuss the impact of that on the assessment process is required.
    d) four **Reference Letter** forms.
    e) **Adoptive Parent(s) Budget Analysis** form.
    f) Home Safety Check.
    g) birth certificates for the applicants and all other persons living in the home. Birth certificates are not required for other children in the care or custody of a Manager receiving services from the Department who are residing in the home, and
    h) previously approved foster home assessment.

12. When completing the **Adoptive Parent(s) Budget Analysis** form, the social worker shall not include the costs associated with any children in care in the home or the in care rates currently being provided to the foster parent(s). The assessment shall be based on the adoptive applicant's ability to meet their own needs, those of their birth children, and any other dependents in the home. The financial assessment completed may include an assessment of the foster parents need for continued financial support following the granting of an **Adoption Order**. The social worker must review Policy 10: **Adoption Subsidy** to determine whether the foster parent(s) requires support to care for the child following adoption by way of a financial care rate and/or supportive services.

Approval

13. All foster parents assessed to adopt must demonstrate in the assessment process that they are able to meet the five PRIDE competencies.

14. When the social worker has completed the assessment process, the social worker shall submit the **PRIDE Assessment-Foster Parent Adoption** form and the supporting documentation to the supervisor with their recommendation about whether the foster parent(s) should be approved to adopt.

15. The final decision regarding approval shall be made by the Manager. The foster parent(s) should only be approved when all documentation is no more than **one year** old from the date of approval.

16. Where approved, the foster parent(s) shall be notified in writing of their approval as adoptive applicants by the Manager. Once approved and signed by the Manager, the social worker may provide the foster parent(s) with a copy of their adoption assessment.

17. A copy of the approval letter, PRIDE assessment and supporting documentation must be forwarded to the Provincial Director.

18. The social worker shall complete all required documentation related to the child in accordance with the policies and procedures outlined in **Children Available for Adoption** policy. This information is required to profile the child to the foster parent(s) for acceptance following approval of their **PRIDE Assessment – Foster Parent Adoption** form. To ensure the child's documents do not expire, it is recommended completion of the child's documents coincide with the completion of the foster parent's home assessment and supporting documentation.

19. Matching of the child with the foster parent(s) once approved as adoptive applicants rests with the Provincial Director. Providing information to the foster parent(s) on the child's medical and social history ensures the foster parent(s) makes an informed decision to accept the child based on the most current information available to the social worker. This information forms the child's medical and social history and may be required at a later point in time to assist in obtaining services for the child where the Department is no longer involved with the family.

20. A **CHECKLIST**: **Foster Parent Applicant Approval** outlining the required documentation for a foster parent adoption shall be completed.

Exceptions: None

Relevant Documents:

- **Application for Assessment to Adopt**
- **Adoption Questionnaire**
- **Affidavit to Update Adoption Application**
- **Reference letter**
- **Application for a Child Protection Clearance Check**
- **Checklist for a Child Protection Clearance Check**
- **Physician's Report on Adoptive Applicant**
- **Adoptive Parent(s) Budget Analysis**
- **PRIDE Assessment – Foster Parent Adoption**
- **CHECKLIST: Foster Parent Applicant Approval**

Significant Other Adoption (Excluding Foster Parents) Recommendations

Policy no.: 6.4
Effective Date: April 15, 2021
Date Revised: October 28, 2022, June 9, 2025
Policy Cross References: Foster Parent Applicant Approval; Applicant Approval; Children Available for Adoption; Placement of Children for Adoption; Cultural Connection Planning for Indigenous Children.
Legislative References: s.13 Approval of prospective adoptive parent; **s.14** Matching by Provincial Director; s.28 Require Documents

Purpose: To outline the process for recommending the adoption of a child in continuous custody by a person(s) deemed significant to the child who are not their current foster parent(s).

Policy:

1. All permanency plans where the recommendation is adoption by a significant person to the child who is not their foster parent(s) must be approved by the Provincial Director.

2. All proposed significant other adoptive applicants (excluding foster parents) must be approved according to the policies and procedures outlined in **Applicant Approval**.

3. All person(s) who are identified to adopt the child or must complete PRIDE. Those who have previously completed PRIDE are not required to complete it again as part of the adoption assessment unless recommended.

Procedures:

1. When developing a plan for adoption on behalf of a child in continuous custody, the social worker shall consider all options including adoption by the child's foster parent(s), a family-based caregiver, a residential care provider, adoption by an approved applicant from the provincial adoption list, or adoption by someone else significant to the child. Kin currently caring for a child under a Kinship Care Agreement may consider applying for adoption using the Self Help Kit where the requirements have been met.

2. In determining the best permanency plan for the child, consideration must be given to the:

   a) the child's age;
   b) length of time the child has known the person(s) proposed to adopt the child;
   c) quality of the relationship between the person(s) proposed to adopt and the child;
   d) the importance of sibling relationships and whether placement with siblings is an option and whether sibling connections will be supported in the proposed adoption placement;
   e) the child's cultural and community connections and whether connections will be maintained and supported in the proposed adoption placement;
   f) the importance of preserving an Indigenous child's unique cultural identity;
   g) outcome of consultations with the appropriate Indigenous Representative, where the child is Indigenous;

h) ability of the proposed person(s) to meet the future developmental needs of the child;
i) child's views and wishes; and
j) motivation of the proposed person(s) to adopt.

3. The social worker shall submit a written assessment to a supervisor where the recommendation is adoption by a person identified by the child's permanency planning team who is not the child's current foster parent(s). The assessment shall include information related to the above considerations and the following:

   a) a review of the child's in care file;
   b) demographic information related to the person(s) identified such as age, employment, health issues, etc.;
   c) financial information related to the person(s) ability to financially provide for the child. The **Adoptive Parent(s) Budget Analysis** form may be used and submitted along with the recommendation;
   d) the nature of the relationship including the length of time the person(s) identified has known the child;
   e) information related to the amount of contact occurring between the person(s) identified and the child and the amount of contact between the social worker and the person identified to adopt the child;
   f) whether the proposed adoption plan enables a child to maintain birth family and other significant relationships;
   g) information related to how the child's cultural and community connections will be maintained and supported including any consultations with the appropriate Indigenous Representative, where the child is Indigenous;
   h) the child's views on adoption where appropriate. There may be times when discussing the recommendation with the child would not be appropriate at the time the recommendation is being made due to the uncertainty of the proposed adoption. Where it has not been discussed, information related to the clinical reasons for the decision should be included;
   i) motivation of the person(s) identified to adopt and their understanding of the role and responsibilities of an adoptive parent; and
   j) the social worker's assessment as to how the person(s) identified has demonstrated an ability to meet the child's needs where appropriate.

4. Where the recommendation is adoption by a person(s) significant to the child as a result of being their **Family-Based Caregiver**, the following is also required:

   a) copy of the most recent **Inspection of Family-Based Licensee** form;
   b) a copy of the **Family-Based Care Home Annual Review** form;
   c) any programming information and how the family-based care provider has met the programming recommendations for the child;
   d) any Placement Investigations related to the proposed person(s) being recommended to adopt the child;
   e) any Violation Orders related to the home;
   f) information related to any quality of care issues that have been identified related to the proposed family-based care provider and how they were resolved.

5. Where the recommendation is adoption by a person(s) connected to the child as a result of being employed in the **Residential Placement** (ILA, EPH, or group home), the social worker shall review the child's in care file and any necessary documentation related to the residential placement to ensure no concerns have been identified in relation to the person(s) identified to adopt the child. The social worker shall consult with the social worker for the residential placement in order to obtain information related to how the residential provider has met the programming recommendations for the child. Any concerns and how they were resolved shall be included.

   The social worker may also review any **Residential Placement Inspection** forms and **Residential Placement Resource Monthly Monitoring** forms for information that may be relevant to the person interested in adopting the identified child. Any investigations related to the actions of the proposed person(s) being recommended should also be reviewed.

6. In accordance with the **Cultural connection planning for Indigenous Children** policy, the social worker shall complete a **Cultural Connection Plan** form. The plan is required for all significant other adoption recommendations where the child is Indigenous. The recommendation will need to indicate the significant other(s) willingness and agreement to adhere to the **Cultural Connection Plan.**

7. The recommendation shall also include:

   a) A copy of the child's current In Care Progress Report (IPR);
   b) A true and exact copy of the continuous custody order;
   c) The child's birth certificate;

   All other information related to the child as outlined in **Children Available for Adoption** policy and procedures will be required at the time the child is profiled to the foster parent(s). Profiling of all children for adoption is completed in accordance with Section 5.2 **In**form**ation Provided to Adoptive Applicants**.

8. A copy of the child's current **In Care Progress Report** (IPR) must accompany the recommendation. All other information related to the child as outlined in **Children Available for Adoption** policy and procedures will be required in order to profile the child to the person or person(s) recommended to adopt. Profiling of all children for adoption is completed in accordance with Section 5.2 **Information Provided to Adoptive Applicant**. The child may only be profiled where the adoption plan has been approved, the proposed applicant(s) is/are approved adoptive applicants, and the Provincial Director has requested profiling of the child.

9. All recommendations must be approved by the Provincial Director. The Manager shall forward a copy of the social worker's written recommendation along with their support of the plan and supporting documentation as outlined above to the Provincial Director.

10. A copy of the recommendation shall be scanned and uploaded in ISM to the child's in care file.

11. Where the plan is approved by the Provincial Director, the recommended person(s) must be assessed and approved to adopt in accordance with the policies and procedures outlined in **Applicant Approval**.

12. Where the person or person(s) is approved, the social worker shall complete all required documentation related to the child in accordance with the policies and procedures outlined in **Children Available for Adoption** policy. To ensure the child's documents do not expire, it is recommended completion of the documents coincide with the completion of the home assessment and supporting documentation.

13. Once the Manager approves the applicant(s) as adoptive applicants, written notification of this approval, home assessment, and supporting documentation must be forwarded to the Provincial Director.

14. There may be times where the Provincial Director may request additional information related to the child and/or the home assessment prior to presenting the social and medical information to the applicant(s).

15. Once all information has been received, the Provincial Director shall forward information related to the child's social and medical history to the Manager for presentation to the approved applicant(s). All approved applicant(s) must complete the **Adoptive Parents' Acknowledgement of Information Provided** form as part of their acceptance and forward a copy to a Manager and the Provincial Director. Where accepted, the social worker may proceed to pre-placement planning. See policies and procedures related to **Pre-Placement Planning and Child Placement** for details.

16. The policies and procedures outlined in **Post Placement Period** shall apply to all adoptions by a person significant to the child who is not the child's current foster parent(s). Where the child has been residing in a **family based caregiver home**, consideration may be given to waiving the post placement period providing the policies and procedures outlined in **Waiving of Post Placement Period** have been met.

17. In cases where the adoption plan is not supported or approved, the social worker shall share this decision in person with the applicant(s) in a timely manner. A new permanency plan must be developed on behalf of the child.

Exceptions: None

Relevant Documents:

- **Notification of Adoption Placement**
- **Adoptive Parents' Acknowledgement of Information Provided**
- **Inspection of Family-Based Licensee**
- **CHECKLIST: Applicant Approval**
- **Cultural Connection Plan**
- **Cultural Connection Plan for an Innu Child.**

Overview: Finalization

The completion of the adoption process in this province is a critical component to securing permanency for children. Application to the court for the granting of an **Adoption Order** may occur where:

- a satisfactory period of post placement has occurred;
- the applicants are residents of the province and the child has resided with the applicants for at least **six months** prior to applying to the court;
- the social worker has completed a written recommendation regarding finalizing the adoption;
- all necessary court requirements to finalize the adoption have been met and the necessary documentation for court has been completed. Documents to be completed at the time of finalization include:
  - **Application for Adoption Order**;
  - **Affidavit Re: Counselling child Age 12 Years and Over on Change of Name and Effects of Adoption** or **Affidavit Re: Counselling Child Under Age 12 on Change of Name and Effects of Adoption;**
  - **Manager's Certificate;**
  - **Adoption Order;**
  - **Adoption Subsidy Agreement** or **Deferred Adoption Subsidy Agreement** (where applicable);
  - **Consent of Child** (where applicable)
  - most recent **Cultural Connection Plan** (where applicable)
  - **Openness Order** (where applicable)
  - **Affidavit of Service – General** (where applicable)
  - **Affidavit of Service to Persons Granted Access** (where applicable)
  - **Affidavit of service to Indigenous Representative** (where applicable)
  - **Affidavit of Service to Child** (where applicable)
  - **Notice to Child** (where applicable)
  - **Notice to Indigenous Representative** (where applicable)
  - **Notice of Right to Apply for an Openness Order to Persons Granted Access** (where applicable)
  - **Notice of Right to Apply for an Openness Order to Indigenous Representative**
  - **Consent Order** (where applicable)
  - **Manager's Notification of Intent to Sign Consent to Adoption** (where applicable)

After the completion of the post placement period and receipt of the approval of the Manager to finalize an adoption, the Provincial Director shall forward any original documents to the Manager for court. Once all the documentation has been obtained according to the **Court Finalization Checklist** the Manager may make a request to the court to finalize the adoption.

An **Adoption Order** can only be granted by the court. It is the responsibility of the Manager to ensure that the child's birth name and information related to the child's adoption are accurate.

Following granting of the order in court, a certified copy of the **Adoption Order** will be forwarded to the Manager who completed the **Manager's Certificate** to provide a non-identifying certified copy to the adoptive parents for the child. For interprovincial adoption and intercountry adoptions finalized within the province, a certified copy of the adoption order will be forwarded to the Provincial Director. A copy will also be provided to **Vital Statistics**.

Where an **Adoption Order** is granted in respect of an Indigenous child, the Manager shall notify the Indigenous Representative of the Indigenous government or organization once the certified copy is received.

Finalization Process

Policy no.: 7.2
Effective Date: June 30, 2014
Date Revised: October 28, 2022
Policy Cross References:
Legislative References: s.27 Who may apply to court; **s.28** Required documents; **s.35 Adoption Order**

Purpose: To outline the procedures to be followed at the end of the post placement period in order to finalize an adoption in court.

Policy:

1. All applications to the court to finalize an adoption must be approved by a Manager.

2. All applicants applying to court to adopt must be resident of the province.

3. The child must have resided with the applicant for at least **six months** prior to applying to the court for an **Adoption Order**.

Procedures:

1. Following the post placement period, the social worker shall complete a written recommendation regarding whether the placement should be finalized. All recommendations may be included in the completion of the final post placement report and must be approved by a Manager. A copy shall be forwarded to the Provincial Director.

2 Where the social worker is recommending finalization of the adoption, an **Application for Adoption Order** must be completed and accompany the final post placement report. The **Adoption Order** will reflect the child's new name and the adoptive parent's names as stated on the **Application for Adoption Order**. This information will be included on the child's new birth certificate, therefore it is important to ensure accurate information (i.e. spelling of names) on the application. The child's former surname should **not** appear on the **Application for Adoption Order**, unless the child is maintaining their surname following finalization. The adoptive mother's maiden name (if applicable) should also be stated on the application for birth registration procedures.

3. A Schedule to **Adoption Order** must also be included in the adoption package submitted to the court. This document will be completed by the court and forwarded to the Registrar of Vital Statistics.

4. The social worker must ensure that any **Adoption Subsidy Agreement** or **Deferred Adoption Subsidy Agreement** being completed on behalf of the child is also completed prior to submitting the documentation to court. An **Adoption Subsidy Agreement** or **Deferred Adoption Subsidy Agreement** cannot be completed once an **Adoption Order** has been granted. See **Adoption Subsidy** policy and procedures for additional information.

5. An order for continuous custody of a child ceases to have effect on the child's 18th birthday as per the CYFA**.** A **Manager's Consent to Adoption** remains valid for a child being adopted until the age of 19 providing the consent was signed before the child's 18th birthday.

6. A social worker must obtain a **Consent of Child** to adoption for all children over the age of 12 years prior to proceeding to finalization.

7. A child 12 years of age or older who has consented to their adoption may revoke their consent at any time before an **Adoption Order** is granted by notifying the social worker verbally or in writing. A social worker must obtain a revocation of consent by having the child complete the **Child's Revocation of Consent to Adoption.** Following the revoking of consent, the social worker must notify a Manager in writing of the child's decision. A copy shall be forwarded to the Provincial Director.

8. All children 12 years of age or over should also have been counselled on the effects of adoption as part of the **Views and Wishes Report.** Where the **Views and Wishes Report** was not previously completed at the time the child was profiled for adoption, the social worker must complete the narrative report prior to finalization. See **Children Available for Adoption** policy and procedures for additional information related to the report.

9. A social worker must complete an **Affidavit Re: Counselling Child Under Age 12 on Change of Name and Effects of Adoption** for all children over the age of 5 and under 12 being proposed for adoption.

10. A social worker must complete an **Affidavit Re: Counselling Child Age 12 and Over on Change of Name and Effects of Adoption** for all children 12 years of age and older being proposed for adoption.

11. Where a child placed for adoption turns 5 years of age prior to proceeding to finalization, a social worker must complete the **Views and Wishes Report** and **Affidavit RE: Counselling Child Under Age 12 on Change of Name and Effects of Adoption.**

12. Where the child is Indigenous, the most recently completed **Cultural Connection Plan** must be included in the adoption package of information which is submitted to court. The **Cultural Connection Plan** shall be signed by the prospective adoptive parent(s), the Indigenous Representative (where applicable) and any others involved in the development of the plan to indicate their agreement.

13. Where any **Openness Orders** have been granted in respect of the child, a certified copy of the **Openness Order** must be included in the adoption package of information submitted to court. Copies of all notices sent by a Manager under section 50.1 of the **Adoption Act 2013** to notify of a right to apply for an **Openness Order** shall also be included.

14. Following notification by a Manager that the adoption will proceed to finalization, the Provincial Director shall return any original documentation to the Manager for completion of the **Manager's Certificate** necessary for court. A **Manager's Certificate** cannot be issued until all required documentation has been received by the Manager.

15. The **CHECKLIST: Court Finalization** of all documents required for court finalization must be completed.

16. Once all required documentation has been obtained, the social worker shall ensure that the documents that support the adoption are filed with the court at minimum **two days** prior to the hearing. The social worker shall include a cover letter to the court outlining the necessity for confidentiality where adoptive parents and birth families are not known to one another. A copy of all documents submitted to the court must be retained for the file.

17. When a court date for finalization is obtained, the social worker must immediately advise the adoptive parent(s).

18. Following review of the information by the court, where a judge requests a Manager or adoption agency to inquire into a matter related to the **Application for Adoption Order**, the report back to the court will be completed in a manner specified by the court.

19. Upon request by the court, a Manager may provide a recommendation to the court on issues related to the adoption. This can be done through filing an affidavit with the court or through appearing in court to give evidence.

20. The social worker must be present for the court hearing along with the adoptive parent(s).

21. When an **Adoption Order** is granted, the court will forward a signed or certified copy to the Manager and a certified copy to the Registrar of Vital Statistics. The Registrar of Vital Statistics will forward a copy of the **Adoption Order** to the Registrar of Vital Statistics in the province in which the child was born. The child's birth record will then be changed to reflect the information on the **Adoption Order**.

22. When an **Adoption Order** is granted, the adoptive parent(s) should be notified that the Manager will provide them with **two** certified copies of the **Adoption Order** once received from the court. Prior to releasing the **Adoption Order,** the Manager **must** remove the child's birth surname from the Order. When the family receives the order, they may apply to Vital Statistics for the child's new birth certificate in the province in which the child was born. The adoptive parent(s) shall be notified in writing that these documents should be kept in a secure location as they may be needed in the future for information purposes. Obtaining additional certified copies of the orders may be difficult as they are sealed with the court and vaulted with the Provincial Director.

23. When an **Adoption Order** is granted on behalf of an Indigenous child, the Manager shall notify the Indigenous Representative on the Indigenous government or organization in writing after the certified copy of the order is received from court.

24. The certified copy of the **Adoption Order** received by a Manager must be retained in the adoption file which will be forwarded to the Provincial Director for vaulting.

25. Following the granting of an **Adoption Order**, the social worker must ensure that all records related to the adoption (i.e. the adoption file), including a copy of all of the documents that were prepared and presented to the court for finalization are forwarded to the Provincial Director for vaulting. The protective intervention file, in care/custody and services to birth parents files are maintained in the regional registry. All social and medical information that was collected in relation to the child but NOT included in the package profiled to the approved applicants, shall be maintained in the child's in care file. A copy of the non-redacted, redacted, additional and court package used in the profiling process shall be included as part of the vaulted adoption record. All files not being vaulted must be examined to ensure they do not contain any adoption information identifying the adoptive family or where the child was placed. The exception to this may be in cases where family's identities are known to one another.

Exceptions: None

Relevant Documents:

- **Manager's Certificate**
- **Manager's Consent to Adoption**
- **Application for Adoption Order**
- **Consent of Child**
- **Affidavit Re: Counselling Child Under Age 12 on Change of Name and Effects of Adoption**
- **Affidavit Re: Counselling Child Age 12 and Older on Change of Name and Effects of Adoption**
- **CHECKLIST: Court Finalization**

Effects of an Adoption Order

Policy no.: 7.3
Effective Date: October 28, 2022
Date Revised:
Policy Cross References: Finalization, Openness Orders, Post Adoption Services
Legislative References: s.38 Effect of Adoption Order; **s. 39** Status of adopted child; **s.40** Effect on Access Order or Agreement

Purpose: To outline the effect of an **Adoption Order** granted by the court.

Policy:

1. A child must reside with the applicant applying to adopt for at least **6 months** immediately before the date of the application and that, during that time the conditions under which the child has lived justify the making of an **Adoption Order**.

2. Where the court is satisfied that the requirements for adoption have been met based on the information and evidence provided, the court may grant an **Adoption Order** where deemed in the best interests of the child.

3. Where an **Adoption Order** is made, the adoptive parent(s) becomes the legal parent of the child has the right to make all decisions regarding the child or youth.

4. Where an **Adoption Order** is granted, the birth parent ceases to have parental rights and obligations to the child except where a birth parent remains as a parent jointly with the adoptive parent. The adopted child has the legal status set out in Part I of the Children's Law Act.

5. Where an **Adoption Order** is granted, any order that grants a person access to the adopted child, other than an **Openness Order** made under the **Act,** ceases to have effect. This includes any agreement that is enforceable under Part III of the **Children's Law Act** or Part IV of the **Family Law Act** that grants access to the adopted child.

6. The only rights that continue through adoption are an interest in property or a right that vested in the adopted child prior to the date of the **Adoption Order**.

Procedures:

1. Following the granting of an **Adoption Order**, a continuous or voluntary custody order is no longer in effect. The adoptive parent(s) has the right to make all decisions regarding the child.

2. Following the granting of an **Adoption Order**, the adoptive parent shall be provided with **two** (2) certified copies of the **Adoption Order** with the child's birth name removed as per the **Finalization** policy.

3. A Manager shall notify in writing an Indigenous Representative of the appropriate Indigenous Government or Organization of the adoption as soon as practicable after the Manager receives the certified copy.

4. The social worker shall advise the adoptive parent(s) that:

   a) the parental rights of the birth parent ceases to exist where an **Adoption Order** is granted;
   b) where an **Openness Order** has been granted, the social worker shall review the conditions of the order with the adoptive parents;
   c) an **Adoption Order** does not affect an interest in property or a right of the adopted child that vested in that child before the date of the **Adoption Order**; and
   d) encourage the adoptive parents to seek legal advice about the effect of adoption and the nature of any interests in property and otherwise that may continue through adoption.

Exceptions: None

Relevant Documents: None

Overview: Intercountry Adoption

Adoption of children from other countries is governed by both the **Adoption Act, 2013** and the requirements of the **Convention On The Protection Of Children And Co-operation In Respect Of Intercountry Adoption** (**Convention**). Newfoundland and Labrador is a signatory to the **Convention**. The province has entrenched the **Convention** into legislation through Section 43 of the Act and as a Schedule to the Act.

Where the Act or another law of the province conflicts with the **Convention**, the **Convention** prevails, ensuring the protection and rights of the child. The **Convention** protects children and their families against the risks of illegal or ill-prepared adoptions abroad. The **Convention** also seeks to ensure that adoptions are completed in the best interest of the child while respecting their fundamental rights and prevent the abduction, sale or traffic of children.

The Act allows for persons to adopt a child from another country where:

1. the laws of the jurisdiction where the child resides have been complied with; and

2. the Provincial Director approves the proposed adoption.

In order for the Provincial Director to approve applicants to adopt Intercountry, the applicants must meet the screening requirements outlined in **Intercountry: Applicant Approval** policy and procedures. The child's country of origin may require additional documentation or assessment. Where required by the child's country of origin, applicants must also engage a Canadian licensed adoption agency to assist with facilitation of the adoption.

When applicants are approved to adopt Intercountry, the Provincial Director will notify the applicants in writing and forward all required documentation to the applicant's licensed adoption agency or country of choice. Applicants are responsible for submitting the required documents related to immigration to Citizenship and Immigration Canada. The final decision to place a child with approved applicants rests with the country of choice.

In order to maintain approval, updates may be required in accordance with **Intercountry: Updates for Approved Applicant** policy and procedures**.**

All child profiles must be forwarded to the Provincial Director. All decisions regarding presentation of the child profile to the prospective adoptive parent(s) is made by the Provincial Director.

Depending on the laws of the child's country of origin, finalization of an Intercountry adoption may occur in this province or in the child's country of origin. If finalization occurred in the child's country of origin the adoptive parents must provide the social worker with a copy of the **Adoption Order** received. Post placement requirements shall be completed in accordance with **Intercountry: Post Placement Period For Adoption Finalized in Child's Country of Origin** policy and procedures.

If finalization occurs in this province a satisfactory period of post placement must occur. The adoptive parents must contact their social worker upon return to the province with their child to commence the post placement and finalization process. Post placement reports shall be completed in accordance with **Intercountry: Post Placement Period For Adoption Finalized in Province** policy and procedures. Finalization of the adoption shall occur in accordance with **Intercountry: Finalization in Province** policy and procedures.

Intercountry: Applicant Approval

Policy no.: 8.2
Effective Date: June 30, 2014
Date Revised: March 22, 2018, October 28, 2022, September 19, 2024
Policy Cross References: Applicant Approval
Legislative References: s. 11 Placement of child**; s.13** Approval of prospective adoptive parent**; s.42** Approval of Provincial Director

Purpose: To outline the requirements and process for assessing and approving Intercountry adoptive applicants.

Policy:

1. All Intercountry applicants must meet the requirements outlined in **Applicant Approval** policy and procedures.

2. The Provincial Director is the Central Authority for Intercountry adoptions. All Intercountry adoptions must be approved by the Provincial Director.

3. All persons adopting Intercountry must meet the requirements of Citizenship and Immigration Canada.

Procedures:

Application and Screening

1. All persons interested in adopting a child from another country must meet the application and screening requirements outlined in **Applicant Approval** policy and procedures.

2. Applications will not be accepted from individuals who have an active protective intervention file; have been charged with or convicted of a child-related criminal offence; have stated that physical discipline will be used with a child; or had a child removed from their care.

3. During the initial intake call, or when an **Application for Assessment to Adopt** has been submitted, the social worker shall discuss the following with the prospective adoptive applicant(s):

   a) the application process including the anticipated wait times for processing the application;
   b) the adoption process including **PRIDE** and the supporting documentation required for the assessment. Any questions the applicant(s) may have regarding the adoption process and/or adoption issues should be addressed;
   c) whether the applicant's country of choice is open for Intercountry adoption;
   d) whether the applicant(s) meets the requirements of the country of choice;
   e) that the selection of an Intercountry adoption agency is the sole responsibility of the adoptive applicant;

f) motivation for applying to adopt Intercountry;
g) applicant's views of adopting a child of a different racial/cultural background, a child with special needs and their understanding of this. Explore in detail the type of special needs a family is willing to consider. Clearly document their willingness to accept a child who has a history of pre-natal alcohol/drug exposure, given it may be several years before these issues arise or a diagnosis made;
h) applicant's understanding that there may be limited or no medical or social history available on a child from another country;
i) disruption to birth order where an applicant is applying for a child older than their birth child(ren); and
j) that an applicant applying for an Intercountry adoption must have Canadian citizenship or permanent residency, so that the child can reside permanently in Canada. In cases where two applicants are applying jointly for an Intercountry adoption, only one applicant has to meet this requirement, unless the country of choice requires that both applicants have Canadian citizenship or permanent residency.

4. The applicant's country of choice must be identified on the **Adoption Questionnaire** form**.** Any request for a change of country of choice must be made, in writing, by the applicant(s) to the social worker.

5. Where required by the child's country of origin, applicants must engage an agency that is licensed to facilitate an Intercountry adoption from the country they have chosen. As there are no such agencies currently operating in this province, applicants must use the services of an Intercountry adoption agency that is licensed in Canada to facilitate adoptions from the applicant's country of choice. The selection of an Intercountry adoption agency and all associated costs is the sole responsibility of the adoptive applicant.

6. Adoptive applicants shall be advised by a social worker that they must complete a post placement period that meets the requirements of this province and those of the country from which the child is being adopted. The applicant shall be responsible for costs associated with the completion of post placement reports that are beyond the requirements of the Department.

7. Where Intercountry adoptions are finalized in the child's country of origin, the adoptive parent(s) shall be advised, by the social worker, that it is necessary to respect the post placement requirements of the child's country of origin. Failure to comply with the child's country of origin's post placement period procedures could result in the suspension of future adoptions from that country.

8. All Intercountry adoptive applicants must contact Citizenship and Immigration Canada regarding bringing a child into Canada. Information related to the immigration or citizenship process can only be provided by Citizenship and Immigration Canada. Adoptive applicants may be referred to http://www.cic.gc.ca/english/immigrate/adoption/index.asp

9. Following assessment of the application information, the social worker shall make a recommendation to a supervisor regarding acceptance of the application. Where accepted by the supervisor, the original application and a letter recommending processing of the application shall be forwarded to the Provincial Director by a supervisor with a copy to the Manager.

10. The final decision regarding processing of an Intercountry adoption application rests with the Provincial Director. The Provincial Director shall make a written request for processing to the supervisor with a copy to the Manager.

11. If the application is not accepted, the social worker shall meet with the family in a timely manner to discuss the reasons for the decision. The applicant(s) should also be advised of the decision, in writing, by the supervisor as soon as possible after the meeting with the social worker. Following this, the file shall be closed by a supervisor.

12. The final decision regarding the applicant's country of choice shall be made by the Provincial Director.

13. Processing of an application may be deferred for up to **one year** by a supervisor using criteria in **Applicant Approval** policy and procedures**.** In exceptional cases, the Provincial Director may approve a deferral for more than one year.

14. The prospective adoptive applicant(s) shall be advised in writing by a supervisor of the approval of the deferral. A copy of the recommendation and approval shall be forwarded to the Manager and Provincial Director.

15. Only one application for one country will be accepted at any given time.

Assessment Process

16. All Intercountry adoptive applicants must be assessed in accordance with **Applicant Approval** policy and procedures and the following factors shall also be considered:

    a) views regarding parenting a child from a different racial/cultural background;
    b) knowledge of the child's country of origin and how the prospective adoptive parent(s) plans to meet the child's cultural needs and heritage;
    c) understanding of possible lack of social and medical history of the child and potential risks;
    d) plan regarding completion of required post placement reports; and
    e) identification of a guardian for the child in the event of incapacitation or death of the adoptive parent(s).

17. Following a request for processing, the social worker shall meet with the applicants to complete the **Affidavit to Update Adoption Application** attesting to the information contained in the application.

18. A social worker shall ensure the following documentation is obtained in **Applicant Approval** policy and procedures as part of the approval process:

    a) **Application for Assessment to Adopt** and **Adoption Questionnaire**;
    b) **Affidavit to Update Adoption Application;**
    c) **Application for a Child Protection Clearance Check** (for all persons residing in the home age 16 years and older)**;**
    d) **Checklist for Child Protection Clearance Check** (for all persons residing in the home age 16 years and older);
    e) **Child Protection Clearance Check Affidavit** (where required);
    f) Criminal Record Checks (for all persons residing in the home age 12 and older)**;**

g) **Physician's Report on Adoptive Applicant.** If the applicant(s) is currently involved or has had prior involvement with a therapist/counsellor or other mental health professional, the social worker shall obtain, with the consent of the applicant(s), a professional opinion from the therapist/counsellor as to the progress of the counselling and whether or not the identified issues would affect the ability of the applicant(s) to parent a child. If this information is not available, the social worker must clearly outline attempts to obtain the information. Where it cannot be obtained, consultation with a program supervisor to discuss the impact of that on the assessment process is required;

h) All children or other adults living in the home must be examined by a physician or other qualified health professional. A letter outlining their general health and any significant findings or concerns is required;

i) 4 **Letter of Reference** forms**;**

j) **Adoptive Parent(s) Budget Analysis;**

k) Home Safety Check;

l) Birth Certificate(s); and

m) written confirmation from a licensed Intercountry adoption agency indicating their commitment in representing the adoptive applicant(s) in the Intercountry adoption process (where required). The social worker shall ensure all child protection record checks and criminal record checks include a check in the applicant's previous names including maiden name. The social worker shall ensure accurate spelling of the applicant(s) name and date of birth as indicated on their birth certificate.

19. The adoptive applicant(s) shall provide any other documentation required by their licensed Intercountry adoption agency or country of choice.

Approval

20. Intercountry adoptive applicants must meet the requirements for approval in **Applicant Approval** policy and procedures.

21. All applicants must demonstrate in the assessment process that they can meet the five PRIDE competencies.

22. The social worker shall submit the **PRIDE Adoption Assessment – Final Approval** or **Home Assessment Guide for Applicants Who Have Previously Adopted** form and the supporting documentation, with a recommendation regarding approval, to the supervisor.

23. **CHECKLIST: Intercountry - Applicant Approval** outlining the documents required must be completed**.**

24. The supervisor shall forward the documentation, with a recommendation regarding approval, to the Provincial Director with a copy to the Manager.

25. The final decision regarding approval shall be made by the Provincial Director. The adoptive applicant(s) shall only be approved when all documentation submitted is no more than **one year** old from date of approval. Approval **shall not** be granted if any person residing in the home has been charged with or convicted of a crime against children or if the family is currently involved in a protective intervention program.

26. The Provincial Director shall advise the applicant(s), in writing, of the approval decision with a copy to the supervisor and Manager. Once approved and signed by the Provincial Director, the social worker may provide the applicant(s) with a copy of the home assessment.

27. If the applicant(s) is not approved, the social worker shall meet with the family in a timely manner to discuss the reasons for the decision. The Provincial Director shall notify the applicants, in writing, of the decision.

Exceptions: Dependent on country requirements

Relevant Documents:

- **Application for Assessment to Adopt**
- **Adoption Questionnaire**
- **Affidavit to Update Adoption Application**
- **Letter of Reference** forms
- **Application for a Child Protection Clearance Check**
- **Checklist for a Child Protection Clearance Check**
- **Child Protection Clearance Check Affidavit (if required)**
- **Physician's Report on Adoptive Applicants**
- **Adoptive Parent(s) Budget Analysis**
- **PRIDE Adoption Assessment – Final Approval**
- **Home Assessment for Applicants Who Have Previously Adopted**
- **CHECKLIST: Intercountry-Applicant Approval**

Intercountry: Approved Applicants Waiting Placement

Policy no.: 8.3
Effective Date: June 30, 2014
Date Revised:
Policy Cross References: Applicant Approval; Intercountry: Child Proposal and Placement
Legislative References: s.13 Approval of prospective adoptive parent; **s.14** Matching by Provincial Director **s.42,** Approval of Provincial Director

Purpose: To outline the requirements following the approval of Intercountry adoptive applicants prior to the placement of a child.

Policy:

1. Approved Intercountry adoptive applicants shall submit an application to, and meet the requirements of, Citizenship and Immigration Canada.

2 Once approved, the Provincial Director is responsible for forwarding Intercountry adoption assessments and supporting documents to the applicant's licensed Intercountry adoption agency or country of choice.

Procedures:

1. Approved Intercountry adoptive applicants must submit an application to Citizenship and Immigration Canada in order to bring a child into Canada.

2. Citizenship and Immigration Canada requires that adoptive applicants consult directly with Citizenship and Immigration Canada officials.

3. Where adoptive applicants are using a licensed Intercountry adoption agency, the Provincial Director shall forward the adoption assessment, supporting documents and a Letter of Approval to Adopt to the agency.

4. The licensed Intercountry adoption agency shall prepare and notarize the adoption package in accordance with the country's requirements and return it to the Provincial Director.

5. When the notarized adoption assessment and supporting documents are returned to the Provincial Director, the notarized adoption package shall be forwarded to the adoptive applicant's country of choice.

6. Where the adoptive applicant's country of choice only deals with the provincial Central Authority, the adoptive applicant(s) shall arrange to have their approved adoption assessment notarized in the province of Newfoundland and Labrador and returned to the Provincial Director. Associated costs are the responsibility of the adoptive applicant.

7. When the notarized adoption assessment and supporting documents are returned to the Provincial Director, the notarized adoption package and a Letter of Approval to Adopt shall be forwarded to the adoptive applicant's country of choice by the Provincial Director.

8. The adoptive applicant's country of choice shall make the final decision regarding acceptance of the approved adoption assessment.

9. If the country of choice does not accept the approved applicant's adoption assessment, the Provincial Director shall notify the applicant(s) of the decision, in writing, with a copy to the supervisor and Manager.

10. The country of choice shall make the decision to propose a child for adoption. The child's proposal shall be forwarded to the Provincial Director for consideration of presentation to the approved adoptive applicant(s).

11. The final decision regarding the presentation of a child proposal rests with the Provincial Director.

Exceptions: Dependent on country requirements.

Relevant Documents: None

Intercountry: Updates for Approved Applicants

Policy no.: 8.4
Effective Date: June 30, 2014
Date Revised: March 22, 2018, October 28, 2022
Policy Cross References: Applicant Approval, Updates for Approved Applicants
Legislative References: s.13 Approval of prospective adoptive parents

Purpose: To outline the requirements for continued approval of an Intercountry adoption application.

Policy:

1. The approval of Intercountry adoption applicants shall be reviewed **two years** following the date of approval. A re-approval is valid for **two years.**

2. All updates shall be requested by the Provincial Director.

3. A social worker shall request updated medicals, references, **Child Protection Clearance Checks**, and criminal record checks as part of an update. Additional supporting documentation may also be requested.

4. The continued approval of Intercountry adoptive applicants may be required at more frequent intervals depending on the country of choice.

Procedures:

1. Updates for approved Intercountry applicants must be in accordance with **Updates for Approved Applicants** policy and procedures and requirements of the applicant's country of choice.

2. The social worker shall interview all persons residing in the applicant's home as part of the continued approval update. A home visit and home safety check may be completed as part of the update process, where deemed appropriate.

3. The social worker must complete the **PRIDE Adoption Assessment – Update/ Subsequent Approval** form with a recommendation advising of any changes or significant events within the family since completion of their previous assessment. This review shall include the following:

   a) names and relationship of individuals residing in the home;
   b) any change to family composition;
   c) any change of residence and/or employment;
   d) continued financial ability to provide care to a child;
   e) the applicant's continued ability to meet the five competencies of **PRIDE;**
   f) any concerns with the applicant's ability to provide care to a child and how these concerns have been resolved; and
   g) a recommendation regarding continued approval of the applicant(s)

4. Where an approved Intercountry applicant(s) has experienced a significant event during the past **one year** a recommendation to defer placement of a child for **one year** should occur. A significant event may include, but is not limited to, a major illness; death of a child, spouse or close relative; recent separation and /or divorce; commencement of a relationship/marriage/family unit; birth or placement of a child, miscarriage, etc. The purpose of deferment is to allow the family time to cope with and adjust to their new situation. An applicant(s) may also request to defer their update to a maximum of **one year**.

5. Where a social worker makes a recommendation to defer an update the reasons for the deferral must be outlined, in writing, to the supervisor. The supervisor shall forward their recommendation regarding the deferral to the Provincial Director.

6. All Intercountry deferrals must be approved by the Provincial Director. The Provincial Director will provide written confirmation of the deferral to the applicant(s) with a copy to the supervisor and Manager. Following the **one year** deferral a decision shall be made by the Provincial Director to process the update or close the file.

7. The social worker shall ensure the following documentation is obtained in accordance with **Applicant Approval** policy and procedures as an update to an approved Intercountry adoption assessment:

   a) **Application for a Child Protection Clearance Check** (for all persons residing in the home age 16 years and older)**;**
   b) **Checklist for Child Protection Clearance Check** (for all persons residing in the home age 16 years and older);
   c) **Child Protection Clearance Check Affidavit** (where required);
   d) Criminal Record Checks (for all persons residing in the home age 12 and older)**;**
   e) **Physician's Report on Adoptive Applicant;**
      (to be completed by a physician or qualified health practitioner). If the applicant(s) is currently receiving services from a mental health professional, the social worker shall obtain, with the consent of the applicant(s), a professional opinion from the mental health professional as to the progress of the counselling and whether or not the identified issues would affect the ability of the applicant(s) to parent a child. If this information is not available, the social worker must clearly outline attempts to obtain the information. Where it cannot be obtained, consultation with a program supervisor to discuss the impact of that on the assessment process is required.
   f) All children or other adults living in the home must be examined by a physician or other qualified health professional. A letter outlining their general health and any significant findings or concerns is required.
   g) 4 **Letters of Reference** forms**;**
   h) **Adoptive Parent(s) Budget Analysis:**
   i) Home Safety Check;
   j) Birth Certificate(s);
   k) written confirmation from a licensed Intercountry adoption agency indicating their commitment in representing the adoptive applicant(s) in the Intercountry adoption process (where required).

8. The social worker shall ensure all child protection record checks and criminal record checks include a check in the applicant's previous names including maiden name. The social worker shall ensure accurate spelling of the applicant(s) name and date of birth as indicated on their birth certificate.

9. If concerns arise during the update, the social worker may request that any supporting documentation outlined in **Applicant Approval** policy and procedures be updated. Additional documentation may be necessary to assist the social worker in compiling a thorough review of the adoptive applicant's strengths and needs and may help to identify issues impacting on their continued ability to provide care to a child.

9. The social worker shall submit the **PRIDE Adoption Assessment – Update/Subsequent Approval** form and supporting documentation to the supervisor with a recommendation as to whether the applicant(s) should receive continued approval.

10. The supervisor shall forward the **PRIDE Adoption Assessment – Update/ Subsequent Approval** form and supporting documents with a recommendation to the Provincial Director with a copy of the letter regarding the recommendation to the Manager.

11. The final decision regarding continued approval shall be made by the Provincial Director. Approval **shall not** be granted if any person residing in the home has been charged with or convicted of a crime against children or if the family is currently involved in a protective intervention program.

12. If continued approval is granted the adoptive applicant(s) shall be notified, in writing, by the Provincial Director with a copy to the supervisor and Manager. Once approved and signed by the provincial director, the social worker may provide the applicant with a copy of the PRIDE adoption assessment – update/subsequent approval form.

13. A letter indicating continued approval of the adoptive applicant(s) and any documents required by the country of choice shall be forwarded to the adoptive applicant's licensed Intercountry adoption agency or country of choice, by the Provincial Director.

14. If the applicant(s) is not approved, the social worker shall meet with the family in a timely manner to discuss the reasons for the decision. The applicant(s) shall be advised, in writing, by the Provincial Director, as soon as possible following the meeting. A copy shall be forwarded to the supervisor, Manager and the applicant's licensed Intercountry adoption agency or country of choice.

15. **CHECKLIST: Updates for Approved Applicant(s)** outlining the documents required must be completed**.**

Exceptions: Dependent on country requirements.

Relevant Documents:

- **Letter of Reference forms**
- **Application for a Child Protection Clearance Check**
- **Checklist for a Child Protection Clearance Check**
- **Child Protection Clearance Affidavit (where required)**
- **PRIDE Adoption Assessment – Update/Subsequent Approval**
- **Physician's Report on Adoptive Applicant(s)**
- **CHECKLIST: Updates for Approved Applicant(s)**

Intercountry: Child Proposal

Policy no.: 8.5
Effective Date: June 30, 2014
Date Revised:
Policy Cross References: Information Provided to Adoptive Applicants
Legislative References: s.14, Matching by Provincial Director**; s.15** Child's history**;**

Purpose: To outline the process for presenting an Intercountry child proposal to prospective adoptive parents.

Policy:

1. All child profiles must be received by the Provincial Director.

2. The social worker shall ensure that a prospective adoptive parent is provided with all available information on the medical and social history of the child prior to placement of the child.

3. If the child profile is accepted by the prospective adoptive applicant(s), the Provincial Director shall prepare a Letter of Acceptance for the child's country of origin.

Procedures: Child Proposal

1. After reviewing the adoptive applicant's assessment regarding their preferred child criteria, the Provincial Director shall make a decision regarding presentation of the proposed child to the adoptive applicants.

2. Before presenting the child's profile, the Provincial Director **must** have received, from the Case Processing Centre, Citizenship and Immigration Canada, a request for a letter indicating whether there is any objection to the proposed adoption.

3. If information received on a child proposed for adoption is deemed insufficient, the Provincial Director shall contact the adoptive applicant's licensed Intercountry adoption agency or country of choice in an attempt to gain additional information. The Provincial Director may also consult with medical professionals regarding medical/developmental information provided on the child.

4. Once the child proposal is accepted by the Provincial Director, it is forwarded to the social worker for presentation to the prospective adoptive parent(s).

5. The social worker shall encourage the adoptive applicant(s) to discuss any risk factors and/or medical or genetic concerns of the proposed child with their medical practitioner and/or other specialists prior to their acceptance of the child. Professionals familiar with medical and social issues in the child's country of origin and the impacts of these issues on child development may be able to assist adoptive applicants in making an informed decision regarding acceptance of the child.

Non-Acceptance of the Child

6. Where the prospective adoptive parent(s) make the decision not to accept the child, all information, including the photos and the child's information **must** be returned to the Provincial Director.

7. The social worker shall complete a written report outlining the reasons why the child was declined by the adoptive applicant(s) within **thirty days** following the presentation of the child and forward to the Provincial Director through the supervisor.

8. Where the child is not accepted by the adoptive applicant(s), the social worker shall have the adoptive applicant(s) sign an **Acceptance/Non-Acceptance of a Proposed Adoption** and any designated form required by the child's country of origin and forward it to the Provincial Director through the supervisor. The Provincial Director shall inform the adoptive applicant's licensed Intercountry adoption agency or country of choice of the decision not to accept the child.

Acceptance of the Child

9. Where the prospective adoptive parent(s) makes the decision to accept the child, they must sign the **Adoptive Parents' Acknowledgement of In**form**ation Provided** and the **Acceptance/Non Acceptance of A Proposed Adoption.** These original forms shall be forwarded to the Provincial Director with a copy to the supervisor and Manager. In addition, the child's country of origin may request the signing of a form from its jurisdiction.

10. The Provincial Director shall prepare and send a Letter of Acceptance to the applicant's licensed Intercountry adoption agency or country of choice.

11. Where a proposed adoption is occurring in a country which is a signatory to the **Convention On Protection Of Children And Co-operation In Respect Of Intercountry Adoption (Convention),** the Provincial Director prepares and forwards a **Notification of Agreement and Attachment to Notification of Agreement** on behalf of the proposed adoptive parents to Citizenship and Immigration Canada.

12. Where a proposed adoption is occurring in a country which is **not** a signatory to the **Convention** (a Non-Hague country) the Provincial Director prepares and forwards a Letter of No Objection on behalf of the proposed adoptive parents to Citizenship and Immigration Canada.

13. A **Notification of Agreement** and **Attachment to Notification of Agreement** or a **Letter of No Objection cannot** be issued after a child has entered Canada.

Exceptions: None

Relevant Documents:

- **Adoptive Parents Acknowledgement of In**form**ation Provided**
- **Acceptance/Non Acceptance of a Proposed Adoption**
- **Convention On Protection Of Children And Co-Operation In Respect Of Intercountry Adoption**

Intercountry: Child Placement

Policy no.: 8.6
Effective Date: June 30, 2014
Date Revised: March 22, 2018, October 28, 2022
Policy Cross References: Intercountry Adoption: Post Placement Period
Legislative References: s.11 Placement of a child**; s.12(1)(b)(c)(d),** Child's eligibility for placement

Purpose: To outline the procedures for placement of a child in an Intercountry adoption.

Policy:

1. A social worker must meet with the prospective adoptive parent(s) and child within **seven days** of their return to the province with the child.

2. The social worker shall complete a **Notification of Adoption Placement** immediately upon the prospective adoptive parent's return to the province with the child.

3. The social worker shall review the post placement period requirements with the prospective adoptive parent(s) upon their return to the province with the child.

Procedures:

1. A child may be placed with prospective adoptive parents only after they have reviewed all available information concerning the child.

2. The adoptive parent(s) shall notify the social worker immediately upon their return to the province with the child.

3. The social worker shall ensure that the prospective adoptive parents have been advised and understand the requirements of the post placement period outlined in **Intercountry: Post Placement Period where Adoption is Finalized in Province** or **Intercountry: Post Placement Period where Adoption is Finalized in Child's Country of Origin** policy and procedures.

4. The social worker shall meet with the adoptive parent(s) and child within **seven days** of the family's return to the province. The social worker shall talk with the child, where age and developmentally appropriate, in private, to assess the progress of the placement. Factors to consider are:
   a) whether the child appears to be adjusting to the family;
   b) whether the adoptive parent(s) and any other children in the home appear to be adjusting to the placement;
   c) whether an attachment between the adoptive parent(s) and the child appears to be developing;
   d) whether the family has managed dealing with any concerns or issues that may have occurred;

e) whether the family requires any additional supports to assist with the adjustment period.

5. The social worker shall complete a **Notification of Adoption Placement** and forward it to the Provincial Director immediately following the family's return to the province. A copy shall be forwarded to the supervisor and Manager.

6. The social worker must advise the adoptive parent(s) that they are responsible to register the child with MCP in the child's adoptive name. A letter from the social worker will suffice for MCP to issue a card. A sample letter is contained in ISM. See policy 5.4 in **Placement of Children for Adoption** where a change in the child's name is being considered following placement.

7. The social worker must advise the adoptive parent(s) that they may apply for the Child Tax Benefit and/or other child benefits where eligible following placement.

8. Please refer to **Intercountry: Post P lacement Period Where Adoption is Finalized in Province** or **Intercountry: Post Adoption Period Where Adoption Is Finalized In Child's Country of Origin** policy and procedures for additional information.

9. **CHECKLIST: Intercountry – Placement of Children** outlining the documents required must be completed**.**

Exceptions: None

Relevant Documents:

- **Notification of Adoption Placement**
- **Sample MCP Letter**
- **CHECKLIST: Intercountry – Placement of Children**

Intercountry Post Placement Period Where Adoption is Finalized in Province

Policy no.: 8.7
Effective Date: June 30, 2014
Date Revised: March 22, 2018, October 28, 2022
Policy Cross Reference: Intercountry Adoption: Child Placement; Post Placement Period; Intercountry Adoption Finalization in Province
Legislative References: s.27(3) Who may apply to court

Purpose: To outline procedures to be followed during the post placement period for children whose Intercountry adoption is to be finalized in this province.

Policy:

1. For all Intercountry adoptions being finalized in this province, the post placement period requirements in **Post Placement Period** policy and procedures shall be followed.

2. In cases where the child's country of origin requests post placement reports be completed at time intervals different than those in **Post Placement Period** policy and procedures, the approval of the Provincial Director is required.

Procedures:

1. Depending on the requirements of the child's country of origin, an Intercountry adoption can be finalized either in this province or the child's country of origin.

2. Where an Intercountry adoption is being finalized in this province **Post Placement Period** policy and procedures shall apply.

3. Where an alternate post placement reporting schedule has been approved, the Provincial Director shall notify the supervisor, with a copy to the Manager, of the approval and the expectations for the submission of a **Post Placement Report** form.

4. The social worker shall forward the **Post Placement Report** form to the supervisor for review.

5. Following review by the supervisor, the report shall be forwarded to the provincial director. Approval of the **Post Placement Report** form is the responsibility of the Provincial Director.

6. At the end of the post placement period, the social worker **must** complete a written recommendation regarding whether the placement should be finalized in court or a request for an extension of the post placement period should occur. Refer to **Intercountry: Finalization in Province** policy and procedures for information regarding finalizing of an adoption placement in court.

7. In cases where an Intercountry adoption will be finalized in this province and a social worker has concerns with the continuation of the adoption placement, a request to extend the post placement period may be made to the Provincial Director. A post placement period may be extended for a maximum of **three additional months** if necessary. Following that time, a decision must be reached regarding the suitability of the placement. In cases where an extension is being recommended, the social worker shall include in the recommendation:

   a) an assessment of the issue(s);
   b) a plan for resolving the issue(s);
   c) the child's views and wishes regarding the placement, where age and developmentally appropriate.

8. Where a **three month** extension has been granted by the Provincial Director, it is not always necessary to wait the full **three months** to make a recommendation regarding the placement and finalization.

9. In cases where a decision has been made to end the adoption placement, refer to **Intercountry: Placement Disruption** policy and procedures.

10. Following receipt of the final **Post Placement Report** and recommendation, the Provincial Director must approve the recommendation to finalize or discontinue an adoption placement.

11. Where a decision is made to finalize the adoption, refer to **Intercountry: Finalization in Province** policy and procedures.

12. The Provincial Director shall forward copies of all **Post Placement Reports** to the applicant's licensed Intercountry adoption agency or child's country of origin.

Exceptions: Dependent on country requirements.

Relevant Documents:

- **Post Placement Report**

Intercountry: Post Adoption Period where Adoption is Finalized in Child's Country of Origin

Policy no.: 8.8
Effective Date: June 30, 2014
Date Revised: March 22, 2018
Policy Cross Reference:
Legislative References:

Purpose: To outline the post adoption procedures to be followed where an Intercountry adoption was finalized in the child's country of origin.

Policy:

1. For all Intercountry adoptions finalized in the child's country of origin, post adoption requirements shall be the responsibility of the adoptive parent(s).

2. Where a child's country of origin requires that post adoption reports **must** be completed by a social worker with the Department, approval **must** be given by the Provincial Director.

Procedures:

1. For all Intercountry adoptions finalized in the child's country of origin, the post adoption period shall be completed in accordance with the requirements of the child's country of origin and is the responsibility of the adoptive parent(s).

2. Where a child's country of origin requires that post adoption reports **must** be completed by a social worker with the Department, approval **must** be given by the Provincial Director. Only in exceptional circumstance will approval be given for the completion of more than three post placement reports.

3. Where the adoptive parent(s) has contracted with a licensed Intercountry adoption agency, the social worker shall advise them to discuss post adoption requirements with that agency to determine what will be required for the completion of the report.

4. Where the child's country of origin did not require the use of a licensed Intercountry adoption agency, the Provincial Director shall advise the social worker of the post adoption requirements.

5. The social worker shall complete a written post adoption report using the template provided by the licensed Intercountry adoption agency or child's country of origin. When no template is provided, the social worker may use the **Post Placement Report** form outlined in **Post Placement Period** policy and procedures. The report shall be forwarded to the supervisor for review.

6. Following review by the supervisor, the adoptive family shall sign the post adoption report. All original post adoption reports shall be forwarded to the Provincial Director by the supervisor.

7. The Provincial Director shall forward copies of the reports to the applicant's licensed Intercountry adoption agency or child's country of origin.

8. In cases where an Intercountry adoption was finalized in the child's country of origin and child protection concerns arise during the post adoption period, a social worker shall assess the information received under s.12(1) of the **Children, Youth and Families Act** to determine whether a protection investigation is required. If a protection investigation is required the standards set out in the **Risk Management System** shall be followed. Where a protection investigation results in a removal, the Provincial Director must be notified.

Exceptions:

Dependent on country requirements.

Relevant Documents:

- **Post Placement Report**

Intercountry: Finalization in Province

Policy no.: 8.9
Effective Date: June 30, 2014
Date Revised: March 22, 2018; October 28, 2022
Policy Cross Reference: Finalization
Legislative References: s.27 Who may apply to court; **s.28** Required documents; **s.35 Adoption Order**.

Purpose: To outline the procedures to be followed at the end of the post placement period in order to finalize an Intercountry adoption in this province.

Policy:

1. A social worker must make a written recommendation regarding finalization following the post placement period.

2. The child must have lived with the applicant for at least **six months** prior to applying to the court for an **Adoption Order**.

Procedures:

1. Following the post placement period, the social worker shall complete a written recommendation regarding whether the adoption placement should be finalized. All recommendations shall be included in the completion of the final **Post Placement Report**. The supervisor shall forward the report, with a recommendation, to the Provincial Director with a copy to the Manager.

2. All recommendations regarding finalization **must** be approved by the Provincial Director.

3 Where the social worker is recommending finalization of the adoption, an **Application for Adoption Order must** be completed and accompany the final report. The **Adoption Order** will include the child's new name and the adoptive parent's name(s) as reflected on the **Application for Adoption Order**. This information will be included on the child's Certificate of Birth Particulars issued by Vital Statistics, therefore, it is important to ensure accurate information (i.e. spelling of names) on the **Application for Adoption Order.** The child's birth surname should **not** appear on the **Application for Adoption Order** unless the child is maintaining their birth surname following finalization. The adoptive mother's maiden name (if applicable) should also be stated on the **Application for Adoption Order** for inclusion on the child's Certificate of Birth Particulars.

4. A social worker must obtain a **Consent of Child** to adoption for all children 12 years of age or older prior to proceeding with finalization. All children 12 years of age or older should also be counselled on the effects of adoption and a written report regarding the child's views and wishes should be submitted**.**

5. A child 12 years of age or older who has consented to their adoption may revoke their consent **at any time** before an **Adoption Order** is made by notifying the social worker verbally or in writing. A social worker must obtain a revocation of consent by having the child complete the **Child's Revocation of Consent to Adoption.** Following the revoking of consent, the social worker must notify the supervisor and Provincial Director, in writing, of the child's decision with a copy to the Manager.

6. A social worker must complete an **Affidavit Re: Counselling Child Under Age 12 on Change of Name and Effects of Adoption** for all children age 5 years or older and under age 12 years being proposed for adoption.

7. A social worker must complete an **Affidavit Re: Counselling Child Age 12 or Older on Change of Name and Effects of Adoption** for all children age 12 years or older being proposed for adoption.

8 A social worker must complete a **Cultural Connection Plan** form for an Indigenous child being proposed for adoption with the information available from the child's country of origin or any other applicable sources.

9. Where a child placed for adoption turns 5 years of age prior to proceeding to finalization, a social worker must complete the **Views and Wishes Report** and **Affidavit RE: Counselling Child Under Age 12 on Change of Name and Effects of Adoption.**

10. Following a decision by the Provincial Director that the adoption will proceed to finalization, the Provincial Director shall prepare and forward a **Provincial Director's Certificate** and all original or certified documentation required for finalization to the supervisor for presentation to court.

11. Once all required documentation has been obtained, the social worker shall ensure that the documents that support the adoption are filed with the court at minimum **two days** prior to the hearing. A copy of all documents submitted to the court must be retained for the file.

12. When a court date for finalization is obtained, the social worker must immediately advise the adoptive parent(s).

13. Following review of the information by the court, a judge may request the Provincial Director, Manager, social worker or adoption agency to inquire into a matter related to the **Application for Adoption Order**. The report back to the court will be completed in a manner specified by the court.

14. The social worker must be present for the court hearing along with the adoptive parent(s).

15. When an **Adoption Order** is granted, the court will forward a certified copy of the **Adoption Order** to the Provincial Director and **two certified copies** to the Registrar of Vital Statistics. The certified copy received by the Provincial Director will be sealed and vaulted in the adoptions file.

16. When an **Adoption Order** is granted, the adoptive parents shall be notified that the Provincial Director will provide them with **two certified copies** of the **Adoption Order** once received from the court. The Provincial Director shall notify the adoptive parent(s), in writing, that these documents should be kept in a secure location as they may be needed in the future for information purposes. Obtaining additional certified copies of the order may be difficult as the documents are sealed with the court and vaulted with the adoption program.

16. Vital Statistics does not issue birth certificates for children whose Intercountry adoptions are finalized in this province.

17. Following the granting of an **Adoption Order**, the social worker must ensure that all files related to the adoption in the region (i.e. the adoption file), including a copy of all of the documents that were prepared and presented to the court for finalization of the adoption, are forwarded to the Provincial Director for vaulting.

18. The Provincial Director shall forward a certified copy of the **Adoption Order** and the **Certificate of Conformity** to the child's country of origin.

19. When an **Adoption Order** is granted in respect to an Indigenous child, the Provincial Director will request that the child's country of origin notify in writing the appropriate Indigenous government or organization of the child after the certified copy of the order is received.

Exceptions: None

Relevant Documents:

- **Application for Adoption Order**
- **Provincial Director's Certificate**
- **Adoption Order**
- **Consent of Child**
- **Affidavit Re: Counseling Child Under Age 12 on Change of Name and Effects of Adoption**
- **Affidavit Re: Counseling Child Age 12 and Older on Change of Name and Effects of Adoption**
- **Child's Revocation on Consent to Adoption**
- **Cultural Connection Plan**
- **Cultural Connection Plan for an Innu Child**
- **Post Placement Report**

Intercountry: Finalized in Child's Country of Origin

Policy no.: 8.10
Effective Date: June 30, 2014
Date Revised: n/a
Policy Cross Reference:
Legislative References: s.41 Status of person adopted in another province or country

Purpose: To outline the process where an Intercountry adoption has been finalized in the child's country of origin.

Policy:

1. Where an Intercountry adoption is finalized in the child's country of origin the adoptive parent(s) shall provide the social worker with a copy of the **Adoption Order**.

2. Where a **Certificate of Conformity** has been issued by the child's country of origin, the adoptive parent(s) shall provide a copy to the social worker.

Procedures:

1. Where an adoption is finalized in the child's country of origin the adoptive parent(s) must contact the social worker and provide them with a copy of the **Adoption Order** received in the child's country of origin immediately upon return to the province with their child.

2. The social worker shall forward a copy of the **Adoption Order** to the Provincial Director.

3. If the country which granted the adoption is a signatory to the **Convention,** it is also responsible for issuing the **Certificate of Conformity** required under Article 23 of the **Convention** which verifies the adoption was completed in compliance with the **Convention.**

4. Information related to the **Convention** can be found as a **Schedule** to the **Adoption Act, 2013.**

5. Where a **Certificate of Conformity** has been issued by the child's country of origin, the adoptive parent(s) shall provide a copy to the social worker upon return to the province with their child.

6. The social worker shall forward a copy of the **Certificate of Conformity** to the Provincial Director.

7. Where the child's country of origin forwards the **Certificate of Conformity** directly to the Provincial Director, a copy shall be forwarded to the adoptive parent(s) by the Provincial Director.

8. Where the Department has no involvement with the post adoption period and following receipt of the **Adoption Order** and the **Certificate of Conformity** (where applicable), the social worker must ensure that all records related to the adoption in the region are forwarded to the Provincial Director for vaulting.

Exceptions: None

Relevant Documents:

- **Convention On Protection Of Children And Co-Operation In Respect Of Intercountry Adoption**

Intercountry: Conversion of Adoption

Policy no.: 8.11
Effective Date: June 30, 2014
Date Revised: March 22, 2018, October 28, 2022
Policy Cross Reference: Intercountry Adoption: Finalization in Province
Legislative References: **Schedule, s. 43** Convention has force of law; **s.48** Conversion of Adoption

Purpose: To outline the process for converting an adoption that was finalized in the child's country of origin where the adoption did not have the effect of terminating the pre-existing legal parent-child relationship.

Policy:

1. The Provincial Director may assist an adoptive parent in the conversion of an adoption that would terminate any pre-existing legal parent-child relationship.

2. The child must have resided with the applicant(s) for **six months** prior to applying to the court for an **Adoption Order**.

Procedures:

1. There are some countries where, after the granting of an **Adoption Order**, a pre- existing parent-child relationship may not be fully terminated. This is known as a simple adoption. In such situations, the **Convention** allows for an adoptive parent to convert a simple adoption to a full adoption which terminates any pre- existing parent-child relationships. In these cases adoptive parents may proceed with obtaining an **Adoption Order** under the **Adoption Act, 2013** in this province. An **Adoption Order** issued in this province terminates the pre-existing legal parent-child relationship of the birth parent(s) to the child.

2. To have a simple adoption converted to a full adoption through the court, the Provincial Director will request the following documentation:

   a) consents to adoption or proof of these consents;
   b) a certified copy of the **Adoption Order** granted in the child's country of origin;
   c) a **Certificate of Conformity** issued by the child's country of origin pursuant to Article 23(1) of the **Convention**;
   d) the child's birth registration or, if it cannot be obtained, satisfactory evidence of the facts relating to the child's birth;
   e) details of any orders dispensing with consents;
   f) Letter of Approval and/or;
   g) Notification of Agreement; and
   h) any other documents required by the court.

3. Conversion of a simple adoption to a full adoption shall be completed in accordance with **Intercountry: Finalization in Province** policy and procedures.

Exceptions: None

Relevant Documents:

- **Adoption Order**
- **Convention On Protection Of Children And Co-Operation In Respect Of Intercountry Adoption**

Intercountry: Placement Disruption Prior to Finalization

Policy no.: 8.12
Effective Date: June 30, 2014
Date Revised: n/a
Policy Cross Reference: Adoption Disruption; Adoption Investigations
Legislative Reference: s.45 Central authority

Purpose: To outline the process to be followed where consideration is being given to the termination of an Intercountry adoption placement prior to the granting of an **Adoption Order**.

Policy:

1. An Intercountry adoption placement can be terminated at any time **prior** to the granting of an **Adoption Order**.

2. All allegations of maltreatment in an Intercountry adoption placement shall be assessed in accordance with **Adoption Investigations** policy and procedures.

3. The supervisor shall immediately advise the Provincial Director of any significant concerns which could result in a disruption during an Intercountry adoption placement.

4. The Provincial Director shall consult with the child's country of origin in the event of an adoption disruption.

5. The Provincial Director shall notify Citizenship and Immigration Canada in the event of an adoption disruption.

Procedures:

1. All Intercountry adoption disruptions shall be assessed in accordance with **Adoption Disruption** policy and procedures.

2. The supervisor shall immediately notify the Provincial Director of any significant concerns that may result in an adoption disruption during the post placement period.

3. The Provincial Director shall make decisions regarding continued placement of the child in accordance with section 21 of the **Convention**.

4. In cases where the decision is made to continue with the placement, the social worker shall notify the prospective adoptive parent(s), in person, of this decision. If the placement continues, but there is a conditional approval, the prospective adoptive parent(s) shall agree to the conditions as part of the continued approval and the conditions shall be documented in the prospective adoptive parent's file and monitored

as part of the ongoing work with the family. The Provincial Director shall provide written confirmation of the decision outlining the conditions to the prospective adoptive parent(s) as soon as possible after the in person meeting with a copy to the supervisor and Manager.

5. In cases where conditions were outlined, the final Post Placement Report must detail the specifics as to how the issues were resolved. This information must be forwarded to the Provincial Director as per **Intercountry: Post Placement Period Where Adoption is Finalized in Province** policy and procedures.

6. In cases where the decision is made to discontinue the placement, the social worker shall notify the adoptive applicant(s) and the child, where age and developmentally appropriate, in person, of this decision. The Provincial Director shall provide written confirmation of the decision to the adoptive applicant(s) as soon as possible after the in person meeting with a copy to the supervisor and Manager.

7. The Provincial Director shall notify the child's country of origin of any placement disruption that results in termination of an Intercountry adoption placement.

8. In consultation with the child's country of origin, the Provincial Director may arrange another adoption placement for the child. The **Convention** requires that the return of the child to the child's country of origin be considered as a last resort.

9. The Provincial Director shall advise Citizenship and Immigration Canada when a child has left an adoption placement prior to finalization.

10. The Provincial Director shall make a decision regarding continued approval of the adoptive applicant's file.

Exceptions: None

Relevant Documents:

- **Convention On The Protection Of Children And Co-Operation In Respect Of Intercountry Adoption**

Intercountry: Adoption Investigations

Policy no.: 8.13
Effective date: June 30, 2014
Date revised: March 22, 2018
Policy Cross Reference: Adoption Investigations; Intercountry: Adoption Placement Disruption
Legislative reference:

Purpose: To outline the process to be followed for investigating allegations of maltreatment where an Intercountry adoption has **not** been finalized.

Policy:

1. An Intercountry adoption investigation can occur any time **prior** to the granting of an **Adoption Order.**

2. The Provincial Director must be notified immediately by a supervisor of any allegation of maltreatment in an Intercountry adoption placement.

3. **Adoption Investigations** policy and procedures shall be followed for investigating allegations of maltreatment of a child in an Intercountry adoption placement.

Procedures:

1. All Intercountry adoption investigations shall be in accordance with **Adoption Investigations** policy and procedures.

2. The Provincial Director must be notified immediately by the supervisor of any investigations prior to the granting of an **Adoption Order** of a child in an Intercountry adoption placement.

3. Where it has been determined that a child in an Intercountry adoption placement cannot safely remain in that home while the investigation is ongoing, the supervisor must immediately notify the Provincial Director. The Provincial Director shall make decisions regarding temporary placement of the child in accordance with section 21 of the **Convention.**

4. The **Referral on a Placement Resource** form and **Investigation on a Placement Resource** shall be forwarded to the Provincial Director **within forty-five days** of commencement of the investigation with a copy to the Manager.

5. The Provincial Director shall, after reviewing the investigation report and recommendations of the social worker and program supervisors:

   a) consult with the child's country of origin;
   b) make a decision regarding the continuation of the adoption placement;
   c) make a decision regarding the continued approval of the prospective adoptive parent's file.

6. If the prospective adoptive parent's file is not closed but there is a conditional approval, the prospective adoptive parent(s) shall agree to the conditions as part of the continued approval and the conditions shall be documented in the prospective adoptive parent's file and monitored as part of the ongoing work with the family.

7. The social worker shall notify the prospective adoptive parent(s), in person, of the outcome of the investigation and the decision regarding the continued placement of the child and approval of their adoption file. The Provincial Director shall provide written confirmation of the decision and any conditions to the prospective adoptive parent(s) as soon as possible after the in person meeting with a copy to the supervisor and Manager.

8. Where age and developmentally appropriate, the child must be informed, in person, of the outcome of the investigation.

9. If a decision is made to remove the child from the home, the Provincial Director will follow **Intercountry: Placement Disruption** policy and procedures.

10. A copy of the referral and the investigation report must be placed on the prospective adoptive parent's file.

Exceptions:

1. If there are extenuating circumstances that interfere with the completion of an investigation **within the forty-five day** timeframe an extension may be granted with the approval of the Provincial Director. This extension must outline the reason for the extension and the anticipated timeframe for completion.

2. The prospective adoptive parent(s) shall be notified, in writing, of the extension, the rationale for the extension and the new timeframes for completion of the investigation. Exceptions may include, but are not limited to, delays as a result of a police investigation or locating a person(s) who has critical information in relation to the investigation.

Relevant Documents:

- **PRIDE Facilitators Manual**
- **Structured Decision Model (SDM) Manual**
- **Memorandum of Understanding with RNC/RCMP**
- **Working Relationship Agreement**
- **Adoption Order**
- **Convention On The Protection Of Children And Co-Operation In Respect Of Intercountry Adoption**
- **Referral on a Placement Resource**
- **Investigation on a Placement Resource**
- **Alternate Care Provider Safety Assessment tool (ACPSA)**

Overview: Interprovincial Adoption

Newfoundland and Labrador is a signatory to the **Provincial/Territorial Protocol on Children, Youth and Families Moving Between Provinces and Territories**. This protocol provides a framework for consistent, quality services to children being placed for adoption and families adopting children.

In Newfoundland and Labrador the Provincial Director is responsible for all inquiries related to Interprovincial adoptions. The Provincial Director must agree to a plan as it relates to:

- a child being adopted outside the province; or
- a child being brought into the province for adoption.

Children Entering the Province for Adoption

When the Provincial Director is notified by another province that a child has been identified for adoption by a prospective adoptive parent in this province an assessment of the prospective adoptive parent(s) must be completed. After a review of the assessment and supporting documentation, including appropriate consents/court orders, the Provincial Director shall make a decision regarding approval.

All child profiles must be forwarded to the Provincial Director. All decisions regarding presentation of the child profile to the prospective adoptive parents is made by the Provincial Director. The final decision regarding placement of the child is the responsibility of the child's originating province. A satisfactory period of post placement must occur and finalization of an adoption of a child in this province shall be completed in accordance with **Interprovincial: Finalization for Children Entering the Province** policy and procedures.

Children Leaving the Province for the Purpose of Adoption

Where a Manager is recommending the placement of a child outside the province for adoption, the Provincial Director must approve the plan. An adoption home assessment of the prospective adoptive parent(s) shall be requested by the Provincial Director. After review of the approved home assessment and supporting documentation, the Provincial Director shall make a decision regarding placement of the child with the applicant(s).

All child profiles must be forwarded by the Provincial Director to the receiving province for presentation to the prospective adoptive parents. Where the child has been accepted, a satisfactory period of post placement must occur. Finalization of an adoption of a child from this province in another province shall be completed in accordance with **Interprovincial: Finalization for Children Leaving the Province** policy and procedures.

Provincial/Territorial Protocol on Children, Youth and Families Moving Between Provinces and Territories (Adoptions)

Policy no.: 9.2
Effective Date: June 30, 2014
Date Revised: July 12, 2016
Policy Cross References: Legislative References:

Purpose: To outline the process for responding to or for requesting the provision of adoption services to children and families moving between provinces and territories.

Policy:

1. The **Provincial/Territorial Protocol on Children, Youth and Families Moving Between Provinces and Territories** shall be followed where children and/or families are moving between provinces and territories and the child and/or family are receiving adoption services.

Procedures:

1. The social worker shall comply with **Section 10, Adoption and Post-Adoptions Services**, **Provincial/Territorial Protocol on Children, Youth and Families Moving Between Provinces and Territories.**

2. The social worker shall review and become familiar with **Provincial/ Territorial Protocol on Children, Youth and Families Moving Between Provinces and Territories,** to ensure the provisions set out in the protocol are followed when:

   a) receiving and responding to adoption inquires and applications;
   b) responding to or requesting the provision of adoption services including adoption placement and subsidized adoptions;
   c) responding to post adoption services requests.

Exceptions: None

Relevant Documents:

- **Provincial/Territorial Protocol on Children, Youth and Families Moving Between Provinces and Territories A**
- **Interprovincial Request for Services** form
- **Interprovincial Placement Agreement (IPPA** form**)**

Interprovincial Applicant Approval

Policy no.: 9.3
Effective Date: June 30, 2014
Date Revised: March 22, 2018, October 28, 2022, September 19, 2024
Policy Cross References: Applicant Approval; Interprovincial Child Placement
Legislative References: s.11 Placement of child; **s.13** Approval of prospective parent; **s.42** Approval of Provincial Director; **s.27** Required documents

Purpose: To outline the requirements and process for assessing and approving adoptive applicants seeking to adopt a child from another province.

Policy:

1. The **Provincial/Territorial Protocol on Children, Youth and Families Moving Between Provinces and Territories** shall be followed where adoption services are required.

2. Prospective adoptive parents must obtain the written approval of the Provincial Director before a child from another province can be placed with them for the purpose of adoption.

3. All adoptive applicants must meet the requirements outlined in **Applicant Approval** policy and procedures**.**

Procedures:

Application and Screening

1. The child's originating province must complete an **Interprovincial Request for Services** form and make a written request to the Provincial Director regarding placement of a child in this province for the purpose of adoption.

2. Where the child is Indigenous, the child's originating province must be advised that a **Cultural Connection Plan** is required for the adoption process. Where the child is an Indigenous child belonging to an Indigenous government or organization the originating province must confirm notification of the adoption plan has been provided to the appropriate Indigenous government or organization. This should also include the response received from the Indigenous government of organization where applicable.

3. The Provincial Director shall notify a supervisor, in writing, with a copy to the Manager, where a child in another province has been identified for adoption placement with an applicant residing in this province and request that a social worker assess the relationship between the proposed applicant(s) and the identified child. Where the birth parent has identified a prospective adoptive parent to adopt their child in this province, the relationship between the parties must be significant and exist **prior to** the development of an adoption plan.

4. A social worker shall complete a written assessment, with a recommendation to a supervisor, of the nature of the relationship between the identified child and the adoptive applicant(s). Factors that require assessment must include but are not limited to:

   a) ensuring there is no exchange of reward, money or coercion;
   b) ensuring the applicant(s) are not in a position of trust or authority with the birth parent(s);
   c) details regarding the adoptive applicant's connection to the birth parent(s) and/or child including the nature of the relationship;
   d) the length of time they have known one another;
   e) how/when the relationship commenced;
   f) a detailed account of their current contact/communication;
   g) whether the proposed adoption plan enables a child to maintain birth family, sibling, or other significant relationships;
   h) information to confirm that there has not been advertisement to elicit the proposed adoption (e.g. Facebook posts, distribution of personal profiles);
   i) the applicant's willingness to accept a child with limited social and medical information;
   j) if the child is Indigenous how the adoption plan ensures the child's unique sense of culture and cultural connections are maintained; and
   k) any other information deemed relevant.

5. The final decision regarding approval of the proposed plan shall be made by the Provincial Director.

6. Following receipt of the recommendation from a supervisor, the Provincial Director may approve the plan and request an **Application for Assessment to Adopt** and **Adoption Questionnaire** on behalf of the adoptive applicant(s)**.** The original application shall be forwarded to the Provincial Director. The proposed applicant(s) will be advised, in writing, by the supervisor of the acceptance in a timely manner with a copy to the Provincial Director and Manager.

7. If the plan is not accepted, the social worker shall meet with the family in a timely manner to discuss the reasons for the decision. The applicant(s) shall also be advised, in writing, by the Provincial Director as soon as possible after the meeting with the social worker with copies to the supervisor and Manager.

8. All persons interested in adopting an identified child from another province must meet the application and screening requirements outlined in **Applicant Approval** policy and procedures.

9. Where a child in care of another province has been identified for adoption in this province, the social worker shall adhere to **Provincial/Territorial Protocol on Children, Youth and Families Moving Between Provinces and Territories.**

Assessment Process

10. For all interprovincial adoption applications, the social worker must follow the assessment process and requirements detailed in the **Applicant Approval** policy. The **Interprovincial PRIDE Adoption Assessment-Final Approval** or **Interprovincial Home Assessment for Applicants Who Have Previously Adopted** form will be utilized with the outlined supporting

documentation for the assessment. All adoptive applicants must be approved according to the policies and procedures outlined in **Applicant Approval** policy and procedures.

11. Following a request for processing, the social worker shall meet with the applicants to sign the **Affidavit to Update Adoption Application** attesting to the information contained in the application.

12. When the social worker has completed the assessment process, the social worker shall submit the I**nterprovincial PRIDE Adoption Assessment-Final Approval** or I**nterprovincial Home Assessment for Applicants Who Have Previously Adopted** form and the supporting documentation to the supervisor with their recommendation regarding approval.

13. The final decision regarding approval shall be made by the Provincial Director.

14. If the applicant(s) are not being recommended for approval, the supervisor shall make a recommendation regarding the discontinuation of the assessment process to the Provincial Director with a copy to the Manager.

15. All discontinuations of the assessment process must be approved by the Provincial Director. The social worker shall meet with the applicant, in person, to advise of the decision. Following the meeting, the Provincial Director shall notify the applicant(s), in writing, of the decision in a timely manner with a copy to the supervisor and Manager and the file will be closed.

16. Where an interprovincial adoption assessment has been approved, the Provincial Director shall notify the child's originating province in writing.

17. Where an interprovincial adoption assessment has been approved, a copy of the assessment and supporting documentation must be forwarded to the child's originating province by the Provincial Director.

Placement

18. A child must not be placed for the purpose of adoption until the plan has been approved by the Provincial Director and the proposed adoptive parent is approved through a PRIDE assessment. Where approval is granted, an **Interprovincial Placement Agreement** (IPPA form) must be completed and approved by a Manager before a child can leave the originating province/territory for the purpose of adoption placement. A Manager shall sign the IPPA as the Local and Central Signing Authority for the receiving province/territory. The social worker shall ensure a copy of the finalized IPPA signed by both the originating and receiving province/territory is forwarded to provincial office.

19. In the case where the child is placed prior to consents being legal, the prospective adoptive parent(s) must sign **Acknowledgement by Prospective Adoptive Parents of the Legal Status of the Child** prior to placement.

20. Final decision regarding placement of the child with the approved adoptive applicant(s) rests with the child's originating province. Procedures regarding placement of the child are outlined in **Interprovincial: Child Placement** policy and procedures**.**

21. **CHECKLIST: Interprovincial - Applicant Approval** outlining the documents required must be completed**.**

Exceptions: Dependent on originating province's requirements.

Relevant Documents:

- **Provincial/Territorial Protocol on Children, Youth and Families Moving Between Provinces and Territories (Appendix A)**
- **Application for Assessment to Adopt**
- **Adoption Questionnaire**
- **Affidavit to Update Adoption Application**
- **Letter of Reference**
- **Application for a Child Protection Clearance Check**
- **Checklist for a Child Protection Clearance Check**
- **Child Protection Clearance Check Affidavit (where required)**
- **Physician's Report on Adoptive Applicant**
- **Acknowledgement by Prospective Adoptive Parents of the Legal Status of the Child**
- **Adoptive Parent(s) Budget Analysis**
- **PRIDE Adoption Assessment – Final Approval**
- **Home Assessment for Applicants Who Have Previously Adopted**
- **CHECKLIST – Interprovincial – Applicant Approval**
- **Interprovincial Request for Services form**
- **Interprovincial Placement Agreement (IPPA form)**

Interprovincial: Planning for a Child Entering the Province for Adoption

Policy no.: 9.4
Effective Date: June 30, 2014
Date Revised: July 12, 2016, October 28, 2022
Policy Cross References: Interprovincial Applicant Approval; Interprovincial Adoption Placement; Information Provided to Adoptive Applicants
Legislative References: s.15 Child's history; **s.42** Approval of Provincial Director; **s.12** of the First Nations, Inuit and Metis Children, Youth and Families Act (Federal Act)

Purpose: To outline the process and requirements necessary to be completed on behalf of a child whose permanency plan is adoption with an approved applicant(s) in this province.

Policy:

1. The **Provincial/Territorial Protocol on Children, Youth and Families Moving Between Provinces and Territories** shall be followed when proposing a child in continuous or voluntary custody for adoption.

2. Prior to a child entering the province for adoption, approval of the plan must be given by the Provincial Director.

3. All child profiles must be received by the Provincial Director.

4. The social worker shall ensure that an adoptive applicant(s) is provided with medical and social information on the child and their birth family prior to the placement of the child.

5. An adoption subsidy for a child entering the province for adoption is the responsibility of the child's originating province.

Procedures:

1. The child's originating province must complete an **Interprovincial Request for Services** form and make a written request to the Provincial Director regarding the proposed placement of a child for adoption in this province.

2. Prior to the child entering the province for adoption, approval of the plan and the applicant(s) must be given by the Provincial Director as outlined in **Interprovincial: Applicant Approval** policy and procedures**.** The Provincial Director shall obtain the following information and documentation as part of a child's adoption profile necessary to profile a child from another province to an approved applicant(s) in this province:

Consents

3. Prior to a child being placed for adoption, the appropriate consent(s) to adoption **must** be obtained from:

a) the birth mother;
b) the father;
c) where applicable, a person having custody of a child; and
d) the child where the child is 12 years of age or older.

4. In Accordance with **s.12** of the **Act respecting First Nations, Inuit and Metis Children, Youth and Families,** when a significant measure will be taken in relation to an Indigenous child, a social worker shall provide notice of the significant measure to the child's birth parent and the Indigenous government or organization. The originating province of an Indigenous child must indicate whether notification of the intent to sign consent to adoption by their jurisdictional child welfare authority was completed and provide confirmation of the notification.

Child's Birth Family Medical and Social Inform**ation**

5. The Provincial Director shall request information related to the proposed child's birth family medical and social history.

6. Where the birth family is unwilling to provide medical or social information or the information is unavailable or unable to be located, the Provincial Director shall request a written report from the child's originating province outlining the efforts made to obtain the information from the birth family.

7. The Provincial Director shall request from the originating province medical and social information related to the child being proposed for adoption. This information would normally be obtained from hospital records, community health nursing, physicians or any other professional having involvement with the child since birth.

8. In cases where the child is in the custody of another province, an updated plan of care related to the child shall be obtained. Information shall include a written history of the child's life in care, crucial information about the child's past, and information related to the issues that resulted in the child entering care.

Counselling for Children When Adoption is the Plan

9. A child 5 years of age or older must be counselled on the effects of adoption and their views must be considered before proceeding with the plan. A discussion may be held with a child under age 5 years regarding the effects of adoption taking into consideration the child's developmental level. The Provincial Director shall request a narrative report on a child 5 years of age or older who is being proposed for adoption. The report shall include, but is not limited to the following:

   a) dates and types of interviews with the child;
   b) an indication that the child appears to have an age appropriate understanding of the adoption including: adoption is a lifelong process where the child becomes the adopted child of the adopted parents; the adoption terminates the legal rights and responsibilities of the child's birth parent(s) or person with custody and that contact may be maintained where an **Openness Agreement** or **Openness Order** exists;

c) a statement of the child's expressed views on being adopted and what adoption means to them;
d) the child's views on any proposed change of given or family name;
e) the extent of the child's relationships with significant persons, birth relatives or foster parents;
f) the child's understanding of why they are not living with their birth parent(s) or family members;
g) the child's identity, cultural and community connections.

10. If a child 5 years of age or older has **not** been counselled on the effects of adoption, a report outlining the reasons for this must be completed and submitted to the Provincial Director.

11. In addition to the above required documentation, the following shall be obtained before a child from another province can be placed for adoption:

a) original or certified copy of a **Continuous Custody Order** (or equivalent) for a child in the care of another province;
b) **Voluntary custody agreement** (or equivalent) for a child being voluntarily placed for adoption by a birth parent;
c) child's original birth certificate from Vital Statistics or live birth registration;
d) where a birth parent is seeking to place their child for adoption in this province, written confirmation that the birth parent(s) has been counselled on the effects of adoption;
e) **Affidavit Regarding Paternity** (or equivalent) where applicable;
f) any approved adoption subsidy on behalf of the child;
g) any **Openness Agreement**, **Openness Order**, or request for openness;
h) any other professional reports that may assist with profiling the child to the prospective adoptive parent(s); and
i) **Cultural Connection Plan** (where the child is Indigenous).

12. If information received on the child proposed for adoption is deemed insufficient, the Provincial Director shall contact the child's originating province in an attempt to gain additional information.

13. Once all information has been obtained, the Provincial Director shall forward the child's information to a social worker for presentation to the prospective adoptive parent(s). The provision of this information to the prospective adoptive parent(s) serves three primary purposes. It will assist the prospective adoptive parent(s) to:

a) be aware of the child's potential needs and to help them to decide whether they can parent a child with these needs;
b) understand the family information of the child and alert them to possible medical and social needs of the child; and
c) be aware of the child's social and medical information which they can later share with the child.

14. Prior to resenting the information to the prospective adoptive parent(s), the social worker shall review all the information to gain an understanding of the developmental needs of the child.

15. Prior to presenting any information to the adoptive applicants, the social worker **must** review and ensure any information that may identify the child's name or location or any third party has been removed where requested by the child's originating province.

16. Prior to releasing any documentation, the social worker **must** ensure:

    a) each applicant completes a **Confidentiality Agreement for Prospective Adoptive Parents** agreeing to ensure confidentiality of the information provided;
    b) the applicants are advised of the importance of ensuring all copies of information provided is kept in a safe place and only shared with those authorized as necessary to assist them in their decision related to acceptance of the child; and
    c) the applicants are advised that all information provided on the child is immediately returned to the Provincial Director if the placement does not proceed or ends any time prior to the granting of an **Adoption Order**.

17. Once the information has been prepared, the social worker shall meet with the prospective adoptive parent(s) to review the information on the child.

18. In cases where the social and medical information **is limited** the implications of this shall be discussed with the prospective adoptive parent(s) by the social worker.

19. The social worker shall encourage the prospective adoptive parent(s) to discuss any risk factors and/or medical or genetic concerns of the child with their medical practitioner and/or other specialists prior to their acceptance of the child.

20. Where the adoption profile contains a **Cultural Connection Plan**, the social worker shall verbally share non-identifying details of the plan to ensure the adoptive applicants are aware of the expectations and responsibilities related to the **Cultural Connection Plan**. All expectations regarding maintaining the child's cultural connections shall be discussed and agreed upon prior to pre-placement planning occurring. Where the adoptive applicants are unable to commit to the requirements of the **Cultural Connection Plan**, the suitability of the match shall be reviewed in consultation with the child's originating province.

21. The social worker shall inform the adoptive applicants that any current or future adoption subsidy is the responsibility of the child's originating province.

22. If the child is accepted by the prospective adoptive parent(s), an **Adoptive Parents' Acknowledgement of In**form**ation Provided** must be completed and the original forwarded to the Provincial Director.

23. In cases where the child is be placed prior to consents being legal, the **Acknowledgement by Prospective Adoptive Parents of the Legal Status of the Child** must be completed and the original forwarded to the Provincial Director.

24. The Provincial Director shall notify the child's originating province, in writing, of the adoptive parent's acceptance or non-acceptance of the child. Prior to a child leaving the originating province/territory for the purpose of adoption placement, an **Interprovincial Placement Agreement** (IPPA form) must be completed and approved by a Manager. The originating

province/territory shall develop a written adoption placement plan and negotiate an IPPA**.** A Manager shall sign the IPPA as the Local and Central Signing Authority for the receiving province/territory. The social worker shall ensure a copy of the finalized IPPA signed by both the originating and receiving province/territory is forwarded to the Provincial Director.

Placement

25. Please review **Interprovincial: Adoption Placement** policy and procedures for placement of the child.

Exceptions:

Dependent on child's originating province.

Relevant Documents:

- **Adoptive Parents' Acknowledgement of In**form**ation Provided**
- **Acknowledgement by Prospective Adoptive Parents of the Legal Status of the Child**
- **Provincial/Territorial Protocol on Children, Youth and Families Moving Between Provinces and Territories-Appendix A**
- **Interprovincial Request for Services** form
- **Cultural Connection Plan**
- **Cultural Connection Plan for an Innu Child**

Interprovincial: Planning for a Child Leaving the Province for Adoption

Policy no.: 9.5
Effective Date: June 30, 2014
Date Revised: July 12, 2016; October 28, 2022
Policy Cross References: Children Available for Adoption**;** Interprovincial Adoption Placement; Cultural Connection Planning for Indigenous Children
Legislative References: s.15 Child's History**; s.42** Approval of Provincial Director; **s.28** Required Documents

Purpose: To outline the process and requirements to complete on behalf of a child in continuous or voluntary custody whose permanency plan is adoption by an approved applicant in another province.

Policy:

1. The **Provincial/Territorial Protocol on Children, Youth and Families Moving Between Provinces and Territories** shall be followed when proposing a child in continuous or voluntary custody for adoption with an approved applicant who resides in another province.

2. Prior to a child leaving the province for adoption approval of the plan must be given by the Provincial Director.

3. All applicants must be approved adoptive applicants in the province where they reside prior to a child being placed with them for adoption.

4. The Provincial Director shall ensure that the receiving province is provided with the medical and social information of the child and his/her birth family prior to placement.

5. Where a child in continuous or voluntary custody is being proposed for adoption in another province, the social worker shall follow **Children Available for Adoption** policy and procedures.

Procedures:

1. A Manager shall make a written recommendation to the Provincial Director regarding placement of a child in another province for adoption. This must include an **Interprovincial Request for Services** form completed by the social worker.

2 In determining the best permanency plan for the child consideration must be given to:

a) the child's age;
b) length of time the child has known the person(s) proposed to adopt the child and/or the nature of their relationship;
c) the importance of sibling relationships and whether placement with siblings is an option and whether sibling connections will be supported in the proposed adoption placement;

d) the importance of preserving an Indigenous child's unique cultural identity, the child's cultural and community connections and whether connections will be maintained and supported in the proposed adoption placement. Where the child is Indigenous, a **Cultural Connection Plan** is required;
e) consultation with the appropriate Indigenous Representative, where the child is Indigenous;
f) the child's views and wishes (where possible); and
g) motivation of the proposed person(s) to adopt.

3. The social worker shall submit a written assessment to a supervisor where the recommendation is adoption by a person(s) identified by the Department and residing in another province. The assessment shall include information related to the following:

   a) the considerations made to determine the proposed adoption plan is the best permanency plan for the child;
   b) demographic information related to the person(s) identified such as address and contact information;
   c) the nature of the relationship between the identified person(s) and the child;
   d) information related to the amount of contact occurring between the person(s) identified and the child (if applicable);
   e) whether the proposed adoption plan enables a child to maintain birth family and/or other significant relationships;
   f) whether the proposed adoption plan enables a child to maintain cultural and community connections, and preserves the child's cultural identity;
   g) information related to the contact with the person(s) identified and the social worker, and what information has been discussed ;
   h) whether the child has any identified developmental needs and/or service provision needs, and whether the person(s) identified is aware of the needs and able to manage any developmental needs; and
   i) whether there is any recommendation for openness and how the proposed person(s) will be able to support that openness.

4. In cases where the interprovincial adoption recommendation involves a foster parent adoption, whereby the identified person(s) is an approved foster parent currently providing care to the child in another province under an in care interprovincial agreement, the written assessment should include information outlined in the **Foster Parent Adoption Recommendation** policy.

5. A copy of the child's current **In Care Progress Report (IPR)** and a true and exact copy of the **Continuous Custody Order** must accompany the recommendation and the **Interprovincial Request for Services** form.

6. Where the child is Indigenous, a **Cultural Connection Plan** is also required. See the Cultural connection planning **for Indigenous Children** policy for further information. All other information related to the child as outlined in **Children Available for Adoption** policy and procedures will be required in order to profile the child to the person(s) recommended to adopt. Profiling of all children for adoption is completed in accordance with the **In**form**ation Provided to Adoptive Applicants** policy . The child may only be profiled where the adoption plan has been approved, the proposed applicant(s) is/are approved adoptive applicants, and the Provincial Director has requested profiling of the child.

7. All recommendations must be approved by the Provincial Director. The Manager shall forward a copy of the social worker's written recommendation along with their support of the plan, the child's IPR, the true and exact copy of the continuous custody order, the **Cultural Connection Plan** (where the child is Indigenous) and the **Interprovincial Request for Services** form to the Provincial Director.

8. Where the request is made by a birth parent or person with custody, written approval of the plan shall be provided to the birth parent or person with custody by the Provincial Director.

9. Where the plan is approved by the Provincial Director, the recommended person(s) must be assessed and approved to adopt. The Provincial Director must make a written request to the receiving province to complete an adoption home assessment on behalf of the proposed adoptive applicant(s) and forward the **Interprovincial Request for Services** form.

10. A copy of the approved home assessment and supporting documentation shall be forwarded to the Provincial Director from the receiving province for review prior to the child leaving the province.

11. If information received on the approved prospective adoptive parent(s) is deemed insufficient, the Provincial Director may request additional information from the receiving province. The Provincial Director shall forward the adoption assessment to the Manager for review. The Manager will provide confirmation as to whether they are in agreement with proceeding with the proposed adoption placement.

12. Where the prospective adoptive parent(s) is approved, the social worker shall complete all required documentation related to the child in accordance with the policies and procedures outlined in **Children Available for Adoption** policy**.** To ensure the child's documents do not expire, it is recommended completion of the child's documents coincide with the completion of the home assessment and supporting documentation.

13. The Manager must ensure all required documentation outlined in **Children Available for Adoption** policy is forwarded to the Provincial Director that is required for profiling a child to an approved adoptive applicant in another province. This information must include:
    a) The appropriate consent to adoption from:
        i. the birth mother;
        ii. the father;
        iii. where applicable, the person having custody of a child. This would include the **Manager's Consent to Adoption** for children in voluntary and continuous custody;
        iv. the child where the child is 12 years of age and older.

14. An order for continuous custody ceases to have effect on the child's 18th birthday as per the CYFA. A **Manager's Consent to Adoption** remains valid for a child being adopted until the age of 19 providing the consent was signed before the child's 18th birthday.

    a) the **Notice of Manager's Intent to Sign Consent to Adoption** form (where applicable);

    b) Notification of the Manager's intent to sign consent to adoption using the **Notice to Indigenous Governing Body, Parent and Caregiver** form (where the child is Indigenous).

c) **Child's Medical and Social History;**
d) **Birth Parent Medical and Social History;**
e) **Affidavit Regarding Paternity**, where applicable;
f) **In Care Progress Report;**
g) Original **Continuous Custody Order** or **Voluntary custody agreement;**
h) other professional reports pertaining to the child that will assist in profiling the child to the adoptive applicant(s);
i) Narrative views and wishes report (where applicable);
j) **Request to Approve a Child for Adoption Subsidy** (where applicable);
k) **Expression of Interest to Enter into an Openness Agreement and/or Openness Agreement** (where applicable); and
l) **Cultural Connection Plan** (where child is Indigenous).

15. If information received on the child proposed for adoption is deemed insufficient, the Provincial Director shall contact the Manager in an attempt to gain additional information.

16. Once all the information has been obtained, the Provincial Director shall forward the child's information to the receiving province for presentation to the prospective adoptive parents. The provision of this information to the proposed adoptive parent(s) serves three primary purposes. It will assist the prospective adoptive parent(s) to:

    a) be aware of the child's potential needs and to help them to decide whether they can parent a child with these needs;
    b) understand the family history of the child and alert them to possible medical and social needs of the child; and
    c) be aware of the child's social and medical history which they can later share with the child.

17. The Provincial Director shall request a social worker in the receiving province meet with the prospective adoptive parent(s) to review the profile information on the child. The prospective adoptive parent(s) shall be provided with a copy of the child's non- identifying medical and social information as outlined in **Children Available for Adoption** policy and procedures.

18. Prior to releasing any documentation, the social worker **must** ensure:

    a) each applicant completes a **Confidentiality Agreement for Prospective Adoptive Parents** agreeing to ensure confidentiality of the information provided;
    b) the applicant(s) is advised of the importance of ensuring all copies of information provided is kept in a safe place and only shared with those authorized as necessary to assist them in their decision related to acceptance of the child; and
    c) the applicant(s) is advised that all information provided on the child is immediately returned to the social worker if the placement does not proceed or ends any time prior to the granting of an **Adoption Order**.

19. In cases where the social and medical information **is limited,** the receiving province will be requested to discuss the implications of this with the prospective adoptive parents. The adoptive parents shall be encouraged to discuss any risk factors and /or medical or genetic concerns of the child with their medical practitioner and/or other specialists prior to their acceptance of the child.

20. If the child is accepted by the prospective adoptive parent(s), the Provincial Director shall request that an **Adoptive Parents' Acknowledgement of Information Provided** form be completed and returned to the Provincial Director.

21. If the child is not accepted by the prospective adoptive parent(s), the Provincial Director shall request the return of all documentation related to the child.

22. Where the child is accepted and placement is to occur prior to consents being legal, the prospective adoptive parent(s) must sign **Acknowledgement by Prospective Adoptive Parents of the Legal Status of the Child** prior to placement which shall be forwarded to the Provincial Director.

Child Placement

23. The Provincial Director shall notify the receiving province, in writing, of the decision regarding placement of the child with the adoptive parent(s).

24. Prior to a child leaving the province for the purpose of adoption placement, the social worker shall consult with the receiving province/territory regarding the adoption placement plan, and an **Interprovincial Placement Agreement** (IPPA form) must be completed in accordance with the **Provincial/Territorial Protocol on Children, Youth and Families Moving Between Provinces and Territories.** A Manager shall sign the IPPA as the Local and Central Signing Authority for the receiving province/territory. The social worker shall ensure a copy of the finalized IPPA, signed by both the originating and receiving province/territory is forwarded to provincial office.

25. Please review **Interprovincial Adoption: Placement** for procedures related to the placement of a child in the receiving province.

Exceptions: Dependent on the receiving province

Relevant Documents:

- **Birth Parent Medical and Social History**
- **Child's Medical and Social History**
- **Adoptive Parents' Acknowledgement of In**form**ation Provided**
- **In Care Progress Report**
- **Acknowledgement by Prospective Adoptive Parents of the Legal Status of the Child**
- **Affidavit Regarding Paternity**
- **Continuous Custody Order**
- **Voluntary custody agreement**
- **Request to Approve a Child for Adoption Subsidy**
- **Expression of Interest to Enter into an Openness Agreement**
- **Openness Agreement**
- **Provincial/Territorial Protocol on Children, Youth and Families Moving Between Provinces and Territories-Appendix A**

- **Interprovincial Request for Services** form
- **Interprovincial Placement Agreement (IPPA** form**)**
- **Cultural Connection Plan**

Interprovincial: Child Placement Inside or Outside the Province

Policy no.: 9.6
Effective Date: June 30, 2014
Date Revised: March 22, 2018; October 28, 2022
Policy Cross References: Pre-Placement Planning; Child Placement; Interprovincial Post Placement Period
Legislative References: s.11 Placement of child; **s.12** Child's eligibility for placement

Purpose: To outline the procedures to be followed when placing a child from another province **or** placing a child from this province in another province for adoption.

Policy:

1. The **Provincial/Territorial Protocol on Children, Youth and Families Moving Between Provinces and Territories** shall be followed when placing a child in an adoptive home.

2. A **Notification of Adoption Placement** shall be completed on all children being placed for an interprovincial adoption.

3. A social worker shall meet with the child **on the day of** placement or **within seven days** of the child entering the province.

4. For children leaving the province, a social worker in the receiving province must have, at minimum, **one private in-person contact per month**, where age and developmentally appropriate, with each child in an adoption placement until an **Adoption Order** is granted.

5. For children leaving the province, a social worker in the receiving province shall have, at minimum, **one in-person home visit per month** with **each** adoptive parent during the post placement period.

6. For children entering the province the social worker shall have at least one **private in-person contact per month,** where age and developmentally appropriate with **each** child in an adoption placement until an **Adoption Order** is granted.

7. For children entering the province a social worker shall have, at minimum **one in-person home visit per month** with **each** adoptive parent during the post placement period.

Procedures:

1. An interprovincial adoption placement occurs in one of two ways:
   a) a child in the continuous or voluntary custody of a Manager in this province leaves this province for placement with an approved adoptive parent in another province; or
   b) a child from another province enters this province for placement with an approved adoptive parent in this province.

2. A child may be placed with an approved adoptive parent(s) in this province or a receiving province only after the adoptive parent(s) has received all necessary information concerning the child and a satisfactory process of pre-placement familiarization has taken place.

3. Where the child is in the custody of a Manager or another province, the social workers for both the originating and receiving province shall jointly develop a written pre-placement plan for all children being placed for adoption. All pre-placement plans must be approved by a supervisor. An **Interprovincial Placement Agreement** (IPPA form) must be completed and approved by a Manager prior to the child leaving the originating province/territory.

4. Where a child in the continuous or voluntary custody of a Manager in this province is being placed in another province, **Child Placement** policy and procedures shall apply. The date of placement shall be approved by a supervisor.

5. The social worker shall ensure that the adoptive parents have been advised of and understand the requirements of the post placement period outlined in **Interprovincial: Post Placement Period Children Leaving the Province** policy and procedures.

6. The social worker shall complete a **Notification of Adoption Placement** immediately following placement for all children placed for an interprovincial adoption. The original shall be forwarded by the supervisor to the Provincial Director with a copy to the Manager.

7. The Provincial Director shall provide the original consent(s) to adoption and any other required documentation to the receiving province within **thirty days** of placement of the child with the prospective adoptive parent(s).

8. A social worker shall meet with the child **on the day** of placement or within **seven days** of the child entering the province. A social worker shall meet, observe, and talk to the child, where age and developmentally appropriate, in private, to assess the progress of the placement. Factors to consider are:

   a) whether the child appears to be adjusting to the family;
   b) whether the adoptive parent(s) and other children in the home appear to be adjusting to the placement;
   c) whether an attachment between the child and the adoptive parent(s) appears to be developing;
   d) how the family has managed dealing with any concerns or issues that may have occurred;
   e) the child's progress in school or daycare, where applicable;
   f) whether the family maintained the child's family and social relationships, where requested;
   g) where the child is Indigenous, whether the adoptive parents are adhering to the **Cultural Connection Plan** (where applicable);
   h)) whether the family requires any additional supports to assist with the adjustment period.

9. Where a child has been placed in this province for adoption, the social worker must advise the adoptive parent(s) that they are required to register the child with MCP in the child's anticipated adoptive name. A letter from the social worker will suffice for MCP to issue a card. A sample letter is contained in ISM**.** The social worker must also advise adoptive parent(s) that they may apply for the Child Tax Benefit or any other benefit, where eligible.

10. Where the child's name will be changing following adoption, see policy **Placement of Children for Adoption** for information related to the impact of changing a child's name.

11. For children entering the province who are in the custody of another province, **Interprovincial: Post Placement Children Entering the Province** policy and procedures shall apply. The social worker shall have at least **one private in-person contact per month where age and developmentally appropriate** with **each** child and adoptive parents until the granting of an **Adoption Order**.

12. A social worker shall have, at minimum **one in-person visit per month** with **each** adoptive parent during the post placement period.

13. Where the originating province requests an alternate post placement period for a child entering this province, the Provincial Director shall provide written approval to the supervisor with a copy to the Manager.

14. In keeping with monitoring requirements for children in care, a social worker shall request the receiving province have, at minimum, **one private in-person contact per month where age and developmentally appropriate** with **each** child in an adoption placement until finalization of the adoption. Refer to **Interprovincial: Post Placement Period Children Leaving the Province** policy and procedures for information regarding monitoring an adoption placement.

15. **CHECKLIST: Interprovincial - Placement of Children** outlining the documents required must be completed**.**

Exceptions: Dependent on the child's originating province.

Relevant Documents:

- **Notification of Adoption Placement**
- **Provincial/Territorial Protocol on Children, Youth and Families Moving Between Provinces and Territories (Appendix A)**
- **CHECKLIST: Interprovincial - Placement of Children**
- **Sample of MCP letter**
- **Interprovincial Placement Agreement (IPPA** form**)**

Interprovincial: Subsidy For Children Leaving the Province

Policy no.: 9.7
Effective Date: June 30, 2014
Date Revised: March 22, 2018; October 28, 2022
Policy Cross References: Adoption Subsidy
Legislative References:

Purpose: To outline the eligibility requirements for a child in continuous custody to receive an adoption subsidy when leaving the province for adoption.

Policy:

1. The **Provincial/Territorial Protocol on Children, Youth and Families Moving Between Provinces and Territories** shall be followed where adoption subsidy services are required.

2. The requirements outlined in **Adoption Subsidy: Child Eligibility** policy and procedures must be met when determining eligibility of a child for an adoption subsidy.

3. The requirements outlined in **Adoption Subsidy: Adoptive Parent(s) Eligibility** policy and procedures must be met by prospective adoptive parents before being considered for services through the adoption subsidy program.

4. The requirements outlined in **Adoption Subsidy: Adoption Subsidy Agreements** and **Deferred Adoption Subsidy Agreements** policy and procedures must be followed.

Procedures:

1. A child in the custody of a Manager in this province being proposed for adoption in another province may be considered for an adoption subsidy providing the requirements outlined in **Adoption Subsidy: Child Eligibility** policy and procedures are met.

2. In order for a child in the custody of a Manager to receive an adoption subsidy, a **Request to Approve a Child for Adoption Subsidy, Adoptive Parent(s) Eligibility for an Adoption Subsidy** and **Adoption Subsidy Agreement** or **Deferred Adoption Subsidy Agreement** must be completed and approved by a Manager.

3. Where a child in continuous custody of a Manager in this province resides in another jurisdiction, a social worker shall request the assistance of the receiving province to complete the **Adoption Subsidy-Child Eligibility** assessment and **Adoption Subsidy Agreement or Deferred Adoption Subsidy Agreement.**

4. Approval of the **Request to Approve a Child for Adoption Subsidy** shall be made by the Manager. If approved, the social worker shall request the assistance of the receiving province

in assessing the eligibility of prospective adoptive parents to receive services through the adoption subsidy program using requirements outlined in **Adoption Subsidy: Adoptive Parent(s) Eligibility** policy and procedures.

5. Where a **Request to Approve a Child for Adoption Subsidy** is approved but it is determined that services are not required prior to the granting of an **Adoption Order**, prospective adoptive parents may enter into a **Deferred Adoption Subsidy Agreement** using the requirements outlined in **Adoption Subsidy: Deferred Adoption Subsidy Agreements** policy and procedures.

6. Approval of the **Adoption Subsidy Agreement or Deferred Adoption Subsidy Agreement** shall be made by a Manager.

7. An adoption subsidy file must open in ISM as per the ISM Matrix Training Guide. Each adoption Subsidy file shall contain the following:

   a) the approved **Request to Approve a Child for an Adoption Subsidy** (including supporting documentation included with the request;
   b) the **Adoptive Parent(s) Eligibility for an Adoption Subsidy;**
   c) the **Adoptive Parent(s) Budget Analysis;**
   d) The **Adoption Subsidy Agreement** or **Deferred Adoption Subsidy Agreement.**

8. Where an **Adoption Subsidy Agreement or Deferred Adoption Subsidy Agreement** has been signed by an adoptive applicant/parent in another province, a signed copy shall be returned to the social worker and placed on the adoption subsidy file.

9. Where an adoption subsidy has been approved, the social worker shall complete a **Financial Benefit Request** form in ISM.

Exceptions: None

Relevant Documents:

- **Provincial/Territorial Protocol on Children, Youth and Families Moving Between Provinces and Territories (Appendix A)**
- **Request to Approve a Child for Adoption Subsidy**
- **Adoption Subsidy Agreement**
- **Deferred Adoption Subsidy Agreement**
- **Financial Benefit Request**

Interprovincial: Subsidy Review

Policy no.: 9.8
Effective Date: June 30, 2014
Date Revised: March 22, 2018; October 28, 2022
Policy Cross References:
Legislative References:

Purpose: To outline the process for completing an adoption subsidy review.

Policy:

1. The **Provincial/Territorial Protocol on Children, Youth and Families Moving Between Provinces and Territories** shall be followed where an **Adoption Subsidy Agreement** or **Deferred Adoption Subsidy Agreement** is in place.

2. An **Adoption Subsidy Agreement** is valid for **twelve months** and is reviewed annually.

3. **Deferred Adoption Subsidy Agreements** are only reviewed at the request of adoptive parents.

Procedures:

1. Where an adoptive parent(s) in another province is receiving an adoption subsidy on behalf of a child from this province the social worker shall contact the receiving province **sixty days** prior to the expiry of the adoption subsidy to request assistance with the review process. The social worker will complete an **Interprovincial Request for Services** form and submit to the receiving province/territory.

2. A review of an **Adoption Subsidy Agreement** may also occur when:

   a) the adoptive parent or social worker requests that the agreement be reviewed or terminated;
   b) the child begins living with a relative or other person significant to the child;
   c) when the child begins living independently;
   d) there is any change in circumstances which may eliminate, reduce, or increase the need for service.

3. The social worker shall request that the receiving province meet with adoptive parents as part of the review process.

4. As part of the review process, the social worker in the receiving province shall be requested to complete the **Adoption Subsidy Review** form with a recommendation outlining the support services requested on behalf of the child. Included in the form should be information related to the following:

a) detailed information relating to any changes in the child's medical diagnosis. If the child has been diagnosed with a medical issue, confirmation of that should be obtained from the professional involved in the treatment of the condition;
b) any improvements or change in the child's development and the impact of those changes on their need for previously approved services;
c) any changes in the overall composition and personal circumstances of the adoptive family that may impact on their ability to meet the needs of the child;
d) if support services are requested, an itemized list of all services required to meet the child's needs and identification of how these services will be obtained over the following **twelve months**. The report should identify how long the services will be required and clearly indicate any cost associated with the service. If costs must be paid a clear statement as to whom is responsible for payment must be included. In a situation of shared costs, details on how much each party will pay will also need to be noted. It should also outline how the financial contributions will be made and the frequency of the payments;
e) any other information deemed appropriate by the social worker. Consultations with professionals involved with the child may be included.

5. Where a financial care rate is being provided, the social worker shall complete the **Adoptive Parent(s) Eligibility for an Adoption Subsidy** at the time a review is completed.

6. The **Adoption Subsidy Review** and **Adoptive Parent(s) Eligibility for an Adoption Subsidy** (where applicable) forms shall be forwarded to the social worker by the receiving province. The agreement shall clearly outline the costs and services being requested on behalf of the child for the next **twelve months**.

7. The social worker shall submit the **Adoption Subsidy Review** form, **Adoptive Parent(s) Eligibility for an Adoption Subsidy** (where appropriate), and a completed **Adoption Subsidy Agreement** to a supervisor for review.

8. All adoption subsidies must be approved by a Manager.

9. Following approval, the social worker shall forward the **Adoption Subsidy Agreement** to the receiving province for review and signing of the **Adoption Subsidy Agreement** by the adoptive parent(s). The receiving province shall review the following with the adoptive parent(s) at the time the agreement is signed:

   a) that the parent will notify the social worker if the child is no longer living in the adoptive home or if the family moves;
   b) that the parent will notify the social worker if the child's developmental needs change or the family finances change;
   c) that the parent will ensure that the child receives the indicated services and ensure that the services are satisfactory;
   d) benefits are for a pre-determined period only and each adoption subsidy must again be reviewed at minimum every **twelve months**;

10. The receiving province shall provide a copy of the signed **Adoption Subsidy Agreement** to the social worker in this province and the adoptive parent(s).

11. The social worker shall place a copy of the **Adoption Subsidy Agreement** on the adoption subsidy file. The social worker shall complete a **Financial Benefit Request** form. Where a **Deferred Adoption Subsidy Agreement** is in place for a child placed for adoption in another province, a review shall only be completed at the request of the adoptive parent(s).

12. Where a child has been placed in this province for adoption and the adoptive parent(s) is in receipt of an adoption subsidy from the child's originating province, a social worker shall complete a review of the subsidy agreement at the request of the child's originating province.

Exceptions: None

Relevant Documents:

- **Provincial/Territorial Protocol on Children, Youth and Families Moving Between Provinces and Territories (Appendix A)**
- **Adoption Subsidy Agreement**
- **Deferred Adoption Subsidy Agreement**
- **Interprovincial Request for Services**
- **Adoption Subsidy Review**
- **Adoptive Parent(s) Eligibility for an Adoption Subsidy**

Interprovincial: Subsidy for Children Entering the Province

Policy no.: 9.9
Effective Date: June 30, 2014
Date Revised: March 22, 2018, June 9, 2025
Policy Cross References: Legislative References:

Purpose: To outline the process for adoption subsidy for a child in care of another province being considered for adoption in this province.

Policy:

1. The **Provincial/Territorial Protocol on Children, Youth and Families Moving Between Provinces and Territories** shall be followed where an adoption subsidy is approved or being considered for a child in the custody of another province for adoption.

2. A child in the custody of another province entering this province for adoption is **not** eligible for an adoption subsidy from this province.

3. A child in the custody of another province entering this province for adoption may be eligible for an adoption subsidy from their originating province.

Procedures:

1. A child entering this province for adoption is **not** eligible for an adoption subsidy from this province.

2. A child in the custody of another province entering this province for adoption may be eligible for an adoption subsidy from their originating province.

3. Where a social worker assesses that a child residing in this province from another province may benefit from the services of an adoption subsidy, the social worker shall make a request to the child's originating province to determine if the child may be eligible for a subsidy.

4. Where an adoption subsidy assessment is requested by a child's originating province a social worker shall:
   a) complete an assessment of a child's eligibility for a subsidy;
   b) complete an assessment of the prospective adoptive parent's eligibility for a subsidy;
   c) negotiate terms of an **Adoption Subsidy Agreement** with prospective adoptive parents.

5. The social worker shall complete a review of the **Adoption Subsidy Agreement** at the request of the child's originating province.

6. The child's originating province may request that a social worker maintain contact with the adoptive parent(s) to assess the continued need for the subsidy and provide a report regarding this assessment.

7. The child's originating province may request assistance in negotiating any changes to the adoption subsidy.

8. Where it is determined that a new service is required the social worker shall contact the child's originating province to discuss a change to the **Adoption Subsidy Agreement.**

9. The social worker shall open an adoption subsidy program on behalf of any interprovincial adoption subsidies. The program must be opened in the child's anticipated or adoptive name. A separate agreement shall be completed on each child.

10. The signed **Adoption Subsidy Agreement** must be scanned and uploaded to ISM and maintained on the child's file with a copy to the child's originating province.

11. The age of a child for which an adoption subsidy shall remain in effect shall be determined by the child's originating province.

Exceptions: Dependent on the originating province.

Relevant Documents:

- **Provincial/Territorial Protocol on Children, Youth and Families Moving Between Provinces and Territories (Appendix A)**
- **Adoption Subsidy Agreement**

Interprovincial: Medical Consent for a Child Leaving the Province

Policy no.: 9.10
Effective Date: June 30, 2014
Date Revised: July 12, 2016
Policy Cross References: Consents: Medical Consent
Legislative References: s.18 Child's Health Care

Purpose: To outline the process for providing medical consent for a child in the continuous or voluntary custody of a Manager who has been placed for adoption in another province.

Policy:

1 The **Provincial/Territorial Protocol on Children, Youth and Families Moving Between Provinces and Territories** shall be followed where a child in the custody of a Manager is placed for adoption in another province.

2. Where a child in the continuous or voluntary custody of a Manager has been placed for adoption in another province, **Placement of Children for Adoption: Consents: Medical Consent** policy and procedures shall apply.

Procedures:

1. Where non-routine medical consent is required for a child in the continuous or voluntary custody of a Manager who has been placed for adoption in another province, the social worker shall request the assistance of the receiving province in obtaining required information needed to provide consent.

Exceptions: None

Relevant Documents:

- **Provincial/Territorial Protocol on Children, Youth and Families Moving Between Provinces and Territories (Appendix A)**

Interprovincial: Medical Consent for a Child Entering the Province

Policy no.: 9.11
Effective Date: June 30, 2014
Date Revised: July 12, 2016
Policy Cross References:
Legislative References:

Purpose: To outline the process for providing medical consent for a child who has been placed in the province for adoption.

Policy:

1. The **Provincial/Territorial Protocol on Children, Youth and Families Moving Between Provinces and Territories** shall be followed where a child in the custody of another province is placed in this province for adoption.

2. Where a child placed for adoption in this province requires medical consent, the policies and procedures of the child's originating province related to medical consent shall apply.

Procedures:

1. When a child enters this province for adoption and medical consent is required, the social worker shall notify the child's originating province and seek direction and information related to providing medical consent.

2. Where a child in the custody of another province is placed in this province for adoption, the supervisor shall be notified by the social worker where medical consent is requested.

Exceptions: Depending on child's originating province.

Relevant Documents:

- **Provincial/Territorial Protocol on Children, Youth and Families Moving Between Provinces and Territories (Appendix A)**

Interprovincial: Hospitalization of a Child Leaving the Province

Policy no.: 9.12
Effective Date: June 30, 2014
Date Revised:
Policy Cross References: Health Services: Hospitalization; Consents: Medical Consents
Legislative References: s.18 Child's Health Care

Purpose: To outline the process to be followed where a child in the continuous or voluntary custody of a Manager placed for adoption in another province requires hospitalization.

Policy:

1. Where a child in the continuous or voluntary custody of a Manager in this province has been placed for adoption in another province, **Placement of Children for Adoption: Health Services: Hospitalization** policy and procedures shall apply.

Procedures:

1. The receiving province shall immediately notify the Manager where a child in the continuous or voluntary custody of a Manager, placed in another province for adoption, has been hospitalized.

2. The social worker shall request that the receiving province notify hospital administration and /or the attending physician that the child is in the continuous or voluntary custody of a Manager in this province.

3. A social worker in this province shall maintain regular contact with the receiving province to monitor the progress of the child. Updates shall be provided to the supervisor.

4. The supervisor shall be advised of the discharge plan for the child to ensure that the prospective adoptive parent(s) is equipped to respond to any on-going health needs of the child. Please reference the **Protection and In-Care Policy CI/Death Notification Policy**

Exceptions: None

Relevant Documents: None

Interprovincial: Hospitalization of a Child Entering the Province

Policy no.: 9.13
Effective Date: June 30, 2014
Date Revised: July 12, 2016
Policy Cross References:
Legislative References:

Purpose: To outline the procedure to be followed where a child from another province, placed for adoption in the province, is hospitalized.

Policy:

1 The **Provincial/Territorial Protocol on Children, Youth and Families Moving Between Provinces and Territories** shall be followed where a child in the custody of another province is placed in the province for adoption.

2. Where a child placed for adoption in this province is hospitalized, the policies and procedures of the child's originating province, related to hospitalization, shall apply.

Procedures:

1. When a child enters the province for adoption and hospitalization is required, the social worker shall notify the child's originating province and seek direction and information related to the monitoring of the child while hospitalized.

2. The supervisor shall be notified by the social worker where a child from another province placed in the province for adoption, has been hospitalized.

3. The supervisor shall notify the Provincial Director where a child placed for adoption in the province has been hospitalized.

4. The social worker shall maintain regular contact with the hospital to monitor the progress of the child.

5. The social worker shall provide updates as to the progress of the child to the child's originating province and supervisor.

6. The social worker shall be advised of the discharge plan of the child to ensure that the prospective adoptive parent(s) is equipped to respond to any on-going needs of the child. The social worker shall notify the Provincial Director and the child's originating province of the discharge plan.

Exceptions: Dependent on the child's originating province.

Relevant Documents:

- **Provincial/Territorial Protocol on Children, Youth and Families Moving Between Provinces and Territories (Appendix A)**

Interprovincial: Post Placement Period for Children Entering the Province

Policy no.: 9.14
Effective Date: June 30, 2014
Date Revised: March 22, 2018; October 28, 2022
Policy Cross References: Placement of Children for Adoption; Post Placement Period; Interprovincial Adoption: Finalization for Children Entering the Province; Interprovincial Adoption: Placement Disruption
Legislative References: s.27 Who may apply to court; **s.28** Required Documents

Purpose: To outline the procedures to be followed during the post placement period for children entering the province for adoption.

Policy:

1. The **Provincial/Territorial Protocol on Children, Youth and Families Moving Between Province and Territories** shall be followed for post placement reporting.

2. When a child is being placed for adoption in the province, post placement procedures must be completed according to **Placement of Children for Adoption: Post Placement Period** policy and procedures**.**

3. A social worker must complete the **Post Placement Report** form at the end of **1st. , 3rd and 6th** month of a child being placed with the prospective adoptive parent(s).

Procedures:

1. A social worker shall follow the requirements outlined in **Children Available for Adoption: Post Placement Period** policy and procedures.

2. Where the child is in the custody of another province a social worker shall have, at minimum, **one in person contact per month** with each child in the adoption placement until the granting of an adoption order. The social worker must observe the child at each home visit and privately interview the child depending on the child's age and developmental level.

3. Where a child is **not** in the custody of another province a social worker shall have, at minimum, **one private in-person contact per month** with each child in an adoption placement until the granting of an adoption order. The social worker must observe the child at each home visit and privately interview the child depending on the child's age and developmental level.

4. Where concerns arise in an adoption placement or there are significant adjustment issues there will need to be more frequent visitation and ongoing assessment. Where significant issues are identified that may question the long term stability of the placement, the social worker shall assess the plan and develop a strategy for dealing with the issues. This plan shall be developed in consultation with a supervisor and be provided to the Provincial Director with a copy to the Manager. The Provincial Director will forward a copy of the plan to the child's originating province for input.

5. The social worker shall forward the **Post Placement Report** form to the supervisor for review.

6. The original report with the supervisor's recommendation regarding continuation of the adoption placement, shall be forwarded to the Provincial Director and copied to a Manager.

7. Approval of the **Post Placement Report** form is the responsibility of the Provincial Director.

8. Following the receipt of the **six month Post Placement Report** form the social worker must make a written recommendation regarding whether the placement should be finalized in court or a request for an extension of the post placement period should occur.

9. In cases where a social worker has concerns with the continuation of the adoption placement a request to extend the post placement period may be made. A post placement period may be extended for a maximum of **three months** by the Provincial Director. Following that time a decision must be reached regarding the suitability of the placement. In cases where an extension is being recommended the social worker shall include in the recommendation:

    a) an assessment of the issue(s);
    b) a plan for resolving the issue(s);
    c) the child's views and wishes regarding the placement, where age and developmentally appropriate

10. Where a **three month** extension has been approved the Provincial Director shall notify the child's originating province of the extension. Where a **three month** extension has been approved by the Provincial Director it is not always necessary to wait the full three months to make a recommendation regarding the placement and finalization.

11. The Provincial Director shall provide copies of all **Post Placements Reports** to the child's originating province.

12. The Provincial Director must approve the recommendation to finalize or discontinue an interprovincial adoption placement.

13. The Provincial Director shall notify the child's originating province of the recommendation to finalize or discontinue the adoption placement. Approval must be received from the child's originating province to finalize the adoption.

14. Where a decision has been made to finalize the adoption, refer to **Interprovincial: Finalization for Children Entering the Province** policy and procedures.

15. In the case where a decision has been made to end the adoption placement, refer to **Interprovincial: Placement Disruption** policy and procedures**.**

Exceptions:

Dependent on the child's originating province requirements.

Relevant Documents:

- **Provincial/Territorial Protocol on Children, Youth and Families Moving Between Province and Territories (Appendix A)**
- **Post Placement Report**

Interprovincial: Post Placement Period for Children Leaving the Province

Policy no.: 9.15
Effective Date: June 30, 2014
Date Revised: July 12, 2016
Policy Cross References: Post Placement Period
Legislative References

Purpose: To outline the procedures to be followed during the post placement period for a child leaving the province for adoption.

Policy:

1. The **Provincial/Territorial Protocol on Children, Youth and Families Moving Between Provinces and Territories** shall be followed for post placement reporting.

2. Where a child in the continuous or voluntary custody of a Manager leaves the province for adoption **Children Available for Adoption: Post Placement Period** policy and procedures shall apply.

3. At the end of the post placement period the receiving province shall make a recommendation regarding finalization of the adoption placement to the Provincial Director.

PROCEDURES:

1. Where a child in the custody of a Manager leaves the province for adoption, **Children Available for Adoption Post Placement Period** policy and procedures shall apply.

2. Where a child in the custody of a Manager has been placed in another province for adoption the social worker shall request the assistance of the receiving province for the post placement period.

3. The social worker shall ensure that the receiving province is aware of the post placement requirements outlined in **Children Available for Adoption: Post Placement Period** policy and procedures including:

   a) a social worker must have at minimum **one in person private contact per month** with each child until the granting of the adoption;
   b) a social worker must have at minimum **one in person home visit per month** with all adoptive parents during the post placement period;
   c) a social worker shall complete a written report **titled Post Placement Report** at the end of the **1st , 3rd , and 6th month** of a child being placed with the prospective adoptive parent(s);
   d) a social worker in the receiving province shall make a recommendation regarding the finalization of the adoption to a social worker in this province

4. Where the receiving province does not use the PRIDE model, the social worker must request the completion of a narrative **Post Placement Report** which would include the following:

   a) dates of visits and who was present;
   b) an assessment of the adjustment of the child and adoptive parent(s) to the adoption placement;
   c) whether an attachment between the child and adoptive parent (s) appears to be developing;
   d) the child's progress in school or daycare, where applicable;
   e) whether the family has managed to deal with any concerns or issues that may have occurred;
   f) an assessment of the adoptive parent's ability to meet the developmental needs of the child;
   g) a recommendation regarding the suitability of continued placement of the child with the adoptive parent(s).

5. The social worker in the receiving province must forward all completed **Post Placement Reports** to the Provincial Director. The Provincial Director will provide copies of the **Post Placement Reports** to the Manager for approval.

6. The Manager shall make the final decision regarding the continued placement of the child.

7. The Manager shall make the final decision to finalize an adoption. The Manager's written approval for finalization must be forwarded to the Provincial Director. The Provincial Director shall notify the receiving province of the decision to finalize.

8. A copy of all Post Placement Reports shall be placed on the adoption file.

Exceptions: None

Relevant Documents:

- **Provincial/Territorial Protocol on Children, Youth and Families Moving Between Provinces and Territories (Appendix A)**

Interprovincial: Finalization for Children Entering the Province

Policy no.: 9.16
Effective Date: June 30, 2014
Date Revised: October 28, 2022
Policy Cross References: Finalization Process
Legislative References: s.27 Who may apply to the court; **s28** Required documents

Purpose: To outline requirements for finalization of Interprovincial adoptions for children entering the province for adoption.

Policy:

1. A social worker must make a written recommendation regarding finalization following the end of a **six month** post placement period.

2. A child must have resided with the applicant for at least **six months** prior to applying to the court for an **Adoption Order**.

Procedures:

1. Following the post placement period the social worker shall complete a written recommendation regarding whether the placement should be finalized. The recommendation shall be included in the completion of the final **Post Placement Report**. The supervisor shall forward the report to the Provincial Director with a copy to the Manager.

2. Where the social worker is recommending finalization of the adoption, an **Application for Adoption Order** must be completed and accompany the final **Post Placement Report**. The **Adoption Order** will reflect the child's new name and the adoptive parent's names as stated on the application. This information will be included on the child's new birth certificate, therefore, it is important to ensure accurate information (i.e. spelling of names) on the application**.** The child's former surname should **not** appear on the application, unless the child is maintaining their surname following finalization. The adoptive mother's maiden name, if applicable, shall also be stated on the application for birth registration procedures.

3. The Provincial Director makes the decision regarding proceeding to finalization of the adoption.

4. The Provincial Director shall notify the child's originating province of the intent to finalize the adoption. The originating province must provide confirmation of their agreement with the decision to finalize the adoption.

5. A child 12 years of age or older must provide consent to the adoption and a change of name by completing a **Consent of Child** form. The social worker must explain to the child that they can consent to the adoption without consent to their change of name. All implications of the decision must be explored with the child to enable them to give informed consent. In situations where the child does not have to consent to the name change, but is between ages 5 to 11 years, the issue of name change will be assessed in a written views and wishes report which is submitted to the court.

6. A child 12 years of age or older who has consented to their adoption may revoke their consent **at any time** before an **Adoption Order** is made by notifying the social worker verbally or in writing. A social worker must obtain a revocation of consent by having the child complete the **Child's Revocation of Consent to Adoption.** Following the revoking of consent the social worker must notify the supervisor in writing of the child's decision. A copy shall be forwarded to the Provincial Director and Manager.

7. A social worker must complete an **Affidavit Re: Counselling Child Under Age 12 on Change of Name and Effects of Adoption** for all children over age 5 years and under age 12 years being proposed for adoption.

8. A social worker must complete an **Affidavit Re: Counselling Child Aged 12 and Older on Change of Name and Effects of Adoption** for all children 12 years of age or older being proposed for adoption

9. Where a child placed for adoption turns 5 years of age prior to proceeding to finalization, a social worker must complete the **Views and Wishes Report** and **Affidavit RE: Counselling Child Under Age 12 on Change of Name and Effects of Adoption.**

10. Where the child is Indigenous, the completed and final **Cultural Connection Plan** must be included in the adoption package of information which is submitted to court. The **Cultural Connection Plan** shall be signed by the prospective adoptive parent(s), the Indigenous Representative (where applicable) and any others involved in the development of the plan (where applicable) to indicate their agreement.

11. Following the receipt of all documentation required for court from the child's originating province and this province, the Provincial Director shall prepare the **Provincial Director's Certificate**. A **Provincial Director's Certificate** cannot be issued until all required documentation has been received.

12. The Provincial Director will prepare the original documentation for court and forward it to the Manager for presentation to court.

13. Once all required documentation has been received, the social worker shall ensure that the documents that support the adoption are filed with the court at minimum **two days** prior to the hearing. A copy of all documents submitted to the court must be retained for the file.

14. When a court date for finalization is obtained, the social worker must immediately advise the adoptive parent(s).

15. Following review of the information by the court, where a judge requests a Manager or adoption agency to inquire into a matter related to an **Application for Adoption Order,** the Manager or social worker must comply regardless of the type of adoption. The report back to the court will be completed in a manner specified by the court.

16. Upon request by the court, a Manager may provide a recommendation to the court on issues related to the adoption, for example access issues. This can be done by filing an affidavit with the court or appearing in court to give the evidence.

17. The social worker must be present for the court hearing along with the adoptive parent(s).

18. When an **Adoption Order** is granted, the court will forward a certified copy to the Provincial Director and a certified copy to the Registrar of Vital Statistics.

19. The Registrar of Vital Statistics will forward a copy of the **Adoption Order** to the Registrar of Vital Statistics in the province in which the child was born. The child's birth record will then be changed to reflect the information on the.

20. When an **Adoption Order** is granted, the adoptive parents shall be notified that the Provincial Director will provide them with **two certified copies** of the **Adoption Order** with the child's birth surname removed, once received from the court.

21. The adoptive parent(s) shall be notified, in writing that these documents should be kept in a secure location as they may be needed in the future for information purposes. Obtaining additional certified copies of the order may be difficult as they are sealed with the court and vaulted with the Provincial Director. When the family receives the orders, they may apply to Vital Statistics for the child's new birth certificate in the province in which the child was born.

22. The Provincial Director will notify the child's originating province, in writing, when the adoption is granted.

23. A copy of the **Adoption Order** and any additional documentation required by the child's originating province shall be forwarded to the child's originating province within **thirty days** of the **Adoption Order** being granted.

24. When an **Adoption Order** is granted in respect to an Indigenous child, the Provincial Director must request the child's originating province to notify in writing the Indigenous representative of the appropriate Indigenous government or organization of the child.

Exceptions: Depending on the child's originating province/territory.

Relevant Documents:

- **Provincial Director's Certificate**
- **Application for Adoption Order**
- **Adoption Order**
- **Affidavit Re: Counselling Child Under Age 12 on Change of Name and Effects of Adoption**
- **Affidavit Re: Counselling Child Age 12 and Older on Change of Name and Effects of Adoption**
- **Child's Revocation of Consent to Adoption**

Interprovincial: Finalization for Children Leaving the Province

Policy no.: 9.17
Effective Date: June 30, 2014
Date Revised: October 28, 2022
Policy Cross References: Legislative References: s.36 Manager to Notify Indigenous Representative re: adoption

Purpose: To outline requirements for finalization of Interprovincial adoptions for children leaving the province for adoption.

Policy:

1. Finalization of an adoption for a child leaving the province shall be in accordance with policy of the receiving province.

2. A social worker in the receiving province must make a written recommendation to the Provincial Director regarding finalization following the end of the post placement period.

3. The Provincial Director shall provide the receiving province with the required original consent(s) to adoption.

4. The Provincial Director shall provide the receiving province with any other documents required to finalize the adoption.

5. Where the child is Indigenous, the Manager shall provide written notification of the adoption to the appropriate Indigenous government or organization of the adoption.

Procedures:

1. Finalization of an adoption of a child placed in another province shall be in accordance with the receiving province's policies and procedures.

2. The receiving province shall forward a written recommendation to the Provincial Director regarding finalization following the post placement period.

3. Once a Manager has approved the finalization of the adoption, the Provincial Director will notify the receiving province of the approval.

4. The receiving province shall notify the Provincial Director, in writing, when the adoption has been finalized.

5. The receiving province shall provide a copy of the **Adoption Order** to the Provincial Director within **thirty days** of the **Adoption Order** being granted. When an **Adoption Order** is granted in respect to an Indigenous child, the Manager shall notify in writing the Indigenous representative of the appropriate Indigenous government or organization of the child after the certified copy of the order is obtained from the receiving province.

Exceptions: Dependent on the requirements of the receiving province.

Relevant Documents: None

Interprovincial: Placement Disruption of Children Entering The Province

Policy no.: 9.18
Effective Date: June 30, 2014
Date Revised: July 12, 2016
Policy Cross References: Adoption Disruption; Adoption Investigation
Legislative References:

Purpose: To outline the process to be followed where consideration is being given to the termination of an adoption placement of a child who entered the province for adoption prior to the granting of an **Adoption Order**.

Policy:

1. The **Provincial/Territorial Protocol on Children, Youth and Families Moving Between Provinces and Territories** shall be followed when an adoption placement disruption occurs.

2. An adoption disruption can occur at any time **prior** to the granting of an **Adoption Order.**

3. All allegations of maltreatment in an adoption placement shall be assessed in accordance with **Adoption Investigations** policy and procedures**.**

4. The supervisor shall immediately advise the Provincial Director and Manager of any concerns which could result in a disruption during an adoption placement.

5. The Provincial Director shall consult with the child's originating province if an adoption disruption is being considered.

Procedures:

1. All Interprovincial adoption disruptions shall be assessed in accordance with **Adoption Disruption** policy and procedures.

2. The supervisor shall notify the Provincial Director and Manager immediately if an adoption placement disruption is being considered prior to finalization of the adoption.

3. The Provincial Director shall notify the child's originating province of any placement disruption being considered prior to finalization.

4. The Provincial Director shall, after consultation with the supervisor and the child's originating province, make the final decision regarding the continued placement of the child.

5. In cases where a decision is made to discontinue the placement the social worker shall notify the adoptive applicant(s) and the child, where age and developmentally appropriate, in person. The Provincial Director shall provide written confirmation of the decision to the adoptive applicant(s) as soon as possible after the in person meeting with a copy to the supervisor and Manager.

6. When an adoption placement is disrupted prior to finalization the Provincial Director and the child's province will negotiate a plan of care that is in the best interest of the child.

7. Where a child is in the custody of another province, placement decisions regarding the child will be made in accordance with the **Provincial/Territorial Protocol on Children, Youth and Families Moving Between Provinces and Territories.**

8. Where a child is **not** in the custody of another province and an adoption placement is disrupted the Provincial Director shall consult with the child's originating province regarding placement decisions for the child.

9. A decision regarding the continued approval of the prospective adoptive parent's file will be made by the Provincial Director.

10. In cases where the decision is made to continue with the placement the social worker shall notify the prospective adoptive parent(s) in person of this decision. If the placement continues but there is a conditional approval, the prospective adoptive parent(s) shall agree to the conditions as part of the continued approval and the conditions shall be documented in the prospective adoptive parent's file and monitored as part of the ongoing work with the family. The Provincial Director shall provide written confirmation of the decision to the prospective adoptive parent(s) as soon as possible after the in person meeting with a copy to the supervisor and Manager.

11. In cases where conditions were outlined, the final **Post Placement Report** shall include the specifics as to how the issues were resolved and be forwarded to the Provincial Director by the supervisor, with a copy to the Manager.

Exceptions: None

Relevant Documents:

- **Provincial/Territorial Protocol on Children, Youth and Families Moving Between Provinces and Territories (Appendix A)**
- **Post Placement Report**
- **Adoption Order**

Interprovincial: Placement Disruption of Children Leaving The Province

Policy no.: 9.19
Effective Date: June 30, 2014
Date Revised: July 12, 2016
Policy Cross References: Services to Birth Parents
Legislative References:

Purpose: To outline the process to be followed where consideration is being given to the termination of an adoption placement of a child placed for adoption in another province.

Policy:

1. The **Provincial or Territorial Protocol on Children, Youth and Families Moving Between Provinces and Territories** shall be followed when an adoption disruption occurs.

2. The Provincial Director shall be notified immediately of any concerns which may result in an adoption disruption of a child from this province placed in another province.

3. An adoption disruption can occur at any time **prior** to the granting of an **Adoption Order**.

Procedures:

1. The receiving province shall notify the Provincial Director immediately of any concerns which may result in an adoption disruption of a child from this province placed for adoption in another province.

2. The Provincial Director shall notify the supervisor and Manager immediately of any concerns which may result in an adoption disruption of a child from this province in another province.

3. The Provincial Director will request that the receiving province complete and forward to the Provincial Director a written report that must include but is not limited to:

   a) a description of the identified concern and any previous concerns;
   b) a summary of interviews completed, observations and findings;
   c) a summary of files/information reviewed to assess the concerns;
   d) an assessment of information gathered pertaining to the identified concerns;
   e) an assessment of the ability of the prospective adoptive parent(s) to continue to meet the five PRIDE competencies;
   f) supportive services offered to the prospective adoptive parent(s) to address the identified concerns;
   g) an assessment and recommendations regarding the placement and a plan for addressing the identified concerns or discontinuation of the placement of the child; and
   h) the outcome of any services offered in addressing the issue of concern.

4. The written report shall identify all interviews completed. This would include private interviews with the child and prospective adoptive parent(s) and interviews with other persons who may have information which will assist in assessing the concerns identified (such as other children and adults living in the home, social workers who have been involved with the family in the past, and other professionals working with the child).

5. The Provincial Director shall share the investigation report with the supervisor and Manager immediately upon receipt of the report.

6. The Manager shall make the final decision regarding the continued placement of the child.

7. Where the decision is made to disrupt an adoption placement the receiving province will notify the adoptive applicant(s) and child, where age and developmentally appropriate, in person, of the decision. The receiving province shall provide written notification of the decision to the adoptive applicant(s) with a copy to the Provincial Director.

8. Where an adoption placement is disrupted the receiving province and the Provincial Director, in consultation with the Manager, shall negotiate a plan of care that is in the best interests of the child and make any placement decisions according to the **Provincial/ Territorial Protocol on Children, Youth and Families Moving Between Provinces and Territories.**

9. Where a child was placed as the result of a direct placement in another province for adoption and the adoption placement is disrupted the social worker shall notify the birth parent(s) **immediately** of the decision. The birth parent(s) shall be given the opportunity to develop a new plan on behalf of their child. For information related to birth parent placement options see **Services to Birth Parents** policy and procedures.

Exceptions: None

Relevant Documents:

- **Provincial/Territorial Protocol on Children, Youth and Families Moving Between Provinces and Territories (Appendix A)**

Interprovincial: Adoption Investigation for Children Entering the Province

Policy no.: 9.20
Effective Date: June 30, 2014
Date Revised: March 22, 2018
Policy Cross References: Adoption Investigation
Legislative References:

Purpose: To outline the process to be followed for investigating allegations of maltreatment where a child from another province has been placed in this province for adoption.

Policy:

1. An adoption investigation can occur any time **prior** to the granting of an **Adoption Order.**

2. The Provincial Director must be notified immediately by the supervisor of any allegation of maltreatment in an Interprovincial adoption placement.

3. The Provincial Director shall notify the child's originating province of an adoption investigation.

4. **Placement of Children for Adoption: Adoption Investigation** policy and procedures shall be followed for investigating allegations of maltreatment of a child from another province in an adoption placement.

Procedures:

1. All Interprovincial adoption investigations shall be in accordance with **Placement of Children for Adoption: Adoption Investigation** policy and procedures**.**

2. The Provincial Director must be notified immediately by the supervisor of any Interprovincial adoption investigations prior to finalization of the adoption.

3. The Provincial Director shall notify the child's originating province of any investigation(s).

4. The **Referral on a Placement Resource and Investigation on a Placement Resource,** including a recommendation from the social worker and program supervisors, shall be forwarded to the Provincial Director **within forty-five days** of commencement of the investigation with a copy to the Manager.

5. The Provincial Director shall, after reviewing the investigation information and recommendation of the social worker and program supervisors,
   a) consult with the child's originating province;
   b) make a decision regarding the continuation of the adoption placement;
   c) make a decision regarding the continued approval of the adoptive parent's adoption file.

6. The social worker shall notify the prospective adoptive parent(s) in person of the outcome of the investigation and the decision regarding the continued placement and approval of their adoption file. The Provincial Director shall provide written confirmation of the decision to the prospective adoptive parent(s) as soon as possible after the in person meeting with a copy to the supervisor and Manager.

7. The Provincial Director shall advise the child's originating province of the outcome of the investigation and, in consultation with child's originating province, negotiate a plan of care that is in the child's best interest.

8. When a child is in the custody of another province, placement decisions regarding the child will be made in accordance with the **Provincial/Territorial Protocol on Children, Youth and Families Moving Between Provinces and Territories.**

Exceptions:

1. If there are extenuating circumstances that interfere with the completion of an investigation **within the forty-five day** timeframe an extension may be granted with the approval of the Provincial Director.

Relevant Documents:

- **Adoption Order**
- **PRIDE Facilitators Manual**
- **Structured Decision Model (SDM) Manual**
- **Memorandum of Understanding with RNC/RCMP**
- **Working Relationship Agreement**
- **Provincial/Territorial Protocol on Children, Youth and Families Moving Between Provinces and Territories (Appendix A)**
- **Convention On The Protection Of Children And Co-Operation In Respect Of Intercountry Adoption**
- **Referral on a Placement Resource**
- **Investigation on a Placement Resource**
- **Alternate Care Provider Safety Assessment tool (ACPSA)**

Overview: Adoption Subsidy

The adoption subsidy program is intended to provide support to children in the continuous custody of a Manager who are identified for adoption and have been determined to have a special service need or special placement need. The primary focus of the program is the child and providing support to that child by ensuring an adoptive applicant has the necessary supports in place. As in all adoptions, the primary responsibility for meetings a child's needs, rests with the prospective adoptive parents.

In order to receive an adoption subsidy:

the child must be deemed eligible and have an approved **Request to Approve a Child for Adoption Subsidy;**

- the child must be matched with an approved adoptive applicant; and
- the adoptive parent(s) must be deemed eligible to receive adoption subsidy services through the completion of a comprehensive assessment.

Eligibility

In order for a child to receive an adoption subsidy service, the following eligibility criteria must be met:

- the child must be in the continuous custody of a Manager and assessed to have a special service need or special placement need that would otherwise prevent adoption if an adoption subsidy was not available;
- the social worker has assessed that the approved adoptive applicant(s) does not have the personal resources to meet the identified need(s) of the child;
- community resources to address the child's needs are not available; and
- securing a placement that has been determined to be in the child's best interests would not be possible without the provision of an adoption subsidy;

Services

The adoption subsidy program allows for a monthly financial care rate and/or support services. **Services should not exceed those available to all children in care as outlined in the Protection and In Care Policy and Procedures Manual.**

A monthly financial care rate shall only be considered where:

- the proposed child is part of a sibling group and the recommendation is that the sibling group be placed together. The provision of a monthly financial care rate would reduce financial barriers to adoption;
- the child has an attachment with the proposed adoptive parent i.e. foster parent(s)/significant other/relative **or** the social worker has specifically identified an adoptive parent for the child (for example, the adoptive parent of a birth sibling). The provision of a monthly financial care rate would reduce financial barriers to adoption.

- the child is Indigenous and in order to support a cultural placement, a monthly financial care rate would be necessary to reduce the financial barriers to adoption. Consideration would have to be given to any additional funding sources that may be available to an Indigenous child.

Adoption Subsidy Agreement or Deferred Adoption Subsidy Agreement

In order to receive adoption subsidy services, an **Adoption Subsidy Agreement** or **Deferred Adoption Subsidy Agreement** (where the child has been identified as being at risk for a developmental issue but does not require any services prior to the finalization of the adoption) must be completed and signed by the adoptive applicant **prior to** the granting of an **Adoption Order**.

The role of the social worker in determining whether an adoption subsidy agreement should be recommended involves:

- considering the special placement needs of the child through the completion of a **Request to Approve a Child for an Adoption Subsidy**;
- considering the basic cost of raising a sibling group and the number of children the adoptive applicants were approved to adopt;
- assessing the adoptive family's ability to access both private and community based programs for the child;
- determining if the adoption of the child would cause undue financial hardship on the family;
- determining the service needs of the child to support a **Cultural Connection Plan,** where the child is Indigenous.
- verifying the income and expenses of the adoptive applicants;
- making a recommendation for approval to a Manager of all services required on behalf of a child for the following **twelve months**;
- completing the **Adoption Subsidy Agreement** or **Deferred Adoption Subsidy Agreement** prior to the granting of an **Adoption Order**.

Where approved, an **Adoption Subsidy Agreement** may remain in effect until the child's 19th birthday. Where post-secondary education costs have been approved by a Manager, an **Adoption Subsidy Agreement** may be provided up to the age of 21 and shall only cover costs associated with post-secondary education. All other services and the financial care rate shall terminate when the child reaches 19 years of age. Costs associated with post-secondary education shall only be considered for a child who is/was in continuous custody and is/was adopted by their foster parent (regular), significant other foster parent(s), or a person that the social worker and supervisor have specifically identified as an adoptive parent for the child (for example, the adoptive parent of a birth sibling).

Adoption Subsidy: Child Eligibility

Policy no.: 10.2
Effective Date: June 30, 2014
Date Revised: May 30, 2016; October 28, 2022
Policy Cross References: Legislative References:

Purpose: To outline the eligibility requirements for a child in continuous custody to be approved for an adoption subsidy.

Policy:

1. A child must be in the continuous custody of a Manager to be eligible for an adoption subsidy.

2. A child in the continuous custody of a Manager must be assessed as having medical, physical, developmental, emotional, cultural, and/or placement need(s) that may prevent an adoption if an adoption subsidy is not provided.

3. For a child to receive an adoption subsidy, a **Request to Approve a Child for Adoption Subsidy** and an **Adoption Subsidy Agreement** or a **Deferred Adoption Subsidy Agreement** must be completed and approved by a Manager on behalf of a child **prior** to the granting of an **Adoption Order**.

4. An **Adoption Subsidy Agreement** or **Deferred Adoption Subsidy Agreement** may continue until the adopted child reaches their 19th birthday**.**

5. Where post-secondary education costs have been approved by a Manager, an **Adoption Subsidy Agreement** may be provided up to the age of 21 and shall only cover the cost of post-secondary education. All other services and the financial care rate shall terminate when the child reaches 19 years of age.

Procedures:

1. In order to be considered for an adoption subsidy, both the child and the adoptive applicant with whom the child has been matched with must be deemed eligible to receive the service. All children being considered for an adoption subsidy must have an approved **Request to Approve a Child for an Adoption Subsidy** prior to assessing an adoptive applicant's eligibility.

2. The adoption subsidy program allows for a monthly financial care rate and/or support services to children in the continuous custody of a Manager being considered for adoption. See **Adoptive Parent(s) Eligibility** policies and procedures for detailed information on assessing an adoptive parent(s) eligibility for an adoption subsidy.

3. A child in the continuous custody of a Manager may be considered for an adoption subsidy where:

   a) the child has a special placement need that would otherwise prevent adoption if an adoption subsidy was not available. A special placement need may include one or more of the following:
      i. medical
      ii. physical;
      iii. developmental;
      iv. emotional;
      v. cultural where the proposed adoption placement preserves an Indigenous child's unique cultural identity; and/or
      vi. a child is part of a sibling group and placing the siblings together would result in financial strain on an adoptive family without well planned short and/or long term supports;
   b) the approved adoptive applicant(s) does not have the personal resources to meet the identified need(s) of the child; and
   c) community resources to address the child's needs are not available; and/or
   d) securing a placement that has been determined to be in the child's best interests would not be possible without the provision of an adoption subsidy.

4. To be considered for an adoption subsidy, social worker shall complete a **Request to Approve a Child for Adoption Subsidy** form. The final decision regarding approval shall be made by a Manager.

Request to Approve a Child for an Adoption Subsidy

5. The social worker must complete a comprehensive assessment, using the **Request to Approve a Child for Adoption Subsidy** form for a child in the continuous custody of a Manager where an adoption subsidy may be required.

6. A **Request to Approve a Child for Adoption Subsidy** shall be completed at the time the child is being profiled for adoption. The **Request to Approve a Child for Adoption Subsidy** shall include, but is not limited to, the following:

   a) information related to the current medical, physical, developmental, behavioral, emotional, cultural, and/or placement need(s) of the child;
   b) medical documentation related to a developmental need. For example, the effects of prenatal drug/alcohol use;
   c) medical documentation related to a recognized physical disability that would require special accommodations or equipment for the child;
   d) information related to a recognized high risk of developing a medical, physical, developmental, behavioral, emotional need due to a child's trauma experiences. For example, issues related to abuse, neglect, multiple placements, prenatal drug/alcohol exposure, mental health issues of a birth parent, or any other information deemed relevant;
   e) information related to current services provided on behalf of the child; and

f) supporting documentation from appropriate professionals such as a physician and/or other qualified health practitioner, social workers, teachers and/or guidance counselors, **must** be included. Consideration shall be given to obtaining service recommendations from an independent party.

7. The **Request to Approve a Child for Adoption Subsidy shall not** include any recommendation regarding a monthly financial care rate or future specific support services. The details related to a monthly financial care rate or support services can only be determined once a child has been matched with an adoptive applicant(s) and the adoptive applicant's eligibility has been assessed. The **Request to Approve a Child for Adoption Subsidy** must include information related to previous and current services received on behalf of the child.

8. The completed **Request to Approve a Child for Adoption Subsidy** and all supporting documentation, with the social worker's recommendation, shall be forwarded to a supervisor.

9. The final decision regarding approval of the **Request to Approve a Child for Adoption Subsidy** shall be made by a Manager.

10. The approved **Request to Approve a Child for Adoption Subsidy** shall be included in the child's adoption package that is submitted to the Provincial Director. See **Children Available** policy and procedures for all documentation required where adoption is recommended.

11. Where the Provincial Director matches a child to an approved applicant and an adoption subsidy is being considered, a comprehensive eligibility assessment on an adoptive applicant shall be completed in accordance with **Adoptive Parent(s) Eligibility** policy and procedures**.**

12. Where a child has been assessed as eligible to receive adoption subsidy services but no identified services are required prior to the granting of an **Adoption Order**, the social worker may assess the suitability of an adoptive parent to enter into a **Deferred Adoption Subsidy Agreement** as per the policies and procedures outlined in **Deferred Adoption Subsidy Agreement.**

Exceptions:

1. There may be times where a **Request to Approve a Child for Adoption Subsidy** was not completed when the child's adoption package was submitted to the Provincial Director for matching. This may be due to a service need not being identified at that time. In such circumstances, a social worker may complete a **Request to Approve a Child for Adoption Subsidy** following adoption placement. Approval of the request may be given by a Manager at **any time prior** to the granting of an **Adoption Order**. A copy of all approved **Request to Approve a Child for Adoption Subsidy** shall be forwarded to the Provincial Director.

Relevant Documents:

- **Request to Approve a Child for Adoption Subsidy**
- **Adoption Subsidy Agreement**
- **Deferred Adoption Subsidy Agreement**

Adoption Subsidy: Adoptive Parent(s) Eligibility

Policy no.: 10.3
Effective Date: June 30, 2014
Date Revised: March 22, 2018, October 28, 2022
Policy Cross References: Legislative References:

Purpose: To outline the requirements and process for determining adoption subsidy eligibility on behalf of adoptive parents.

Policy:

1. Adoptive applicants must be approved **and** be matched with a child **prior** to being assessed for adoption subsidy services.

2. In order to enter into an **Adoption Subsidy Agreement** or **Deferred Adoption Subsidy Agreement** with an adoptive parent, the Manager **must have** approved a **Request to Approve a Child for Adoption Subsidy** on behalf of the child.

3. In order to enter into an **Adoption Subsidy Agreement** with an adoptive parent, the adoptive parents must be determined eligible through the completion of the **Adoptive Parent(s) Eligibility For an Adoption Subsidy** form.

4. To receive adoption subsidy services, eligible adoptive parents must enter into an **Adoption Subsidy Agreement** or **Deferred Adoption Subsidy Agreement prior** to the granting of an **Adoption Order**.

5. Services negotiated through the adoption subsidy program are directly related to the needs of a child **and** the ability of the prospective adoptive parents to meet those needs.

6. An **Adoption Subsidy Agreement** is valid for **one year** from the time the **Adoptive Parent(s) Eligibility For An Adoption Subsidy** form is approved.

7. A **Deferred Adoption Subsidy Agreement** does not contain adoption subsidy services and is not reviewed annually.

8. An adoption subsidy may continue until the adopted child reaches their 19th birthday**.**

9. Where post-secondary education costs have been approved by a Manager, an **Adoption Subsidy Agreement** may be provided up to the age of 21 and shall only cover costs associated with post-secondary education. All other services and the financial care rate will terminate when the child reaches 19 years of age.

Procedures:

Adoptive Parent(s) Assessment

1. Prior to assessing the adoptive parent's eligibility, the identified child must have an approved **Request to Approve a Child for Adoption Subsidy.** See **Child Eligibility** policy and procedures for additional information.

2. The primary responsibility for meeting the child's daily needs rests with the adoptive parents. Adoptive parents of a child approved for an adoption subsidy are expected to use their private and/or community resources and assume financial responsibility for the child, except for those services and/or costs that have been negotiated through the adoption subsidy program.

3. Adoptive parents may be assessed for two types of services:

   a) support services to address the child's medical, physical, developmental, cultural or emotional needs; and/or
   b) in exceptional cases, a monthly financial care rate.

4. When an adoptive parent(s) has been identified to adopt a child in the continuous custody of a Manager **and** the child has an approved **Request to Approve a Child for Adoption Subsidy**, the social worker shall discuss with the family whether the following subsidized adoption benefits are necessary:

Monthly Financial Care Rate

5. A monthly financial care rate is the amount equivalent to the basic foster care rate as outlined in the **Basic Foster Care Rate** policy of the **Protection and In Care Policy and Procedures Manual** to cover the daily costs associated with raising a child. It is intended to reduce the financial barriers to adoption. The financial care rate covers the following:

   a) food, shelter and clothing;
   b) personal hygiene needs;
   c) fees for lessons, programming and extra-curricular activities;
   d) routine babysitting;
   e) school supplies and field trips;
   f) non-prescription medications; etc.

6. A financial care rate shall only be considered where:

   a) the proposed child is part of a sibling group and the recommendation is that the sibling group be placed together;
   b) the child has an attachment with the proposed adoptive parent. For example a foster parent(s), a significant other, a relative **or** a person that the social worker and supervisor have specifically identified as an adoptive parent for the child (for example, the adoptive parent of a birth sibling).
   c) he child is Indigenous and in order to support a cultural or community placement, a monthly financial care rate would be necessary. Consideration would have to be given to any additional funding sources that may be available to an Indigenous child.

7. An approved adoptive applicant is expected to provide for the daily costs associated with raising a child. Prior to approval of the financial care rate, consideration must be given to the number of children the applicant has requested to adopt and the number of children recommended for adoption by the social worker.

8. In order to consider a monthly financial care rate for a sibling group adoption, the social worker must discuss with the adoptive parents their ability to provide for the daily financial care of the sibling group.

9. A social worker may recommend adoptive parents receive a monthly financial care rate where a financial barrier to adoption exists. Consideration may be given in one or both of the following circumstances:

   a) where **two or more** children have been presented to an applicant from the provincial adoption list. The adoptive parents are not eligible for a monthly financial care rate for the first child in a sibling group as their initial assessment should have determined that they had the financial ability to provide for the daily needs of at least one child. Consideration must be given to the number of children the adoptive parent(s) applied to and was approved to adopt;
   b) where the adoptive parents are foster parents, significant others, relatives to the child **or** someone specifically identified by the social worker and supervisor as the adoptive parent for the child (for example, the adoptive parent of a birth sibling). The adoptive parents are eligible for a monthly financial care rate on behalf of each child;

      The social worker must consult with a supervisor to determine whether the family should be assessed for a monthly financial care rate.

10. Where it is determined that a monthly financial care rate is being considered, the social worker must complete an updated financial assessment on behalf of the adoptive parents. This assessment shall include a financial assessment incorporating the following:

    a) completion of the **Adoptive Parent's Budget Analysis** form and the change in finances that may occur following the placement of the sibling group. This will assist in assessing any financial hardship that may be incurred following placement. Information provided on the form shall be verified by the social worker;
    b) information related to the adoptive parent's views on their ability to meet the financial needs of the proposed sibling group;
       any other information deemed necessary to assess the adoptive parent's ability to meet the needs of the proposed sibling group. Information related to the financial assessment shall be included on the **Adoptive Parent(s) Eligibility For An Adoption Subsidy** form.

11. The in care **level fee** payment **is not available** to adoptive applicants from the approved adoptive applicant waitlist. The equivalent of the level fee, as outlined in the **Level Fee** policy and procedures of the **Protection and In Care Policy and Procedures Manual**, may only be considered for foster parents who were receiving the level fee as approved foster parents **and** where consideration has been given to the following criteria:

    a) the child has a diagnosis;
    b) the age of the child;
    c) the length of the placement;

d) whether the child is part of a larger sibling group;
e) cultural connections;
f) the level of parenting skill required to meet the needs of the child; and
g) not providing the level fee would be a financial barrier to an adoption.

In exceptional circumstances, any other considerations for payment of the level fee in a foster parent adoption require the approval of the Assistant Deputy Minister, Regional Service Delivery and Operations (ADM).

12. Foster parents or adoptive applicants from the approved adoption list **are not eligible** for **block funding**, as per the **Block Funding** policy and procedures of the **Protection and In Care Policy and Procedures Manual** but are entitled to the same benefits of other adoptive parents. These benefits may include the Canada Child Tax Benefit (CCTB), and/or the Child Disability Benefit (CDB).

Support Services

13. Support services may be considered where the child has an approved **Request to Approve a Child for Adoption Subsidy** prior to the granting of an **Adoption Order**. See **Child Eligibility** for policy and procedures**.**

14. The services and rates for services approved on behalf of a child shall not exceed those for children in care as outlined in the **Protection and In Care Policy and Procedures Manual.**

15. The social worker shall discuss the family's ability to pay for and/or access services through their personal insurance and public programs prior to recommending fee for service. Adoption subsidy support services may include the following:

Medical services, special items or equipment that is required to meet an identified medical or special need

16. When a medical service (for example speech or occupational therapy, audiology services), special item or equipment is required, the social worker shall work with the adoptive parent(s) to explore their private insurance coverage and available public resources. The social worker must also explore any service available to an Indigenous child.

17. Where all private and public programs have been explored and are unavailable, or where the social worker has assessed that there are exceptional circumstances and the child is unable to wait for public supports, the social worker may recommend approval of the service to a supervisor. Supporting documentation from a physician and/or other qualified health practitioner must accompany the request. Consideration shall be given to obtaining recommendations from an independent party.

18. A Manager may approve medical services, special items or equipment not to exceed the benefits available to children in care as outlined in the **Financial Services for the Child or Youth** and the **Continuum of Care Benefits Overview** of the **Protection and In Care Policy and Procedures Manual.**

In exceptional circumstances, the Assistant Deputy Minister, Regional Service Delivery and Operations (ADM) may approve services requested in excess of a Manager's authority level.

Dental Services-Braces

19. When a corrective dental or orthodontic service is required for a child, the social worker shall work with the adoptive parent(s) to explore their private insurance coverage and available public resources. The social worker must also explore any service available to an Indigenous child.

20. Where all private and public programs have been explored but are unavailable or where the social worker has assessed that the child is unable to wait for public supports, the social worker may recommend approval of the service to a supervisor. Supporting documentation from a qualified service provider must accompany the recommendation.

21. A Manager may approve dental costs not to exceed the benefits available to children in care as outlined in the **Continuum of Care Benefits Overview** chart in the **Protection and In Care Policy and Procedures Manual.**

Vision Care

22. When vision care is required for a child, the social worker shall work with the adoptive parent(s) to explore their private insurance coverage and available public resources. The social worker must also explore any service available to an Indigenous child. Where all private and public programs have been explore but are unavailable, the social worker may recommend approval of the service to a supervisor. Supporting documentation from a qualified service provider must accompany the recommendation.

23. A Manager may approve vision care not to exceed the benefits available to children in care as outlined in the **Continuum of Care Benefits Overview** chart in the **Protection and In Care Policy and Procedures Manual.**

Tutoring

24. Where tutoring is required, a recommendation from the child's school must be provided outlining the reason for the request and information related to why the school is unable to meet the academic needs of the child. The social worker shall determine the type of service required to adequately meet the needs of the child. The social worker shall explore whether there are educational supports or services offered through the school, another public program/service, or the adoptive parent's private insurance that could meet the child's needs.

25. Where all private and public programs have been explored but are unavailable or where the social worker has assessed that the child is unable to wait for public supports, the social worker may recommend approval of the service to a supervisor. Supporting documentation from a physician or other qualified health practitioner must accompany the request. Service recommendations should also include a recommendation from an independent party, not the person who will be providing the service.

26. A Manager may approve tutoring costs not to exceed the benefits available to children in care as outlined in the **Continuum of Care Benefits Overview** chart in the **Protection and In Care Policy and Procedures Manual.**

In exceptional circumstances, the Assistant Deputy Minister, Regional Service Delivery and Operations (ADM) may approve services requested in excess of a Manager's authority level.

Child Care

27. Child care is a regularly scheduled arrangement to provide care to a child under the age of 13 years, or in exceptional circumstances for a child 13-15 years of age who is unable to be left unattended due to a special need.

28. Child care is normally the responsibility of an adoptive parent and funding for child care is not provided where child care is used for the sole purpose of parent(s) employment. All adoptive parents are eligible to apply for the child care subsidy program. Information related to the child care subsidy program can be found at http://www.gov.nl.ca/cyfs/childcare/childcaresubsidy.html

29. A child may be considered eligible to receive child care services through the adoption subsidy program where:

    a) child care for pre-school age children **only** is being recommended by a qualified health practitioner in order to meet an identified special need. In these cases, a social worker must assess this request and make a recommendation to a supervisor regarding the need for service. Part of the assessment must involve the social worker exploring the adoptive parents plan for child care following placement as child care would normally be the responsibility of an adoptive parent. A request may only be considered where the adoptive parents are not utilizing child care for employment purposes;
    b) the child is part of a larger sibling group and the costs associated with child care may be a barrier to adoption. The adoptive parents will not be eligible for child care for the first child as the adoptive applicants initial assessment should have determined that they had the financial ability to provide for the child. Consideration must be given to the number of children the adoptive family was approved to adopt;
    c) it is a foster parent adoption and the child is currently approved for and attending child care; and/or
    d) the child is being adopted by a foster parent(s)/significant other/relative or an adoptive parent specifically identified by the social worker and supervisor (for example, the adoptive parent of a birth sibling) and the cost of child care services would be a barrier to adoption.

30. Where appropriate, a social worker may recommend approval of child care services to a supervisor. Supporting documentation from a qualified service provider must accompany the request.

31. A Manager may approve child care costs not to exceed the benefits available to children in care as outlined in the **Continuum of Care Benefits Overview** chart in the **Protection and In Care Policy and Procedures Manual.**

    In exceptional circumstances, the Assistant Deputy Minister, Service Delivery and Regional Operations (ADM) may approve services requested in excess of a Manager's authority level.

Transportation and Accommodations

32. Transportation and accommodations, by the most economical method, may be considered where required for a child to receive a needed service.

33. Prior to approving transportation and accommodation costs, the social worker must assess the adoptive parent's ability to access their personal resources including private insurance coverage. The social worker must also explore public resources and any service the child may be eligible to receive due to them having Indigenous status. Exploration of all external sources and other government departments should also be considered.

34. Transportation costs may be approved for a child in exceptional cases where:

    a) medical transportation is required that would not be considered routine local community travel. This should be assessed based on the purpose, frequency and distance of the travel (e.g. child must attend a specialist appointment; a child has a medical diagnosis that requires several medical appointments outside their community).
    b) an openness agreement and/or **Openness Order**, with a person significant to a child, has been determined to be in the best interests of the child **and** travel costs associated with maintaining openness may place hardship on an adoptive family.

35. Where the child is Indigenous and where it has been recommended by a social worker that in order to maintain a child's cultural connections and/or outlined in the **Cultural Connection Plan**, transportation and accommodations would be required.

36. Where appropriate, a social worker may recommend approval of transportation and accommodation costs to a supervisor.

37. A Manager may approve transportation costs not to exceed the benefits available to children in care outlined in the **Continuum of Care Benefits Overview** chart in the **Protection and In Care Policy and Procedures Manual.**

38. In exceptional circumstances, the Assistant Deputy Minister, Regional Service Deliver and Operations (ADM) may approve services requested in excess of a Manager's authority level.

Counselling

39. When counseling is required for a child, the social worker shall work with the adoptive parent(s) to explore available public counselling services and any service the child may be eligible to receive due to them being Indigenous. In addition, the social worker shall explore the adoptive parent's private insurance to determine whether coverage may exist on behalf of the adopted child.

40. Where all public and private programs have been explored but are either unavailable or have a significant waitlist (keeping in mind community standards for waitlists) that would prevent the child from getting required services in a timely fashion, the social worker may recommend the approval of a counselling service to a supervisor. Supporting documentation from a qualified service provider must accompany the request. Consideration shall be given to obtaining a recommendation from an independent party.

41. A Manager may approve counseling costs and shall not exceed the benefits available to children in care as outlined in the **Continuum of Care Benefits Overview** chart of the **Protection and In Care Policy and Procedures Manual.**

42. In exceptional circumstances, the Assistant Deputy Minister, Regional Service Deliver and Operations (ADM) may approve services requested in excess of a Manager's authority level.

Home Modifications

43. To support the placement of a child, the cost of home modifications may be approved to accommodate a child with a disability or other special service or placement need. Where the request is related to a disability or service need, a recommendation from a qualified health practitioner shall accompany the request.

44. When a social worker receives a request for home modifications from an adoptive parent to accommodate a child with a disability or other special service or placement need, the social worker shall consult with a supervisor to determine if the request may be supported. Supporting documentation shall be included with the request. If the supervisor supports the request, the supervisor shall consult with a Manager.

45. Where a Manager supports the request, the social worker shall advise the adoptive parent(s) to obtain three quotes for the modifications from three certified and registered contractors. All home modification costs must be approved by a Manager and shall not exceed the benefits available to children in care as outlined in **Financial Services for the Child or Youth** policy and **Continuum of Care Benefits Overview** chart in the **Protection and In Care Policy and Procedures Manual.**

    In exceptional circumstance, the Assistant Deputy Minister, Service Delivery and Regional Operations (ADM) may approve services requested in excess of a Manager's authority level.

Respite services, as it applies to the needs of the child being adopted

46. Respite services may be approved in **exceptional** circumstances and is based on the individual needs of the child.

47. The social worker shall consider the following when assessing the need for respite:

    a) age and developmental abilities/needs of the child;
    b) number of persons with complex needs residing in the home;
    c) degree of stress experienced by the adoptive parent(s);
    d) number of respite hours the adoptive parent(s) is requesting;
    e) medical considerations of the child;
    f) dependency of the child in the area of self-help;
    g) requirement of the child for constant or intensive supervision;
    h) behavioral difficulties exhibited by the child (e.g. self abusive, destructive or aggressive behavior); and
    i) recommendations by all relevant health care/school/other professionals.

48. A Manager may approve respite services and that must not to exceed the benefits available to children in care as outlined in **Respite for Foster Parents NOT receiving Block Funding** in the **Protection and In Care Policy and Procedures Manual.**

49. In exceptional circumstances, the Assistant Deputy Minister, Regional Service Delivery and Operations (ADM) may approve services requested in excess of a Manager's authority level.

Post-Secondary Education and Career Planning

50. Post-secondary education costs are generally the responsibility of adoptive parents following the granting of an **Adoption Order**.

51. Costs associated with post-secondary education shall only be considered for a child who:

    a) is/was in continuous custody; and
    b) is/was adopted by their foster parent (regular), significant other foster parent(s), or a person that the social worker and supervisor have specifically identified as an adoptive parent for the child (for example, the adoptive parent of a birth sibling); and
    c) the adoptive parent(s) is eligible for the monthly financial care rate.

    All other services and the financial care rate shall terminate when the child reaches 19 years of age.

52. Where a child may be eligible for alternate forms of financial support (e.g. adoptive parent contribution, RESP, services available to Indigenous children), there is an expectation that the child access these additional supports prior to seeking funding from the Department. In these cases, the Department may off-set the outstanding financial need upon the approval of a Manager.

53. A Manager may approve post-secondary education and career planning in accordance with the policies and procedures outlined in **Post-Secondary Education and Career Planning** outlined in the **Protection and In Care Policy and Procedures Manual.** Costs shall **NOT** exceed those available to children in care.

54. In exceptional circumstances, the Assistant Deputy Minister, Regional Service Deliver and Operations (ADM) may approve services requested in excess of a Manager's authority level.

55. Where post-secondary education costs have been approved by a Manager, an **Adoption Subsidy Agreement** may be provided up to the age of 21. All approved adoption subsidy services must be reviewed annually.

Approval for Adoption Subsidy Services

56. The social worker shall complete the **Adoptive Parent(s) Eligibility For An Adoption Subsidy** form outlining all subsidy services requested on behalf of a child. The written report shall include:

    a) the amount associated with a monthly financial care rate, where applicable;
    b) an itemized list of all requested support services (including number of hours requested, length of time of service, total cost of services for 12 month period, service provider, etc.), where applicable;
    c) supporting documentation;
    d) information related to whether the service was previously provided or if it is a new service exploration of the adoptive parent's ability to contribute to the service and/or the ability to access public services;
    e) the social worker's recommendation regarding each identified service.

57. The **Adoptive Parent(s) Eligibility For An Adoption Subsidy** form and all supporting documentation shall be submitted to a supervisor for review and recommendation.

58. The final decision regarding adoption subsidies shall be made by a Manager.

59. Once approval for the adoption subsidy services have been obtained, the social worker shall complete an **Adoption Subsidy Agreement** form. The form shall outline the services and costs associated with the services for the following year. See **Adoption Subsidy Agreement** policy and procedures for further information.

60. Once approval has been given by the Manager, the social worker shall meet with the adoptive parents to review the **Adoption Subsidy Agreement.** The social worker shall explain the review process and have the adoptive parents sign the **Adoption Subsidy Agreement.** A signed copy of the **Adoption Subsidy Agreement** shall be provided to the adoptive parent(s).

61. Where a child has an approved **Request to Approve a Child for Adoption Subsidy** but does not require services prior to the granting of an **Adoption Order**, the social worker may explore the option of entering into a **Deferred Adoption Subsidy Agreement.** The assessment of the adoptive parent's eligibility for adoption subsidy services is **not** required in order to enter into a **Deferred Adoption Subsidy Agreement**. Eligibility for future services is assessed if requested by the adoptive parent. Please refer to **Deferred Adoption Subsidy Agreement** policies and procedures for further information.

Exceptions: None

Relevant Documents:

- **Request to Approve a Child for Adoption Subsidy**
- **Adoption Subsidy Agreement**
- **Deferred Adoption Subsidy Agreement**
- **Adoptive Parent(s) Budget Analysis**
- **Adoptive Parent(s) Eligibility For An Adoption Subsidy**

- **Cultural Connection Plan**
- **Protection and In Care Policy and Procedures Manual**

Adoption Subsidy: Adoption Subsidy Agreements

Policy no.: 10.4
Effective Date: June 30, 2014
Date Revised: March 22, 2018, October 28, 2022
Policy Cross References: Child's Eligibility; Adoptive Parent(s) Eligibility
Legislative References:

Purpose: To outline the requirements for the completion of an adoption subsidy agreement.

Policy:

1. Prior to entering into an **Adoption Subsidy Agreement**, a child must have an approved **Request to Approve a Child for Adoption Subsidy** and the adoptive parent(s) must be determined as eligible to receive adoption subsidy services.

2. The **Adoptive Parent(s) Eligibility For An Adoption Subsidy** must be approved by a Manager prior to the completion of an **Adoption Subsidy Agreement**.

3. An **Adoption Subsidy Agreement** must be approved and signed **prior** to the granting of an **Adoption Order**.

4. An Adoption Subsidy is valid for **twelve months** from the time the **Adoptive Parent(s) Eligibility For An Adoption Subsidy** is approved.

5. An Adoption subsidy is reviewed annually and may continue until the adopted child reaches their 19th birthday**.**

6. Where post-secondary education costs have been approved by a Manager, an **Adoption Subsidy Agreement** may be provided up to the age of 21 for educational costs only.

Procedures:

Adoption Subsidy Agreement

1. An **Adoption Subsidy Agreement** may be completed once a child **and** an adoptive parent have been deemed eligible. All adoption subsidy services must be approved by a Manager using the **Adoptive Parent(s) Eligibility For An Adoption Subsidy** form. See **Child Eligibility** and **Adoptive Parent Eligibility** policy and procedures related to assessing adoption subsidy service eligibility.

2. A child must have an approved **Request to Approve a Child for Adoption Subsidy** in order to receive adoption subsidy services. Where a **Request to Approve a Child for Adoption Subsidy** was not previously completed, a social worker may complete it at any time, where deemed appropriate, **prior** to the granting of an **Adoption Order** where deemed appropriate using the policies and procedures outlined in **Child Eligibility** policy and procedures**.**

3. Once the **Adoptive Parent(s) Eligibility For An Adoption Subsidy** has been approved by a Manager, the social worker shall complete an **Adoption Subsidy Agreement** form outlining the services and costs associated with each service required for the following **twelve month period.**

4. The social worker shall ensure that all agreements include the following:

   a) an effective date. An adoption subsidy may begin at the time the **Adoption Subsidy Agreement** is signed and is valid for **twelve months** from the date the **Adoptive Parent(s) Eligibility For An Adoption Subsidy** was approved;
   b) an itemized list of all services required to meet the child's needs for the **twelve month** duration of the agreement and identification of how these services will be obtained. The agreement shall identify how long the services will be required and clearly indicate any cost associated with the service;
   c) a statement of the actual monthly amount of any financial care rate.

5. A separate **Adoption Subsidy Agreement** must be completed on behalf of each child receiving subsidy services.

6. The social worker shall submit the completed **Adoption Subsidy Agreement** to a supervisor for review and recommendation. The final decision regarding an **Adoption Subsidy Agreement** shall be made by a Manager.

7. Once the **Adoption Subsidy Agreement** has been approved by a Manager, the social worker shall review the agreement and discuss the approved services and terms of the approval with the adoptive parents. The adoptive parents must sign the agreement acknowledging their acceptance before any funding or services are provided. A signed copy of the **Adoption Subsidy Agreement** shall be provided to the adoptive parents.

8. The social worker must review the following with the prospective adoptive parent(s) at the time the agreement is signed.

   a) that the adoptive parent will notify the social worker if the child is no longer living in the adoptive home or if the family moves;
   b) that the adoptive parent will notify the social worker if the child's' developmental needs change or the family finances change;
   c) that the adoptive parent will ensure that the child receives the indicated services and is responsible for ensuring that the services are satisfactory in meeting the child's needs;
   d) where a monthly financial care rate has been approved, the monthly amount will not increase in any subsequent reviews;
   e) benefits are for a pre-determined period only and each agreement must be reviewed at minimum every **twelve months**.

9. Once Approved, the social worker shall complete a **Financial Benefit Request** Form.

10. An **Adoption Subsidy Agreement** may begin at the time of placement of the child in the adoptive home or **any time prior** to the granting of an **Adoption Order**. An adoption subsidy program must open on behalf of the child in their anticipated adoptive name.

11. An adoption subsidy file must open in ISM as per the ISM Matrix Training Guide. Each adoption subsidy file shall contain the following:

a) the approved **Request to Approve a Child for an Adoption Subsidy** and supporting documentation included with the request;
b) the **Adoptive Parent(s) Eligibility For an Adoption Subsidy;**
c) the **Adoptive Parent(s) Budget Analysis**
d) the **Adoption Subsidy Agreement** or **Deferred Adoption Subsidy Agreement.**

12. Where an adoptive parent requests a new service or increase in an existing service, prior to the expiry of the agreement, the social worker shall assess the request and complete the **Amendment to an Approved Adoption Subsidy Agreement** form.

13. All changes to approved services and any request for new services may only be approved for the duration of the existing agreement and in keeping with the following:

    a) a new **Adoption Subsidy Agreement** would not be required;
    b) where the supporting documentation received recommends a service be provided beyond the expiry of the current agreement, this documentation may be used at the time of review of the current **Adoption Subsidy Agreement** if:
        i. the social worker is recommending the continuation of the service following the review; and
        ii. the supporting documentation is less than **one year** old at the time of approval.
    c) all adoption subsidies must be reviewed **annually** according to the policies and procedures outlined in **Adoption Subsidy Review.**

14. The social worker shall submit all documentation with the **Amendment to an Approved Adoption Subsidy Agreement** form to a supervisor. The final decision regarding approval of any change in existing service or new services shall be made by a Manager.

15. Once approved, the social worker shall complete a **Financial Benefit Request** form.

Exceptions: None

Relevant Documents:

- **Request to Approve a Child for an Adoption Subsidy**
- **Adoption Subsidy Agreement**
- **Adoptive Parent(s) Eligibility For An Adoption Subsidy**
- **Financial Benefit Request**
- **Amendment To An Approved Adoption Subsidy Agreement**

Adoption Subsidy: Deferred Adoption Subsidy Agreements

Policy no.: 10.5
Effective Date: June 30, 2014
Date Revised: March 22, 2018
Policy Cross References: Child Eligibility; Adoptive Parent(s) Eligibility
Legislative References:

Purpose: To outline the requirements for the completion of a deferred adoption subsidy agreement.

Policy:

1. Prior to entering into a **Deferred Adoption Subsidy Agreement** with an adoptive parent, the child must have an approved **Request to Approve a Child for Adoption Subsidy.**

2. A **Deferred Adoption Subsidy Agreement** must be completed prior to the granting of an **Adoption Order** for a child to receive adoption subsidy services at a later time.

3. A **Deferred Adoption Subsidy Agreement** is valid until the adopted child reaches their 19th birthday and is only reviewed at the request of the adoptive parent(s).

Procedures:

Deferred Adoption Subsidy Agreement:

1. A **Deferred Adoption Subsidy Agreement** may be considered for children in continuous custody identified as being at risk of developing developmental needs but at the time of the adoption are not displaying any issue that would warrant the need for support services. These children, however, may require future support services as a result of a history of abuse, neglect, or other maltreatment; exposure to drugs or alcohol prenatally; or a birth parent having an existing genetic condition that may pose a risk to the child's overall health in the future.

2. A **Deferred Adoption Subsidy Agreement** does not contain any service details but enables an adoptive parent(s) to return at a later date to request subsidy service.

3. Prior to discussing the option of a **Deferred Adoption Subsidy Agreement** with an adoptive parent, the social worker shall discuss with a supervisor the suitability of entering into a **Deferred Adoption Subsidy Agreement**.

4. Where a **Request to Approve a Child for Adoption Subsidy** was not previously completed, a social worker may complete it at any time **prior** to the granting of an **Adoption Order** where deemed appropriate. See **Child Eligibility** for further information.

5. Where a child has an approved **Request to Approve a Child for an Adoption Subsidy,** the need for future adoption subsidy services may be discussed with a proposed adoptive parent at any time following the presentation of the child to them for acceptance.

6. Where considering a **Deferred Adoption Subsidy Agreement**, the social worker shall inform the adoptive parent(s):

   a) of information related to past services provided on behalf of the child and any anticipated needs the child may have for the future;
   b) that any future support services may be negotiated following the granting of an **Adoption Order** where a **Deferred Adoption Subsidy Agreement** was previously signed and an adoptive parent requests support service;
   c) that all children in continuous custody being assessed for adoption subsidy support services shall be assessed using the **Child Eligibility** criteria;
   d) that all adoptive parents requesting adoption subsidy support services shall be assessed for eligibility as per the policies and procedures outlined in **Adoptive Parents Eligibility;**
   e) that all adoptive parents requesting future adoption subsidy support services are required to complete an updated financial assessment as part of their eligibility assessment;
   f) that any request for support services shall be accompanied by supporting documentation;
   g) that all adoptive parents are required to enter into an **Adoption Subsidy Agreement** where they request support services and those services are approved by a Manager;
   h) that all **Adoption Subsidy Agreements** must be approved by a Manager and are valid for **twelve months**;
   i) that all **Adoption Subsidy Agreements** must be reviewed in accordance with the policies and procedures in **Adoption Subsidy: Review**

7. The social worker shall complete and submit the **Deferred Adoption Subsidy Agreement** along with the approved **Request to Approve a Child for Adoption Subsidy** to a supervisor for review and recommendation. The final decision regarding approval shall be made by a Manager.

8. A separate **Deferred Adoption Subsidy Agreement** must be completed on behalf of each child receiving subsidy services.

9. Once the **Deferred Adoption Subsidy Agreement** has been approved by a Manager, the social worker shall review the agreement and discuss the terms of the agreement with the adoptive parents. The terms of the agreement include the following:

   a) that the parent shall notify the social worker if the child is no longer living in the adoptive home or if the family moves;
   b) that the parent shall notify the social worker if the child's developmental needs change; and
   c) that a **Deferred Adoption Subsidy Agreement** is not reviewed.

10. The adoptive parents must sign the agreement acknowledging their acceptance. A signed copy of the **Deferred Adoption Subsidy Agreement** shall be provided to the adoptive parents.

11. Where a **Deferred Adoption Subsidy Agreement** has been approved, an adoption subsidy program must open on behalf of the child in their anticipated adoptive name.

Request for Adoption Subsidy Support Services

12. At any time following the granting of an **Adoption Order** and prior to the child's19th birthday, an adoptive parent who completed a **Deferred Adoption Subsidy Agreement** may contact a social worker and request support services on behalf of their child.

13. In determining whether a child requires support services of the adoption subsidy program, the social worker shall assess the child's developmental needs according to policies and procedures in **Child's Eligibility**.

14. All requests for subsidy services must also include an assessment of the adoptive parent's eligibility according to policies and procedures in **Adoptive Parent's Eligibility**.

15. Where both the child and adoptive parents have been deemed eligible and approved by a Manager in accordance with the eligibility criteria, the social worker shall complete an **Adoption Subsidy Agreement** according to policies and procedures in **Adoption Subsidy Agreement.** An adoption subsidy is valid for **twelve months** from the date the **Adoptive Parent(s) Eligibility For An Adoption Subsidy** is approved and is reviewed annually.

Exceptions: None

Relevant Documents:

- **Request to Approve a Child for Adoption Subsidy**
- **Adoption Subsidy Agreement**
- **Deferred Adoption Subsidy AgreementAdoptive Parent(s) Eligibility For An Adoption Subsidy**

Adoption Subsidy Review

Policy no.: 10.6
Effective Date: June 30, 2014
Date Revised: March 22, 2018, October 28, 2022
Policy Cross References:
Legislative References:

Purpose: To outline the process for completing an adoption subsidy review.

Policy:

1. An adoption subsidy must be reviewed **annually**.

2. **Deferred Adoption Subsidy Agreements** are only reviewed at the request of the adoptive parent(s).

Procedures:

1. Where services are provided through the adoption subsidy program, the social worker shall contact the adoptive parents at least **sixty days** prior to the expiry of the **Adoptive Parent(s) Eligibility For An Adoption Subsidy** to begin the review process.

2. The social worker shall meet with the adoptive parent(s) as part of the review process and assess the need for continued adoption subsidy services. An interview with the child is not required unless deemed necessary to assess the need for services.

3. The social worker shall complete the **Adoption Subsidy Review** form with a recommendation outlining the support services requested on behalf of the child. Included in the report should be information related to the following:

    a) detailed information related to any changes in the child's developmental needs. If the child has been diagnosed with a developmental need, related to a pre-existing condition or previously identified risk factors, since the last **Adoption Subsidy Agreement** was completed, information should be obtained from the professional involved in the diagnosis and treatment of the condition;
    b) any improvements or change in the child's development and the impact of those changes on their need for previously approved support services;
    c) any changes in the overall composition and personal circumstances of the adoptive parents that may impact their ability to meet the needs of the child;
    d) an itemized list of all services required to meet the child's needs and identification of how these services will be obtained over the following **twelve months**. The form shall identify how long the services will be required and clearly indicate any cost associated with the service;
    e) supporting documentation related to any recommended continuation of support services or any request for a new support service; and
    f) any other information deemed appropriate by the social worker.

4. Where the adoptive parents are receiving a monthly financial care rate, the **Adoptive Parent(s) Eligibility For An Adoption Subsidy** form shall also be included and contain information:

   a) related to the adoptive parents continued need for a financial care rate. Discussions should include how the financial care rate is beneficial in meeting the child's needs and how the rate improves quality of care on behalf of the child. The financial care rate does not increase at the time of a review;
   b) related to the adoptive parent's views on their ability to meet the financial needs of the child. A new **Adoptive Parent's Budget Analysis** form is not required but may be completed; and
   c) deemed necessary to assess the family's ability to meet the developmental needs of the child.

5. The social worker shall complete a new **Adoption Subsidy Agreement** form outlining the services and costs associated with each service required for the following **twelve month** period.

6. The social worker shall forward the **Adoption Subsidy Review**, **Adoptive Parent(s) Eligibility For An Adoption Subsidy**, **Adoption Subsidy Agreement** forms, and the supporting documentation to the supervisor with their recommendation. The final decision regarding approval shall be made by a Manager.

7. Once adoption subsidy services have been approved by a Manager, the social worker shall discuss the approved services and terms of the approval with the adoptive parents including:

   a) that the parent will notify the social worker if the child is no longer living in the adoptive home or if the family moves;
   b) that the parent will notify the social worker if the child's' developmental needs change;
   c) that the parent will ensure that the child receives the indicated services and is responsible for ensuring that the services are satisfactory;
   d) benefits are for a pre-determined period only and each adoption subsidy must again be reviewed at minimum every **twelve months**.

8. Where an adoptive parent requests a new service or increase in an existing service, prior to the expiry of an **Adoption Subsidy Agreement,** the policies and procedures outlined in **Adoption Subsidy: Adoption Subsidy Agreements** shall apply.

9. The adoptive parents must review and sign the new **Adoption Subsidy Agreement** acknowledging their acceptance and a signed copy shall be provided to the adoptive parents. The social worker shall place a copy of the **Adoption Subsidy Agreement** on the adoption subsidy file. See policies and procedures outlined in **Adoption Subsidy: Adoption Subsidy Agreements.**

10. Once approved, the social worker shall complete a **Financial Benefit Request** form.

Exceptions: None

Relevant Documents:

- **Adoption Subsidy Agreement**
- **Deferred Adoption Subsidy Agreement**
- **Adoptive Parent(s) Budget Analysis**
- **Adoption Subsidy Review**
- **Adoptive Parent(s) Eligibility For An Adoption Subsidy**
- **Financial Benefit Request**

Adoption Subsidy: Closure

Policy no.: 10.7
Effective Date: June 30, 2014
Date Revised: May 30, 2016, October 28, 2022
Policy Cross References:
Legislative References:

Purpose: To outline the process for closing an adoption subsidy service.

Policy:

1. A supervisor may approve the closure of an adoption subsidy program when:

   a) the child reaches their 19th birthday;
   b) the child reaches 21 years of age, where post-secondary education costs were approved by a Manager;
   c) the child begins living permanently with a relative or another person significant to the child;
   d) the child is living independently;
   e) custody of the child is transferred to a Manager;
   f) the family cannot be located;
   g) the family requests termination;
   h) an adoption subsidy review indicates services are no longer required;
   i) the child is deceased.

2. Where the child no longer resides with the adoptive parent(s) and the adoption subsidy was closed, consideration may be given to reopening the adoption subsidy program should the child return home.

Procedures:

1. Where an adoptive parent or social worker cancels an **Adoption Subsidy Agreement,** termination of service shall take effect as soon as possible and **within 30 days** of the decision to cancel the agreement.

2. Where adoptive parent(s) request cancellation of the **Adoption Subsidy Agreement,** the social worker shall document the reasons for cancellation in the adoption subsidy file.

3. Where it has been determined that the child does not require services following an adoption subsidy review, the adoptive family may be approved for a **Deferred Adoption Subsidy Agreement** to permit the reinstating of services at a later time. See **Adoption Subsidy: Deferred Adoption Subsidy** for policies and procedures.

4. The social worker shall submit in writing all requests to close an adoption subsidy program to a supervisor. All closures are approved by the supervisor.

5. Where an **Adoption Subsidy Agreement** is cancelled, notice of and reasons for the cancellation shall be provided to the adoptive parent(s).

6. The social worker shall notify financial services of the decision to cancel an **Adoption Subsidy Agreement**.

7. Where the child no longer resides with the adoptive parents and the adoption subsidy was closed, consideration may be given to reopening the adoption subsidy program should the child return home. Assessment of the need for services shall be completed in accordance with policy **10.3 Adoption Subsidy: Adoptive Parent(s) Eligibility.**

Exceptions: None

Relevant Documents:

- **Adoption Subsidy Agreement**
- **Deferred Adoption Subsidy Agreement**

Overview: Adoption Agencies

A person or a corporation may apply to a Manager for a license to operate an adoption agency. An adoption agency can be licensed to provide one or more of the following services:

- **PRIDE** Adopt Pre-Service training to prospective adoptive parents;
- Completion of **PRIDE** adoption home assessments;
- Completion of post adoption reports;
- Services to birth parents;
- Intercountry adoption services

Whether the applicant is an individual or a corporation, a Manager must be satisfied that ALL requirements of the **Adoption Act, 2013** and the regulations regarding the establishment of an adoption agency have been met. Once a license is issued, the adoption agency must comply with provincial adoption policies and procedures and only provide those services for which it is licensed. Licenses may be issued for a three year period and are **not** transferrable.

Agencies wishing to renew a license shall do so in accordance with the requirements of the **Act** and the regulations regarding renewal. The decision respecting the renewal of a license rests with a Manager. ALL persons performing adoption functions and duties on behalf of a licensed adoption agency must:

- be a registered social worker;
- have a minimum of three years' experience as a registered social worker; and
- have supplied satisfactory documents as required in the regulations regarding application.

Where an adoption agency ceases operation, choses to cancel or suspend its license to operate, or the Manager cancels or suspends the adoption agency's license to operate, all adoption agency records must be surrendered, as requested by the Manager, in the time frame set forth in the regulations.

Before providing a service, an adoption agency shall advise the client of:

- the process for providing the service, the time involved, the structure of the interviews, the fees to be charged and the method of payment; and
- the adoption agency's arrangements for file storage and security of files and the disposition of records relating to adoptions.

All adoption records shall be forwarded to a Manager within thirty days of the adoption agency closing the adoption file.

An adoption agency shall submit to a Manager an annual report respecting its activities, including statistical information. An adoption agency shall comply with the **Act** and regulations regarding advertising and promotional material. An adoption agency shall not act for both the prospective adoptive parent and the birth parent of the child who is being adopted.

Adoption Agencies: Application and Approval

Policy no.: 11.2
Effective Date: June 30, 2014
Date Revised: March 22, 2018, October 28, 2022
Policy Cross References:
Legislative References: s.7 Adoption agency license; **s.80** Advertising prohibition

Purpose: To outline the requirements and process for applying for and licensing an adoption agency.

Policy:

1. A Manager is responsible for the approval of an adoption agency license.

2. A Manager may issue a license to an adoption agency to provide one or more adoption services. An adoption agency may only provide adoption services for which it is licensed.

3. An application for an adoption agency license shall be accompanied by the required documentation and fees.

4. All applicants must be a resident of the province and where the applicant is a corporation, each of the directors and officers must be residents of the province.

5. An adoption agency shall comply with the **Act,** Adoption Regulations, 2014; Adoption Agency Fees Regulations, 2014 and the policies and procedures outlined in the Adoption Policy and Procedures Manual.

6. An adoption agency license is valid for up to **three years** from the date of issue and is **not** transferrable.

Procedures:

License Application Process:

1. All individuals or corporations interested in becoming a licensed adoption agency must submit an **Application for Adoption Agency** form and be a resident of the province.

2. Individuals applying for an adoption agency license must provide the following with the application:

    a) Certificate of Conduct from the Royal Newfoundland Constabulary (RNC) or a certified criminal record check from the Royal Canadian Mounted Police (RCMP);
    b) three **Adoption Agency Reference Letter** forms;
    c) **Child Protection Clearance Check**;

d) proof that they is registered with Newfoundland and Labrador Association of Social Workers and that they has worked a minimum of three years as a registered social worker;
e) identification of the services for which the agency wishes to be licensed;
f) a description of the applicant's file storage and security arrangements including a description of the method to be used to provide back-up files in the event of loss;
g) proof of insurance coverage for the adoption agency;
h) résumé of the person providing adoption services;
    i) where the applicant proposes to become an Intercountry adoption agency:
    ii) identification of the countries where the services shall be provided;
    ii) confirmation of accreditation in the named countries;
i) any other information or documentation the Manager considers necessary.

3. Corporations applying for an adoption agency license must provide the following with the application:

    a) Certificate of Conduct from the RNC a certified criminal record check from the RCMP for **each** director and officer of the corporation;
    b) three **Adoption Agency Reference Letter** forms for **each** director and officer of the corporation;
    c) **Child Protection Clearance Check** for **each** director and officer of the corporation;
    d) proof of registration with Newfoundland and Labrador Association of Social Workers and proof that they have worked a minimum of three years as a registered social worker for any person who will be performing adoption functions and duties on behalf of the adoption agency;
    e) identification of the services for which the corporation wishes to be licensed;
    f) a description of the corporation's file storage and security arrangements including a description of the method to be used to provide back-up files in the event of loss;
    g) proof of insurance coverage for the corporation and its employees;
    h) résumé of the person(s) providing adoption services;
    i) where the applicant proposes to become an Intercountry adoption agency:
        i) identification of the countries where the services shall be provided;
        ii) confirmation of accreditation in the named countries.
    j) proof of incorporation;
    k) a copy of the corporation's articles of incorporation and bylaws;
    l) the names and addresses of the directors and officers of the corporation, who shall be resident in the province;
    m) any other information or documentation the Manager considers necessary.

4. Where an applicant is applying to provide multiple adoption services, the following fees shall apply:

    a) non-refundable initial application, $200;
    b) processing of application and issue of license for three years, $300.

5. Where an applicant is applying to provide post placement reports only, the following fees shall apply:

    a)non-refundable initial application fee, $100;

b) processing of application and issue of license for three years, $200.

6. An **Application for Adoption Agency** form and the required supporting documentation shall be reviewed by a social worker.

Approval:

7. The social worker shall submit the **Application for Adoption Agency** form and the required supporting documentation to a supervisor with their written recommendation regarding acceptance of the application.

8. Where a supervisor has reviewed and accepted the application, a social worker must complete an on-site visit.

9. During an on-site visit, the social worker shall discuss and document that the applicant has:

   a) a designated space to be used as an office with a locked door;
   b) an office properly secured when not in use;
   c) a locked filing cabinet;
   d) an adequate file record system and secure mail system;
   e) a dedicated business line;
   f) a secure computer, printer, and fax (where applicable);
   g) a secure document back-up system;
   h) a file management process;
   i) completed **PRIDE** Pre-service or has been advised of the requirement to complete **PRIDE** Pre-service **prior** to providing adoption services.

10. Where any of the above requirements have not been met, the social worker shall provide the applicant with an opportunity to ensure the requirements are met prior to recommending approval.

11. The social worker shall also inform the applicant that:

    a) adoption agencies are required to have an annual on-site inspection completed;
    b) adoption agencies **must** provide a written annual report of all their activities and statistical information;
    c) a license is valid for **three years** unless a suspension or cancellation occurs;
    d) a license is **non-transferable**;
    e) an adoption agency shall only provide those services for which it is licensed;
    f) an adoption agency shall comply with provincial adoption policies and procedures;
    g) an adoption agency license shall be displayed in a visible location within the agency;
    h) an adoption agency cannot act on behalf of both the prospective adoptive parent(s) and the child's birth parent(s);
    i) any changes to an adoption agency license must be approved by a Manager.

12. The social worker shall complete a written assessment incorporating all information obtained during the application and approval process. The assessment shall include an agreed upon plan for the completion of **PRIDE** Pre-service, where applicable. The social worker shall submit the written assessment to a supervisor with their recommendation regarding approval of the adoption agency license.

13. The final decision regarding approval shall be made by the Manager. The Manager may issue a license allowing for one or more of the following services to be provided by the adoption agency:

    a) **PRIDE** Adopt Pre-Service training to prospective adoptive parents;
    b) completion of adoption home assessments;
    c) of adoption **Post Adoption Reports**;
    d) completion services to birth parents including those outlined in **Services to Birth Parents** policy and procedures;
    e) intercountry adoption agency services.

14. In a letter to the approved applicant, the Manager shall provide written confirmation of:

    a) the approval;
    b) the specific adoption services to be provided by the adoption agency;
    c) information related to the agreed upon plan for the completion of **PRIDE** Pre- service, where applicable;
    d) in the case of a corporation, names of all social workers approved to provide adoption services;
    e) the requirement of the adoption agency to provide an annual written report of all activities and statistical information; and
    f) notification that an annual on-site inspection will be completed.

15. When an adoption agency has been approved, the license shall be issued by a Manager with a copy of the license and the approval letter to the Provincial Director. A license template shall be provided by the Provincial Director.

16. If the application is not approved, the social worker shall meet with the applicant in a timely manner to discuss the reasons for the decision. The applicant shall then be advised in writing, by a Manager, of the decision with a copy to the Provincial Director.

17. **CHECKLIST: Adoption Agencies – Corporation Approval** and **CHECKLIST: Adoption Agencies – Individual Approval** outlining the documents required must be completed**.**

Changes to an Adoption Agency Approval

18. Any request related to a change in an adoption agency license (for example, change in social work staff, officers or directors of the corporation, services provided, location of office, etc.) must be made in writing to a Manager.

19. A social worker must assess the request as per the policies and procedures outlined in this section. A written recommendation regarding approval of the request must be submitted to a supervisor.

20. All changes to an adoption agency license must be approved, in writing, by a Manager. A new approval letter shall be provided to the adoption agency with a copy to the Provincial Director.

21. If the changes are not approved, the social worker shall meet with the applicant in a timely manner to discuss the reasons for the decision. The applicant should be advised of the decision, in writing, by the Manager, as soon as possible following the meeting, with a copy to the Provincial Director.

22. If an adoption agency wishes to cease or suspend operations or if concerns arise which may result in the suspension or cancellation of the adoption agency license refer to **Adoption Agencies: Suspension/Cancellation of License.**

Exceptions: None

Relevant Documents:

- **Application for Adoption Agency**
- **Adoption Agency Reference Letter**
- **Child Protection Clearance Check**
- **Adoption Regulations, 2014 and Adoption Agency Fees Regulations, 2014**
- **CHECKLIST: Adoption Agencies – Corporation Approval**
- **CHECKLIST: Adoption Agencies – Individual Approval**

Adoption Agencies: Annual Inspections

Policy no.: 11.3
Effective Date: June 30, 2014
Date Revised: March 22, 2018, October 28, 2022
Policy Cross References:
Legislative References: s.7 Adoption agency license; **s. 80** Advertising prohibition

Purpose: To outline the requirements and procedures for the completion of a licensed adoption agency annual inspection.

Policy:

1. Annual inspections **must** be completed for all licensed adoption agencies.

2. A social worker shall have, at minimum, **one annual** on-site visit with all licensed adoption agencies.

Procedures:

1. The Manager shall ensure the inspection of all licensed adoption agencies is completed **annually**, or more frequently, where considered necessary.

2. During the annual inspection visit the social worker shall ensure that:

   a) the adoption agency's license is displayed in a visible location;
   b) any operational manuals used by the adoption agency are consistent with provincial policies and procedures;
   c) the adoption agency's insurance policy is being maintained;
   d) file storage, security and methods to provide back-up files in the event of a loss are in place;
   e) advertising and promotional material used by the adoption agency is reflective of the service provided and shall not;
      i. identify persons involved in an adoption or a proposed adoption
      ii. claim that a particular adoption agency can guarantee adoption placement of a child;
      iii. claim that an adoption agency can assure an expeditious placement of a child; or
      iv. claim that the services of any one adoption agency are superior to those of another.
   f) the adoption agency confirms that only adoption services for which the adoption agency has been licensed are being provided;
   g) where approved to provide services of an intercountry adoption agency, confirmation of the countries where the services shall be provided and confirmation of the agency's accreditation in the named countries is available;
   h) a copy of the adoption agency's written annual report, including statistical information, has been provided;
   i) other information/documentation deemed necessary by the social worker is available;

3. The social worker shall ensure that each adoption agency social worker licensed to perform adoption functions and duties has on their personal file current (less than **three years** old):

   a) Criminal Record and Vulnerable Persons checks ;
   b) three **Adoption Agency Reference Letter** forms ;
   c) satisfactory **Child Protection Clearance Check;**
   d) proof of current registration with the Newfoundland and Labrador Association of Social Workers;
   e) proof of **three years'** work experience as a social worker.

4. The adoption agency shall confirm that only the person(s) identified by the adoption agency to provide adoption services are providing these services.

5. The social worker may interview staff of the licensed adoption agency to determine compliance of the adoption agency with the **Act**.

6. A written report with a recommendation by the social worker, shall be completed and forwarded to a supervisor.

7. Approval of the annual inspection shall be made by the Manager. The Manager shall notify the adoption agency, in writing, if approval of the annual inspection is granted and the license is continued with a copy to the Provincial Director.

8. Where the Manager determines that, as a result of the review completed, certain conditions need to be met by the adoption agency to continue with their license, the Manager shall notify the adoption agency in writing. The adoption agency shall be given a period of time, not exceeding **sixty days**, to comply with these conditions. The social worker shall assess whether the conditions have been met and provide a written report to the supervisor for recommendation to the Manager.

9. The Manager shall decide whether the required conditions have been met and make a decision regarding continuation of the license.

10. In cases where continuation of the license is not recommended or the adoption agency wishes to cease operations, refer to criteria outlined in **Adoption Agencies: Suspension/Cancellation of License**.

Exceptions: None

Relevant Documents:

- **Adoption Regulations, 2014 and Adoption Agency Fees Regulations, 2014**
- **Application for a Child Protection Clearance Check**
- **Checklist for a Child Protection Clearance Check**
- **Adoption Agency Reference Letter**

Adoption Agencies: License Renewal

Policy no.: 11.4
Effective Date: June 30, 2014
Date Revised: March 22, 2018
Policy Cross References:
Legislative References: s.7 Adoption agency license; **s.80** Advertising prohibition

Purpose: To outline the process and requirements for the renewal of an adoption agency's license.

Policy:

1. An approved adoption agency license is valid for up to **three years** from the date of issue.

2. At least **sixty days** prior to the expiry date of a license, the adoption agency shall contact the social worker to advise whether the adoption agency wishes to pursue renewal of its license.

3. Renewal of an adoption agency license must meet the requirements outlined in **Adoption Agency: Application and Approval.**

4. A Manager is responsible for the approval of an adoption agency license renewal.

Procedures:

1. At least **sixty** days prior to the expiry of an adoption agency license, the adoption agency shall contact a social worker to begin the adoption agency license renewal process.

2. Where the adoption agency has not contacted a social worker **sixty days** prior to the expiration of the adoption agency's license, a social worker shall contact the adoption agency to determine whether the adoption agency wishes to pursue renewal of its license.

3. When an adoption agency chooses **not** to renew their license it shall notify a Manager in writing. The Manager shall provide written confirmation of receipt of the notification by the adoption agency, with a copy to the Provincial Director. The letter shall contain direction regarding adoption records as outlined in **Adoption Agencies: Records Management.**

4. If the adoption agency wishes to renew their license, the following documentation must be submitted to the social worker:

    a) an **Application for Adoption Agency** form indicating a request for renewal;
    b) a statement confirming that the information and documentation provided at the time of initial application for a license, or at the time of last license renewal, has not changed;
    c) a new Criminal Records and Vulnerable Persons Check;
    d) a new **Child Protection Clearance Check**;
    e) the fees for a license to complete all services:
        i. application for renewal fee of $50

ii. issue of renewal license for three years $300; or

f) the fees for a license to complete only Post Adoption Reports:
   i. application for renewal $50
   ii. issue of renewal license for three years $200

5. Where the adoption agency is requesting a change to their current license, the policies and procedures outlined in **Adoption Agencies: Application and Approval** shall apply.

6. A social worker shall complete an on-site visit as part of the renewal process. During the visit the social worker shall ensure that:

   a) the adoption agency's license is displayed in a visible location;
   b) any operational manual used by the licensed adoption agency is consistent with provincial policies and procedures;
   c) the adoption agency's insurance policy is being maintained;
   d) file storage, security and methods to provide back-up files in the event of a loss are in place;
   e) advertising and promotional material used by the adoption agency is reflective of the service provided and shall not:
      i. identify persons involved in an adoption or a proposed adoption;
      ii. claim that a particular adoption agency can guarantee adoption placement of a child;
      iii. claim that an adoption agency can assure an expeditious placement of a child; or
      iv. claim that the services of any one adoption agency are superior to those of another.
   f) the adoption agency confirms that the only adoption services for which the adoption agency has been licensed are being provided;
   g) where approved to provide services of an intercountry adoption agency, confirmation of the countries where the services shall be provided and confirmation of the agency's accreditation in the named countries is available;
   h) other information/documentation deemed necessary by the social worker is available.

7. Where any of the above requirements have not been met, the social worker shall provide the applicant with an opportunity to ensure the requirements are met prior to recommending renewal of the license.

8. The social worker shall prepare a written report indicating whether:
   a) all of the required documents, supporting information, and fees have been submitted;
   b) the adoption agency has complied with all previous licensing conditions;
   c) the adoption agency has been operating in accordance with the requirements of the **Act,** regulations and conditions of their current license;
   d) the license has been suspended or cancelled during its term.

9. The social worker shall submit the written report, supporting documentation, and recommendation regarding license renewal to a supervisor.

10. The final decision regarding approval of an adoption agency license renewal shall be made by the Manager.

11. In a letter to the adoption agency, the Manager shall provide written confirmation of:
   a) the license renewal;

b) the specific adoption services to be provided by the agency;
c) in the case of a corporation, names of all social workers approved to provide adoption services;
d) the requirement of the adoption agency to provide an annual written report of all activities and statistical information; and
e) notification that an annual on-site inspection will be completed.

12. When an adoption agency license renewal has been approved, the license shall be issued by a Manager with a copy of the license and the renewal letter to the Provincial Director. A license template shall be provided by the Provincial Director.

13. If the renewal is not approved, the social worker shall meet with the applicant in a timely manner to discuss the reasons for the decision. The applicant shall then be advised, in writing, by a Manager of the decision with a copy to the Provincial Director.

14. When an adoption agency license renewal is **not** approved, all adoption records shall be returned to the Manager in accordance with policies and procedures outlined in **Adoption Agencies: Records Management.**

15. **CHECKLIST: Adoption Agencies – Corporation License Renewal** and **CHECKLIST: Adoption Agencies –** Individual License Renewal outlining the documents required must be completed**.**

Exceptions: None

Relevant Documents:

- **Application for Adoption Agency**
- **Adoption Regulations, 2014 and Adoption Agency Fees Regulations, 2014**
- **Child Protection Clearance Check**
- **CHECKLIST: Adoption Agencies – Corporation License Renewal**
- **CHECKLIST: Adoption Agencies – Individual License Renewal**

Adoption Agencies: Suspension/Cancellation of License

Policy no.: 11.5
Effective Date: June 30, 2014
Date Revised:
Policy Cross References:
Legislative References: s.7 Adoption agency license; **s.80** Advertising prohibition

Purpose: To outline the process for suspending or canceling an adoption agency license.

Policy:

1. A Manager may suspend or cancel an adoption agency license upon the request of the adoption agency.

2. A Manager may suspend or cancel an adoption agency license where a Manager has cause for concern respecting the operation of the adoption agency.

Procedures:

Agency request for suspension or cancellation

1. Where an adoption agency chooses to suspend or cancel its license the adoption agency shall:

   a) advise the Manager, in writing, that it intends to suspend or cease operations;
   b) in the case of suspending operations provide an explanation as to why and for how long the agency wishes to suspend operations;
   c) within 10 days of notification of cancelation or suspension to the Manager, forward all adoption records to the Manager or another adoption agency, as directed by the Manager;
   d) advise the Manager of any client file which needs immediate attention and provide the information necessary to enable the Manager to make alternative arrangements for that file;
   e) advise all active clients, in writing, that the adoption agency's license has been suspended or canceled, with a copy to the Manager.

2. The Manager shall provide the adoption agency with written confirmation of a suspension or cancellation of its license with a copy to the Provincial Director.

3 An adoption agency may make a written request to the Manager to have the adoption agency's suspension or cancelation lifted.
4. Where consideration is given to lifting the suspension or cancelation, a social worker must complete an on-site visit. During the visit the social worker shall ensure that:

   a) the adoption agency's license is displayed in a visible location;
   b) any operational manuals used by the licensed adoption agency are consistent with provincial policies and procedures;
   c) the adoption agency's insurance policy is being maintained;

d) file storage, security and methods to provide back-up files in the event of a loss are in place;
e) advertising and promotional material used by the adoption agency is reflective of the service provided and shall not:
   i. identify persons involved in an adoption or a proposed adoption;
   ii. claim that a particular adoption agency can guarantee adoption placement of a child;
   iii. claim that an adoption agency can assure an expeditious placement of a child; or
   iv. claim that the services of any one adoption agency are superior to those of another.
f) the adoption agency confirms that the only adoption services for which the adoption agency has been licensed are being provided;
g) where approved to provide services of an intercountry adoption agency, confirmation of the countries where the services shall be provided and confirmation of the agency's accreditation in the named countries is available;
h) other information/documentation deemed necessary by the social worker is available.

5. Where any of the above requirements have not been met, the social worker shall provide the applicant with an opportunity to ensure the requirements are met prior to recommending reinstating the license.

6. The social worker shall prepare a written report indicating whether:

   a) all of the required documents and supporting information meet the requirement for continued approval;
   b) the adoption agency has indicated compliance with all previous licensing conditions;
   c) the adoption agency is prepared to operate in accordance with the requirements of the **Act**, regulations and conditions of their current license;
   d) the circumstances related to the suspension or cancellation of the adoption agency license has been resolved.

7. The social worker shall submit the written report, supporting documentation, and recommendation regarding reinstatement of the license to a supervisor.

8. The final decision regarding reinstatement of the adoption agency license shall be made by a Manager.

9. A reinstated adoption agency license shall remain in effect for up to **three years** from the date of the original approval or renewal date.

10. In a letter to the adoption agency, the Manager shall provide written confirmation of:

    a) reinstatement of the license and that the license shall remain in effect for up to **three years** from the date of the original approval or renewal date;
    b) the specific adoption services to be provided by the agency;
    c) in the case of a corporation, names of all social workers approved to provide adoption services;
    d) the requirement of the agency to provide an annual written report of all activities and statistical information; and
    e) notification that an annual on-site inspection will be completed.

11. If the reinstatement is **not** approved, the social worker shall meet with the applicant in a timely manner to discuss the reasons for the decision. The applicant shall then be advised, in writing, by a Manager of the decision with a copy to the Provincial Director.

Manager's suspension or cancellation

12. Where a concern has been identified respecting the operation of an adoption agency, a social worker must consult with a supervisor regarding the nature of the concern and whether an investigation is warranted. Concerns respecting the operation of the adoption agency may include that the agency:

    a) is not operating in the best interests of adoptive applicants and/or birth parents;
    b) is not operating in accordance with the **Act**, regulations, policies or procedures, or conditions of its license;
    c) has made a false statement(s) in the application for, or renewal of, a license;

13. Where a Manager has suspended or canceled an adoption agency license as a result of an investigation, a social worker shall meet with the adoption agency to discuss the reasons for the suspension or cancellation of the license. The adoption agency shall be notified, in writing, by the Manager as soon as possible following the meeting with a copy to the Provincial Director.

14 Following the investigation, where an adoption agency has its license suspended or canceled by a Manager, the adoption agency **shall:**

    a) within 10 days of notification of suspension or non-renewal of the license forward all adoption files to the Manager or another adoption agency as directed by the Manager;
    b) advise the Manager of any client file which needs immediate attention and provide the information necessary to enable the Manager to make alternative arrangements for that file;
    c) advise all active clients, in writing, that the adoption agency's license has been suspended or canceled, with a copy to the Manager.

15 Where an adoption agency has had its license suspended through an investigation the adoption agency shall be notified, in writing, of any conditions that must be met prior to lifting the license suspension.

16. Where an adoption agency notifies the Manager, in writing, that the adoption agency has met the conditions set out during a suspension period, the social worker shall assess that the conditions have been met.

17. The social worker shall prepare a written report, including a recommendation whether a suspension should be lifted, and forward to the supervisor.

18. The final decision regarding cancellation or suspension of the adoption agency license shall be made by the Manager.

19. The social worker shall meet with the adoption agency to notify them of the Manager's decision. The adoption agency shall be notified, in writing, by the Manager as soon as possible following the meeting with a copy to the Provincial Director.

Exceptions: None

Relevant Documents: None

Adoption Agencies: Records Management

Policy no.: 11.6
Effective Date: June 30, 2014
Date Revised: October 28, 2022
Policy Cross References:
Legislative References: s.7 Adoption agency license

Purpose: To outline the procedures for management of adoption agency records.

Policy:

1. Adoption agencies must ensure the security and confidentiality of all adoption records.

2. All closed adoption agency client files **must** be returned to the Provincial Director.

Procedures:

1. An adoption agency must ensure that all adoption records are stored in a secure and confidential manner.

2. All adoption agency records shall be forwarded to a Manager within **thirty days** of the agency closing the file. The adoption agency must close a file once the agency has concluded the direct provision of adoption services to the client.

3. Where an adoption agency license is suspended or cancelled, the adoption agency shall forward all adoption records to a Manager or another adoption agency, as directed by a Manager, within 10 days of notification of suspension or cancellation.

Exceptions: None

Relevant Documents: None

Overview: Openness

Openness in adoption involves maintaining some degree of contact between adopted children and their birth parents and/or relatives, foster parents, siblings, other individuals with whom the child has had a significant relationship, and cultural connections prior to the adoption. Openness should always be considered when permanency plans are being developed for a child in continuous or voluntary custody. It is critical for the social worker to discuss the concept of openness with any person requesting the placement of their child for adoption. Where the child is in continuous custody, the social worker must make a recommendation regarding the suitability of openness when recommending adoption on behalf of the child.

Openness may occur through the completion of an **Openness Agreement** or an **Openness Order**. An **Openness Agreement** is considered a good faith agreement and not legally binding whereas an **Openness Order** is a legally binding court order.

Openness Agreements may be entered into prior to the granting of an **Adoption Order** or after the granting of an **Adoption Order.** In cases whereby an openness agreement is being requested after an **Adoption Order** has been granted, all parties **must** have registered with post adoption services by completing an **Expression of Interest to Enter into an Openness Agreement** form. It is important that all parties expressing an interest in openness are advised that:

- entering into an **Openness Agreement** is committing to a long-term plan, which is deemed to be in the best interest of a child;
- openness may not be in the best interest of all parties and, therefore, prior to entering into an **Openness Agreement**, the parties should carefully consider the short and long term impact of doing so on themselves and on the child;
- the validity of an adoption is not affected by whether the terms of openness are adhered to by either party; and
- post adoption services has no responsibility or duty to facilitate compliance with openness. Where deemed in the child's best interest, post adoption services may contact and assist in facilitating a previously agreed upon **Openness Agreement** where one party does not meet the agreed upon conditions. Where an **Openness order** exists, it is the responsibility of the parties to the order to make application to the court where openness is not being adhered to.

Openness Agreements Prior to the Granting of an Adoption Order:

Where identified parties have expressed an interest in openness and the social worker for the child supports this openness, the social worker may assist the interested parties in determining the type of openness that will occur following the granting of an **Adoption Order**. Openness may range from direct to indirect contact and may or may not involve utilizing the services of post adoptions to exchange information. The **Openness Agreement** shall outline the terms agreed upon by the parties including the type and frequency of contact.

Openness Agreements After the Granting of an Adoption Order:

Where an **Openness Agreement** was not negotiated or entered into prior to the granting of an **Adoption Order**, interested parties may register with post adoption services for interest in connecting with an adopted child prior to their 19th birthday. In such cases, an **Openness Agreement** may only be entered into where there is a matched registration. **Openness Agreements** cannot be entered into after the adopted person turns 19 years of age.

Considerations for when to enter into an Openness Agreement or to apply for an Openness Order include:

a) the long term impact of court ordered openness on the child;
b) the nature of the relationship between the child and the proposed person for which access is recommended;
c) whether an **Openness Agreement** could provide the needed assurances for openness to continue as opposed to an **Openness Order**. **Openness Agreements** are good faith agreements and not legally binding. See policy Section **12.2** for additional information on **Openness Agreements**;
d) whether parties being considered for an **Openness Order** have consented to participate in the arrangement;
e) whether the arrangement would maintain a significant relationship between a child and a parent, sibling, or someone else significant to the child.
f) where the child is Indigenous, consideration should be given to whether the arrangement would maintain a connection between the child and their Indigenous culture; and
g) the current degree of contact occurring between the child and the person for whom the order will apply.

Openness Orders:

An **Openness Order** is an order made by a court under Section **50.6** of the **Act** for the purpose of facilitating communication or maintaining personal relationships or cultural connections after an **Adoption Order** is granted. **Openness Orders** clarify the matter of post adoption contact in advance of an adoption taking place and provide legal clarity regarding the rights and obligations of all parties. The court may grant an **Openness Order** where the court is satisfied that:

a) the **Openness Order** is in the best interests of the child;
b) the **Openness Order** will permit the continuation of relationships with one or more persons that are beneficial and meaningful to the child;
c) all persons who will be permitted to communicate with or have a relationship with the child under the **Openness Order** have consented to participate in the arrangement under the **Openness Order**; and
d) the prospective adoptive parent will be able to comply with the arrangement under the **Openness Order**.

The granting of an **Adoption Order** means any other order that granted access to the adopted child though another order ceases to exist. This includes any agreement that is enforceable under Part III of the **Children's Law Act** or Part IV of the **Family Law Act.**

Prior to the granting of an **Adoption Order,** a Manager shall notify all persons who as a condition of an order for continuous custody were granted access with the child and any Indigenous Representative of the appropriate Indigenous government or organization, where the child is an Indigenous child. A person who receives notice may apply to the court for an **Openness Order** in their own right.

Openness: Pre-Adoption Openness Agreements

Policy no.: 12.2
Effective Date: June 30, 2014
Date Revised: October 28, 2022
Policy Cross References: Post Adoption Services
Legislative References: s.50.1 through **50.7** Openness Orders; **s.51** through **53** Openness Agreements**; s.52** Post Adoption Openness Agreement

Purpose: To outline the procedure for the completion of an **Openness Agreement** prior to the granting of an **Adoption Order**.

Policy:

1. An **Openness Agreement** may be made between a prospective adoptive parent of a child and

   a) a birth parent of the child;
   b) a relative of the child;
   c) a person significant to the child;
   d) a prospective adoptive parent or an adoptive parent of a birth sibling of the child.

2. An **Openness Agreement** can be entered into only after all required consents to adoption have been obtained.

3. Where possible, **Openness Agreements** shall be negotiated prior to placement.

4. A child 12 years of age or older must agree to any **Openness Agreement** negotiated on their behalf.

5 In order to enter into an **Openness Agreement,** an **Expression of Interest to Enter Into an Openness Agreement** must be completed and signed by each party.

6. An **Openness Agreement** may remain in effect until the adopted child reaches 19 years of age.

Procedures:

1. Openness recognizes the importance of facilitating communication or maintaining connections. Openness may be formal or informal. An **Openness Agreement** may include direct contact including face-to-face contact and telephone calls or indirect contact such as exchange of photos, letters, gifts, and yearly updates

2. Informal openness does NOT require the completion of openness documents or registration with post adoption services. Informal openness would be appropriate where parties already have a pre-established relationship, are well known to one another, and are already engaging in openness. These parties appear to understand the importance of openness for the child, and have verbalized a commitment to continue the already established relationship for the child.

3. Instances where informal openness would be appropriate include situations where:

    a) Identifying information between the parties has already been exchanged and there is evidence to suggest openness will be maintained after the granting of an **Adoption Order**. For example, the parties are already visiting one another; and/or in contact via other indirect ways such as email, video conferencing, etc.
    b) The child is over 12 years of age, has indicated they do not wish for an openness agreement to be negotiated on their behalf, and the child is satisfied with the degree of contact that has been occurring.

4. Formal Openness may be considered where:

    a) Openness is being recommended but factors exist that would require the support of post adoption services for openness to be successful. For example, concerns exist where one party may not respect the boundaries of openness;
    b) Identifying information has not been shared among parties and it is recommended that post adoption services facilitate the exchange of information between parties;
    c) the parties were not known to one another prior to the child being matched or placed and/or the parties have a minimal relationship. Formalizing openness would provide the parties with clear expectations for future contact. Contact may be direct or indirect, identifying or non-identifying and may be facilitated through post adoption services. Formalizing openness would allow post adoption services to reach out to one party in the event openness is being maintained. Post adoption services can only reach out where an **Expression of Interest to Enter into an Openness Agreement** or an **Openness Agreement** had been signed by all parties. **Openness Agreements** are good faith agreements only and cannot be enforced.

5. Where openness is being recommended for children in continuous custody, the social worker **must** make a recommendation regarding the type of openness being recommended and with whom. Factors to consider include:

    a) whether there are any risk factors present that could place the child at risk for maltreatment if openness were to occur;
    b) whether openness has been deemed in the best interests of the child, a complete assessment of the relationship between the child and the proposed parties is required;
    c) the child's views and wishes;
    d) whether openness had already been occurring given the importance of maintaining significant connections for children following adoption. Where it has not been occurring, details related to why it has not been occurring and why it is being recommended at the point of adoption as opposed to other points during the time the child was in care is required;

6. Prior to negotiating an **Openness Agreement,** prospective adoptive parents, adoptive parents, birth parents, relatives and/or significant others may express an interest in post adoption openness by completing an **Expression of Interest to Enter into an Openness Agreement** for children in voluntary custody, an **Expression of Interest to Enter into an Openness Agreement** may be completed only after all required consents to adoption have been obtained.

7. Where possible, all **Openness Agreements** shall be negotiated prior to placement. Where concerns exist with a party's willingness to support openness, the suitability of the match may require further exploration.

8. All **Openness Agreements** shall be negotiated prior to finalization.

9. When discussing openness agreements**,** the social worker must ensure that the parties understand that:

   a) entering into an **Openness Agreement** is committing to a long term plan which is deemed to be in the best interest of a child;
   b) openness may not be in the best interest of all parties and, therefore, prior to entering into an **Openness Agreement**, the parties should carefully consider the short and long term impact of doing so on themselves and on the child;
   c) any interested party may complete an **Expression of Interest to Enter into an Openness Agreement.** Completing an **Expression of Interest to Enter Into an Openness Agreement** does not guarantee that openness will occur following the granting of an **Adoption Order**;
   d) where one party does not agree to the completing of an **Expression of Interest to Enter Into an Openness Agreement**, openness cannot proceed. In these situations, any completed **Expression of Interest to Enter Into an Openness Agreement** shall be forwarded to post adoption services to be maintained should another party register in the future;
   e) the social worker will assist in negotiating an **Openness Agreement** where more than one party has expressed an interest in openness by completing an **Expression of Interest to Enter Into an Openness Agreement**;
   f) where the social worker does not support the request for openness or type of contact requested by one party (for example, face to face contact), the social worker must advise the person requesting the openness. This will be shared with the other party and may impact whether or not openness proceeds;
   g) where a child is in continuous custody, the decision regarding all **Openness Agreements** rests with the social worker and supervisor. In cases where openness will not proceed, all signed **Expression of Interest to Enter Into an Openness Agreement** and the social worker's recommendation shall be forwarded to post adoption services.
   h) the validity of an adoption is not affected by whether the terms of openness are adhered to by either party;
   i) All parties must be advised that **Openness Agreements** are good faith agreements and there are no legal remedies to enforce conditions that may have been mutually agreed upon by the parties. Where deemed in the child's best interest, post adoption services may contact and assist in facilitating a previously agreed upon **Openness Agreement** where one party does not meet the agreed upon conditions.

10. Where children are 12 years of age or older, they must agree to any **Openness Agreement** negotiated on their behalf. They may choose to complete a separate agreement or sign the agreement completed by their adoptive parent(s).

11. Where a prospective adoptive parent of a child and;

    a) a birth parent,
    b) a relative of that child;
    c) a prospective adoptive parent or adoptive parent of a birth sibling of the child, or
    d) a person significant to the child have completed an **Expression of Interest to Enter Into an Openness Agreement**, the social worker(s) may assist the parties in arriving at mutually agreed upon details of the **Openness Agreement.**

12. All **Openness Agreements** must **only** reflect the mutually agreed upon conditions. Each party completes a separate agreement as it relates to themselves. Each agreement shall reflect the name of the child as known to the party completing the agreement.

13. Once the terms of openness (for example type of contact, frequency, etc.) have been determined and outlined in the agreement, the social worker shall submit the **Openness Agreement** and recommendation to a supervisor for approval.

14. Once approved, the social worker must ensure each party signs the **Openness Agreement** that he/she completed. A copy may be provided. The party must **not** be provided a copy of the agreement signed by the other party due to concerns of confidentiality.

15. Where not approved, the social worker shall meet with each party and advise them of the decision.

16. Where an **Openness Agreement** indicates direct contact involving the sharing of fully or partially identifying information that has **not** already been shared, each applicant shall complete a **Consent to the Release of Identifying In**form**ation** form prior to sharing any identifying information.

17. Where the **Openness Agreement** indicates indirect contact through the exchange of non-identifying information, each party must be informed that the exchange shall be facilitated through Post Adoption Services. The procedures for this exchange of information are outlined in the **Openness Agreement** form.

18. Parties must be informed that any correspondence will be reviewed by a social worker prior to sharing it to ensure no identifying information related to the child or other persons that was not agreed to be shared is released. For example, where openness exists between a grandmother and an adoptive family, information identifying the birth mother shall not be released.

19. The social worker shall advise all parties involved in openness that Post Adoption Services will maintain a file related to all **Openness Agreements** where all exchanges of information will be documented. When the adopted child turns **19 years of age**, the contents of the openness file will be vaulted with the adoption file.

20. Where identifying information has already been shared, formalizing openness may not be required and may conclude the file. Follow up with Post Adoption Services is not required and all documentation will be vaulted in the child's adoption file.

21. Consideration may also be giving to an **Openness Order** which is legally binding. See Policy **12.4** related to **Openness Order**s

Exceptions: None

Relevant Documents:

- **Expression of Interest to Enter into an Openness Agreement**
- **Openness Agreement**

Openness: Post Adoption Openness Agreements

Policy no.: 12.3
Effective Date: June 30, 2014
Date Revised: October 28, 2022
Policy Cross References: Post Adoption Services
Legislative References: s.50.1 through **50.7** Openness Orders; **s.51** through **53** Openness Agreements**; s.52** Post Adoption Openness Agreement

Purpose: To outline the procedures for the completion of an **Openness Agreement after** the granting of an **Adoption Order** and where the adopted child is under 19 years of age.

Policy:

1. After the granting of an **Adoption Order**, the following persons may register with the Provincial Director to request the completion of an **Openness Agreement**:

   a) the adoptive parent of a child who is under 19 years of age;
   b) a birth parent of the child;
   c) a relative of the child;
   d) a person significant to the child;
   e) a prospective adoptive parent or an adoptive parent of a birth sibling of the child where the birth sibling is under 19 years of age.

2. In order to enter into an **Openness Agreement** after the granting of an **Adoption Order**, the adoptive parent and one other party must register using the **Post Adoption Application** form with the required supporting documentation as outlined in **Post Adoption Services: Application and Screening** policy.

3. A child 12 years of age or older must agree to any **Openness Agreement** negotiated on their behalf.

4. An **Openness Agreement** may remain in effect until the adopted person reaches 19 years of age.

Procedures:

1. Openness recognizes the importance of facilitating communication or maintaining connections. An **Openness Agreement** may include direct contact for example face-to- face contact, telephone calls, or indirect contact such as exchange of photos, letters, gifts, yearly updates.

2. Following the granting of an **Adoption Order**, the adoptive parent of a child under 19 years of age and

   a) a birth parent of the child;
   b) a relative of the child;
   c) a person significant to the child;

d) a prospective adoptive parent or an adoptive parent of a birth sibling of the child where the birth sibling is under 19 years old may register with the Provincial Director for an **Openness Agreement.**

All applicants must submit a **Post Adoption Application** form with the required supporting documentation as outlined in **Post Adoption Services: Application and Screening** policy.

3. Prior to assisting eligible persons with an **Openness Agreement**, the social worker shall forward an **Expression of Interest to Enter into an Openness Agreement** form to the applicant for completion. Persons who previously completed an **Expression of Interest to Enter into an Openness Agreement** prior to the granting of an **Adoption Order**, will be considered registered with post adoption services.

4. An **Openness Agreement** may only occur where there is a matched registration. A matched registration occurs when the adoptive parent of a child under 19 years of age **and**
   a) the child's birth parent; or
   b) a birth or adoptive relative of the child; or
   c) a person significant to the child; or
   d) a prospective adoptive parent or an adoptive parent of a birth sibling of the child

   have registered to enter into an **Openness Agreement**.

5. Where the child is 12 or more years of age, they must agree to and sign the **Expression of Interest to Enter into an Openness Agreement** form submitted by their adoptive parents or submit their own form.

6. Where two registrations are matched, Post Adoption Services shall contact both parties to ensure they understand that:
   a) entering into an openness agreement is committing to a long term plan which is deemed to be in the best interest of a child;
   b) openness may not be in the best interest of all parties and, therefore, prior to entering into an openness agreement, the parties should carefully consider the short and long term impact of doing so on themselves and on the child;
   c) openness agreements are good faith agreements and there are no legal remedies to enforce conditions that may have been mutually agreed upon by the parties;
   d) the validity of an adoption is not affected by whether the terms of openness are adhered to by either party; and
   e) post adoption services has no responsibility or duty to facilitate compliance with openness.

7. Where registered parties are matched, both must complete an **Openness Agreement** specifying the conditions of the openness as it relates to direct or indirect contact.

8. Post adoption services may assist registered parties in arriving at mutually agreed upon details of the **Openness Agreement**. All **Openness Agreements** must **only** reflect the mutually agreed upon conditions and each party completes a separate agreement as it relates to themselves. The agreement shall reflect the name of the child as known to the party completing the agreement.

9. Once the terms of openness (for example type of contact, frequency, etc.) have been determined and outlined in the agreement, the social worker shall submit the **Openness Agreement** to the Provincial Director or designate for approval.

10. Once approved, the social worker must ensure each party signs the **Openness Agreement** they completed and may be provided with a copy. The party must **NOT** be provided a copy of the agreement signed by the other party due to concerns of confidentiality.

11. When an **Openness Agreement** indicates direct contact involving the sharing of fully or partially identifying information, each applicant shall complete a **Consent to the Release of Identifying In**form**ation** form. Post adoption services may then share each person's fully or partially identifying information with the other.

12. Where the **Openness Agreement** indicates indirect contact through the exchange of non-identifying information, each party must be informed that the exchange may be facilitated through Post Adoption Services. The procedures for this exchange of information are outlined in the **Openness Agreement** form.

13. Parties must be informed that any correspondence will be reviewed by the social worker to ensure no identifying information related to the child or other persons that was not agreed to be shared is released. For example, where openness exists between a grandmother and an adoptive family, information identifying the birth mother shall not be released.

14. Post Adoptive Services will maintain a file related to all **Openness Agreements** where all exchanges of information will be documented. When the adopted child turns 19 year of age, the contents of the openness file will be vaulted with the adoption file.

15. The sharing of identifying information as indicated by the parties will conclude the file and all documentation will be vaulted in the child's adoption file.

Exceptions: None

Relevant Documents:

- **Openness Agreement**
- **Expression of Interest to Enter into an Openness Agreement**
- **Consent to the Release of Identifying In**form**ation**
- **Post Adoption Application**

Application for an Openness Order

Policy no.: 12.4
Effective Date: October 28, 2022,
Date Revised: September 19, 2024, June 9, 2025
Policy Cross References: Post Adoption Services
Legislative References: s.50.1 through **50.7** Openness Orders; **s.51** through **53** Openness Agreements**; s.52** Post Adoption Openness Agreement

Purpose: To explain the objectives and availability of **Openness Order**s and the procedure for the completion of an **Openness Order** prior to the granting of an **Adoption Order**.

Policy:

1. An **Application for an Openness Order** may be filed with the court by:

   a) a Manager;
   b) all persons who as a condition of an order for continuous custody were granted access to the child;
   c) an Indigenous representative of the appropriate Indigenous government or organization, where the child is an Indigenous child.

2. A Manager shall notify all persons of their right to apply for an **Openness Order** as soon as practicable after consent from all persons required to provide consent to the adoption has been provided or dispensed with.

3. A person who receives notice may apply for an **Openness Order** within **30 days** of receipt of the notice. However, a Manager may apply for an **Openness Order** any time before the granting of an **Adoption Order**.

4. Where an **Application for an Openness Order** is being filed by a social worker on behalf of a Manager, the Manager named on the application must have knowledge of and agree with the terms of the proposed **Openness Order** prior to the application being filed in court.

Procedures:

1. An **Openness Order** is an order made by the court for the purposes of facilitating communication and maintaining personal relationships and cultural connections after an **Adoption Order** is granted. All **Openness Orders** are legally binding.

2. An **Openness Order** shall be entered into prior to an **Adoption Order** being granted in cases where a Manager, person granted access as a condition of a continuous custody order, or an Indigenous representative wish to continue access beyond the granting of an **Adoption Order**.

3. When considering a Manager's **Application for an Openness Order,** the social worker in consultation with the supervisor shall consider what is in the best interests of the child as per the **Act**, and **An Act respecting First Nations, Inuit and Metis Children, Youth and Families**. The supervisor shall inform and consult with the Manager prior to making an application to the court. The Manager must agree with the content of the application and the order being sought.

4. When considering whether an **Openness Order** is appropriate for a child beyond adoption, consideration shall be given to:
   a) whether an **Openness Order** is in the best interests of the child;
   b) the long term impact of court ordered openness on the child;
   c) the nature of the relationship between the child and the proposed person(s)for which access is recommended;
   d) whether an **Openness Agreement** could provide the needed assurances for openness to continue as opposed to an **Openness Order**. **Openness Agreements** are good faith agreements and not legally binding. See policy Section **12.2** for additional information on **Openness Agreements**;
   e) whether parties being considered for an **Openness Order** have consented to participate in the arrangement;
   f) whether the arrangement would maintain a significant relationship between a child and a parent, sibling, or someone else significant to the child;
   g) where the child is Indigenous, consideration should be given to whether the arrangement would maintain a connection between the child and their Indigenous culture;
   h) the current degree of contact occurring between the child and the person for whom the order will apply.
   i) For an Indigenous child, preserving the child's unique culture identify is a best interest principle. As such, the social worker shall review any existing protocols or agreements with the Indigenous government or organization such as the Innu CSSD Protocol.

Notice of Right to Apply

5. Once all persons required to provide consent to the adoption has done so, or their consent has been dispensed with, the Manager shall provide notification of the right to apply for an **Openness Order**. Notification shall be provided to:
   a) all persons who as a condition of the continuous custody order were granted access with the child; and
   b) an Indigenous representative of the appropriate Indigenous government or organization, where the child is an Indigenous child.

6. Where notification is required, the social worker shall complete the appropriate notice using **the Notice of Right to Apply for an Openness Order to Person Granted Access** form and/or **Notice of Right to Apply for an Openness Order to Indigenous Representative** form.

7. The social worker shall also complete the appropriate **Affidavit of Service** with each notice. The person who served notice is required to complete the appropriate **Affidavit of Service** for each person served. Affidavits may include:
   a) Affidavit of Service to Person Granted Access;
   b) Affidavit of Service to Indigenous Representative; and/or
   c) Affidavit of Service to Child.

8. Service shall be made by personally serving a copy of the original document on the person to be served, except an Indigenous Representative. Refer to **Service of Notices and Documents – General Direction** policy for general directions and what to do if there is a difficulty in effecting service.

9. Where a Manager provides notification to a person permitted access or an Indigenous Representative on their right to apply for an **Openness Order***,* an application must be made within **30 days** of receipt of the notice. While the social worker does not have to confirm with anyone whether they intend to apply, the social worker should confirm with the Court whether an application has been filed before proceeding further with consideration of plans for the adoption of the affected child.

Notice of Application made by the Manager

10. Where an **Application for an Openness Order** is filed by the Manager, **no later than ten (10) days prior to** the date set for the hearing of the application, the social worker, or person designated by a Manager, shall serve a copy of the application and appropriate notice to:
    a) the prospective adoptive parents, where their identity is known;
    b) any person who, in the application, will be permitted to communicate with or continue a relationship with the child(ren) named in the application;
    c) where the child is Indigenous, the appropriate Indigenous Representative.

11. A copy of a notice outlining the time, date and location of the hearing of the application will also be provided to any child who is over the age of 12 at the time the application is made. A copy of the application itself will not usually be provided, however, the social worker may discuss the purpose and details of the application with the child as determined to be in their best interests and as is appropriate to their development.

12. Where the child is 12 years of age or younger, while no formal notice is to be provided, the social worker should also discuss the application and order being sought with younger children, unless it can be clearly demonstrated that the child is not able to understand.

13. When serving documents, service shall be done in accordance with the **Service of Notices and Documents – General Direction Policy.**

14. The person who served notice is required to complete the appropriate **Affidavit of Service** for each person served. Each **Affidavit of Service** shall be filed with the court prior to the hearing, and shall clearly indicate what was served. A copy is kept for the file.

15. When a social worker has been unsuccessful in serving a person within the timelines, including an Indigenous Representative, the social worker shall document all attempts of service and advise their solicitor. Refer to policy **Service of Notices and Documents – General Direction.**

Applications made by other persons

16. Where a person other than a Manager applies for an **Openness Order**, and that person does not know the identity of a prospective adoptive parent, the social worker shall facilitate service of documents on the prospective adoptive parents, including filing the necessary **Affidavit of Service**.

17. The social worker shall ensure that the Manager is aware of any applications made for an **Openness Order** at the earliest opportunity. A social worker may engage in discussions with parties to an **Application for Openness Order** to determine whether a **Consent Order** can be reached in the best interests of the child. Once received, the Manager shall provide a true and exact copy of an **Openness Order** to parties named in the order.

18. A copy of the **Openness Order** received by the Manager must be retained in the adoption file which is forwarded to the Provincial Director for vaulting. A copy shall also be scanned and uploaded into the adoption file.

Exceptions: None

Relevant Documents:

- **Application for an Openness Order**
- **Openness Order**
- **Notice of Right to Apply for an Openness Order to Persons Granted Access**
- **Notice of Right to Apply for an Openness Order to Indigenous Representative**
- **Affidavit of Service to Person Granted Access**
- **Affidavit of Service to Indigenous Representative**
- **Affidavit of Service to Child**

Application to Vary or Terminate an Openness Order

Policy no.: 12.5
Effective Date: October 28, 2022
Date Revised:
Policy Cross References: **Openness Orders**; Consent orders; Post Adoption Services
Legislative References: 50.2 Openness Orders; s.50.7 Variation or Termination

Purpose: To outline the procedure for terminating or varying an **Openness Order**.

Policy:

1. Where an **Openness Order** has been granted by the court, a Manager or party to the order may apply to vary or terminate the **Openness Order prior to** the granting of an **Adoption Order**.

2. The supervisor shall inform and consult with the Manager named on the application prior to the application being filed.

3. **10 days before** the date set for the hearing, a Manager shall notify and serve all persons who appeared at the hearing in which the **Openness Order** was granted, other than the child, with a copy of application and date, time and place of the hearing.

4. **10 days before** the date set for the hearing, a Manager shall notify a child **12 years of age or older** of the date, time and place of the hearing. Where the child is Indigenous the social worker shall consult with the Indigenous Government or Organization regarding the plan to provide the notification of the hearing to the child.

5. The court may grant a variation or terminate an **Openness Order** where the court is satisfied that:
   a) a material change in circumstances has occurred; and
   b) the proposed variation or termination of the order is in the bests interests of the child.

Procedures:

1. When considering an **Application to Vary/Terminate an Openness Order***,* the social worker in consultation with the supervisor shall identify the material change in circumstances that has occurred to ensure that there are sufficient grounds to apply to terminate or vary the **Openness Order**.

2. If sufficient grounds exist, then the social worker and supervisor must consider what is in the best interests of the child. Consideration shall be given to whether making a change to or terminating the current **Openness Order** is in the child's best interests.

3. The supervisor shall inform and consult with the Manager prior to making an application to the court and the Manager must agree with the application.

4. When the decision is made to apply to vary or terminate an **Openness Order**, the social worker shall:
   a) Complete an **Application to Vary/Terminate an Openness Order** outlining the changes in circumstances; and
   b) Complete the necessary notifications to persons who appeared at the hearing where the order was granted and the child where 12 years of age or older.

5. **No later than 10 days before** the date of the hearing, but as soon as possible, a social worker, or person designated by a Manager, shall serve all persons who appeared at the hearing in which the **Openness Order** was granted, other than the child, with a copy of the application and date, time and place of the hearing.

6. **No later than 10 days before** the date of the hearing, but as soon as possible, a social worker, or person designated by a Manager, shall serve a child 12 years of age or older of the date, time and place of the hearing.

7. The person who serves notice shall complete an **Affidavit of Service** for each person served using the appropriate Affidavit of Service form. Affidavits may include:
   a) Affidavit of Service to Persons Granted Access;
   b) Affidavit of Service to Indigenous Representative;
   c) Affidavit of Service to Child.

   It should be clearly written on each **Affidavit of Service** filed with the court which document(s) were served. A copy is kept for the file.

8. When serving documents, service shall be done in accordance with the **Service of Notices and Documents – General Direction Policy.**

Exceptions: None

Relevant Documents:

- **Application to Vary/Terminate an Openness Order**
- **Openness Order**
- **Affidavit of Service to Person Granted Access**
- **Affidavit of Service to Indigenous Representative**
- **Affidavit of Service to Child**

Service of Notices and Documents: General Direction

Policy no.: 12.6
Effective Date: October 28, 2022
Date Revised:
Policy Cross References:
Legislative References: s.31 Service of Documents.

Purpose: To outline general directions for serving notice of court hearings and documents.

Policy:

1. The notice requirements and documents to be served vary depending on the order being sought and court action taken. A social worker shall review the relevant sections of the **Act** and appropriate policy whenever an application is filed with the court, or court action is taken under the **Act**. This includes identifying the person(s) who need to be served, which documents need to be served, the manner of service as well as the time frame in which service must be completed. Where the policy applicable to the type of document or notice does not prescribe how to serve the document, a social worker shall follow the procedures outlined below for the type of service required.

2. Where the **Act** requires a person to be served with documents, **s. 31** of the **Act** requires service to be **personal service** unless an Indigenous Representative is being served. Where an Indigenous Representative is being served, a social worker may serve an Indigenous Representative via:
   a) personal service;
   b) leaving a copy of the document in a sealed envelope addressed to the Indigenous Representative at the office of the Indigenous Representative with an adult person who appears to be an employee of that office; or
   c) emailing it to the address for service provided by the Indigenous Representative.

3. Where policy does not specify who shall serve notices or documents, any person designated by a Manager can serve the notice/documents providing the person who does so swears and affirms their signature in front of a Commission for Oaths, and returns to the court an **Affidavit of Service**. This is the proof to the court that personal service was achieved.

4. Where it is impractical to personally serve a notice or document, a social worker shall advise their solicitor before a court hearing. In such cases, the solicitor may choose to request or make an application to the court for:

   a) an order to dispense with notice; or

b) an order to give notice by some other means (e.g. registered mail or service on another person) which is referred to as a **substituted service.**

5. Before a Manager can sign a **Consent to Adoption** on behalf of a child, notice must be given to a person granted access as part of a condition of an order for continuous custody, in accordance with **s.40(3)** of the **CYFA**, using the **Notice of Manager's Intent to Sign Consent to Adoption** form**.**

6. Where a notice or document relates to an Indigenous child, a social worker shall ensure that they serve the Indigenous Representative where required under the **Act** and determine if the action taken is a significant measure in accordance with **An Act respecting First Nations, Inuit and Métis Children, Youth and Families.** Notification of a Manager's intent to sign consent to adoption, is a significant measure and notification shall be provided in accordance with section **1.35** of the **Protection and In Care Policy and Procedure manual**, using the **Notice to Indigenous Governing Body, Parent and Caregiver** form.

7. **Notification of Intent to Sign Consent to Adoption** shall be provided as early as possible once consents are valid and the person shall be advised of their right to apply no later than **30 days** following receipt of the notification.

8. A Manager shall notify an Indigenous Representative of the appropriate Indigenous government or organization of the adoption of an Indigenous child as soon as practicable after the Manager receives a certified copy of the **Adoption Order.**

9. Where the child is Indigenous, a social worker shall provide notice of an **Application for an Openness Order** to the Indigenous Representatives as early as possible once consents are valid and the person shall be advised of their right to apply no later than **30 days** following receipt of the notification.

10. While the **Act** requires serving notice of an application for an **Openness Order** to children 12 years of age and over, a social worker shall advise a child under 12 years of age who is the subject of the court proceeding, where age and developmentally appropriate, of their right to be heard by the judge regarding an application for an **Openness Order**. A social worker shall also discuss the hearing, and the order being sought with younger children unless it can be clearly demonstrated that a child is not able to understand, or that it may cause emotional harm to the child.

11. Where required to provide notice to a child(ren) 12 years of age and older, notification of an **Openness Order** hearing shall be provided at the earliest time possible, but no later than **10 days** before the date set for the hearing of the application.

12. Where the child is in the care and/or custody of a Manager, consideration may be given to seeking legal representation for the child as per **Policy 2.2** of the **Protection and in Care Policy and Procedure Manual**.

Procedures:

Reasonable Attempts to Serve

1. In all cases, service should be affected at the earliest opportunity so that an **Affidavit of Service** can be completed and filed with the court, or where there are difficulties in effecting service, there is time to consult with legal counsel about alternatives to personal or other forms of service.

2. Prior to filing any application or executing any consent required under the **Act** a social worker shall review the Act and applicable policies to ensure they understand the requirements for service of the application, consent or any notices that may require to be served.

3. Regardless of the type of service, a social worker must ensure that they make all reasonable attempts to effect service. Reasonable attempts to serve notice may include, but not be limited to: reviewing ISM and client file for contact information, visiting the last known address, sending registered mail to last known address (where personal service is not required) and contacting persons who have a relationship with the individual. When contacting persons who have a relationship with the individual, the social worker shall only provide enough information to locate the person's whereabouts, such as name, last known address, but not disclose the reason why the social worker is trying to locate the person.

4. At the earliest opportunity, a social worker shall consult with their supervisor and solicitor and discuss next steps where they have difficulty serving notices or they cannot be located on the file.

Manager's Notification of Intent to Sign Consent to Adoption

5. Before a Manager can sign a **Consent to Adoption** on behalf of a child, notice must be given to a person granted access as part of a condition of an order for continuous custody, in accordance with **s.40(3)** of the **CYFA.** The social worker shall ensure the appropriate notices have been sent, or make arrangements for the notices to be served as required.

6. Notification of the Manager's intent to sign Consent to Adoption is a significant measure and notification shall be provided in accordance with section **1.35** of the **Protection and In Care Policy and Procedure Manual,** using the **Notice to Indigenous Governing Body , Parent and Caregiver** form. The social worker shall review the file to ensure that this Notice and a copy of the proof of service is identified in the file documentation.

7. Notification of the Manager's intent to sign Consent to Adoption shall be provided at the earliest time possible, but no later than **30 days** prior to signing the consent.

Persons who have access with a child as a condition of a continuous custody order

8. In accordance with **s.50.1** of the **Act**, all persons who have access with a child as a condition of a continuous custody order, are entitled to notice of their right to apply for an **Openness Order**. See **Openness Orders** policy for details on who requires notification.

9. Notice shall be provided as early as possible. The Notice will advise the person of the person's right to apply for an **Openness Order** not later than **30 days** following receipt of the Notice.

Notice to Children 12 Years of Age and Over

10. The **Act** requires the consent of a child over 12 to being adopted. When the adoption plan includes an **Application for an Openness Order,** notice of the **Openness Order** hearing is to be served on a child 12 years of age and over. This Notice will only provide the date, time and location of the hearing.

11. Where required to provide notice related to an **Openness Order** to a child 12 years of age and older, notification shall be provided at the earliest time possible, but no later than **10 days** before the date set for the hearing of the application.

12. In addition to serving the Notice as required, the social worker shall discuss the purpose of the hearing in a manner that is considerate of the child's level of development and understanding. This information is highly sensitive and significant consideration must be given to the emotional impact on the child.

13. When serving children, 12 years of age and over with documents for a court proceeding:
    a) service shall be done in person by a social worker; and
    b) the child shall be given the option of having someone known and trusted present for any court hearing.

Child Under 12 Years of Age

14. The **Act** does not require service of documents or notices be served on a child under 12 years of age who is the subject of the court proceeding of their right to be heard by the Judge regarding an **Application for Openness Order.** However, where age and developmentally appropriate, a social worker shall discuss the hearing, and the order being sought with younger children unless it can be clearly demonstrated that the child is not able to understand, or that it may cause emotional harm to the child.

Notice to an Indigenous Representative

15. When an Indigenous child is to be adopted or an application is made for an **Openness Order**, notification is required to be given to an Indigenous Representative. A social worker shall serve the appropriate Indigenous Representative with notice where:

a) a Manager or social worker believes the child is an **Indigenous child** in accordance with **s.2(k.1)** of the **Act**, and
b) an Indigenous Representative has been designated by an Indigenous government or organization prescribed in the **Schedule B** in the **Act**.

16. Notice shall be served on an Indigenous Representative in accordance with the methods outlined in this policy.

17. The list of Indigenous Representatives (designated by the Indigenous government or organization prescribed in the **Schedule B** in the **Act**) can be accessed on Sharepoint/Intranet. When serving Indigenous Representatives, only the current (not former) Indigenous Representative shall be served.

18. If an Indigenous government or organization has designated more than one Indigenous Representative, only one Indigenous Representative is required to be served.

19. In cases where an Indigenous Representative has not been involved with a family, a social worker would serve the senior Indigenous Representative. However, if an Indigenous Representative is already involved with the family, then that representative can be served.

20. If a social worker is unable to serve an Indigenous Representative within the timeline outlined in the **Act**, the social worker shall advise their supervisor and solicitor.

21. Under the **Act**, a social worker is required to serve the notice of time, date and place of a hearing on an Indigenous Representative. Although there is no legislative authority under the **Act** to serve the Indigenous Representative with the application or supporting documents, a social worker may provide, or discuss, the application with the Indigenous Representative for children in the care or custody of a Manager as determined to be in the best interests of the child(ren).

Service of Notices and Documents – Safety Concerns

22. Where there is risk of physical harm to a social worker's safety when serving notices, a social worker may request the assistance of a **peace officer**.

Persons granted access living outside of province

23. When a person who is required to be served is living outside the province, the social worker shall follow the **Provincial/Territorial Protocol on Children and Families Moving Between Provinces and Territories** (Appendix A) and write directly to the Provincial Child Welfare agency for the area in which the person granted access resides requesting personal service of the Notice. An **Affidavit of Service** shall also be completed and returned by the person who effects notice. The social worker should consult with their solicitor to ensure they are aware of the requirements for **Affidavit of Service** witnessed outside of the Province, to ensure they will be accepted by the court in this province.

Parents in Correctional or Rehabilitative Facilities

24. When the person to whom a document must be served is in a correctional, rehabilitative or medical facility, arrangements should be made through the administrator of the facility for personal service of the document. The social worker shall ensure that an **Affidavit of Service** is completed and returned by the person who effects service.

Persons granted access living in Psychiatric Facilities

25. When the person to whom a document must be serviced is in a psychiatric facility, the social worker shall consult with the psychiatrist working with the person regarding the serving of the document. Should the psychiatrist recommend that the social worker not serve the client with the document, the social worker should consult with their supervisor and Manager to determine whether the social worker will request the psychiatrist serve the document and complete an **Affidavit of Service**, or whether a consultation is needed with their solicitors about alternatives. This could include obtaining a letter from the psychiatrist as to why it is not possible to serve the person to support an application to dispense with the need for service, or an order for substituted service. The psychiatrist should be advised that they may be required to testify in court in relation to the contents of any letter or other information they provide in regard to this matter.

Affidavit of Service

26. Where the person who affected service of the documents is an employee of the Department, the Commissioner for Oaths can be a social worker employed by the Department who is designated as a Commissioner for Oaths by the Minister. If professional services are engaged to effect service of documents (private process servers, deputy sheriff's officers, etc.) they may use a Commissioner of Oaths known to them outside of the Department who will witness their **Affidavit of Service**. The social worker must ensure that the witness has properly affixed a valid Commissioner for Oaths stamp on the document.

27. Once a social worker has signed and witnessed the **Affidavit of Service,** a copy shall be taken for the file, and the original of the completed Affidavit must be filed with the court at the earliest opportunity. This document is the proof that the service requirement has been met and is essential for any court proceedings to proceed.

Substituted Service

28. Where it is impractical to personally serve a notice or document, a social worker shall advise their solicitor before a court hearing. In such cases, the solicitor may choose to request or make an application to the court for:

    a) an order to dispense with notice; or an order to give notice by some other means (e.g. registered mail or service on another person) which is referred to as a **substituted service.**

29. Upon receiving a request or an application from a solicitor, a court may order a substituted service. Examples include:

    a) serving an adult family member, or other individual with whom the person to be served has regular contact;

    b) serving by certified mail or other mail delivery which produces a receipt, or other proof of delivery signed by the recipient, and forwarding to the last known address of the person to be served;

    c) placing an advertisement serving the area where the person to be served is believed to reside;

    d) posting a notice in the court registry where the application is being heard; or

    e) using other means that the court may deem appropriate in the circumstances.

    Dispensing with Notice

30. Requests to dispense with notice can be made by the solicitor orally at the time of the hearing or by filing an **Interlocutory Application** to dispense with notice.

Exceptions: None

Relevant Documents:

- **Affidavit of Service**
- **Provincial/Territorial Protocol on Children and Families Moving Between Provinces and Territories**

Overview: Post Adoption Services

The **Adoption Act, 2013** recognizes the need for adopted persons and birth family members to obtain identifying and non-identifying information about each other. The **Act** provides the Provincial Director with the legislative authority to provide search services on behalf of birth parents and persons whose adoptions were finalized in this province and who are at least 19 years of age or older.

Post adoption services include:

1. the provision of **non-identifying summaries** to adopted persons who are 19 years of age or older, a birth mother, and a birth father where paternity has been established;

2. search and reunion services and the negotiation of **Openness Agreements**;

3. facilitating the sharing of information where an openness agreement exists; registration of other relatives or significant others for a potential match with the adopted person or birth parent when/if the adopted person or birth parent registers with post adoption services.

4. Where an **Openness Order** has been granted by the court, post adoption services may assist the parties in facilitating court ordered contact.

The Provincial Director may also:

1. engage with adoption authorities in other jurisdictions in an information sharing process that will assist the other adoption authority to perform their duties; and

2. disclose identifying or non-identifying information where the disclosure is in the best interests of the adopted child or person, or where the information will assist an adopted child or adopted person to receive a benefit.

In order to receive search and reunion services under the post adoption services, an adopted person or birth parent must apply and obtain a copy of their relevant adoption documents from Vital Statistics. The exception to this is where an adopted person or birth parent are requesting a non-identifying summary, or where a birth father is not listed on the original birth registration but paternity has been established.

Where an adoption was finalized prior to 2003, the **Act,** allows an adopted person and a person named as a birth parent on an adopted person's original birth registration to file with Vital Statistics:

a) a **Disclosure Veto** where the person filing the **Veto** does not wish to have their identifying information released. In such cases, Vital Statistics are unable to provide the required documents and post adoptions is unable to complete a search for the person who filed the **Veto**; or

b) a **No Contact Declaration** where the person filing the **Declaration** does not wish to be contacted by the adopted person or birth parent seeking the information. In such cases, vital statistics will release the requested adoption documents but the person seeking the documents must sign an undertaking not to contact the person named in the documents. Where a no contact declaration has been filed, post adoption services are unable to provide search and reunion services.

Post Adoptions: Finalized Adoptions and Vaulting

Policy no.: 13.2
Effective Date: June 14, 2014
Date Revised: March 22, 2018, October 28, 2022
Policy Cross References: Disclosure for Client Initiated Requests
Legislative References: s. 37 Post adoption information; **s.33** Confidentiality **s. 52** Post adoption openness agreement; **s.53** Post adoption exchange of information.

Purpose: To outline the elements of an adoption file that should be vaulted once an **Adoption Order** has been granted.

Policy:

1. All regional files related to a finalized adoption must be forwarded to post adoption services for vaulting once an **Adoption Order** has been granted and received.

2. A **Finalized Adoption Summary** form must be completed on all finalized adoption files.

3. Post adoption services shall review the file information to determine what information is required to be vaulted in accordance with the **Act**, so that the privacy provisions of **s.37** of the **Act** can be maintained.

4. All information related to openness for the child shall be maintained through Post Adoption Services.

Procedures:

1. Following the granting of an **Adoption Order,** the social worker in the region must review their file and ensure that all information related to the adoption is provided to post adoption services.

2. The protective intervention file, in care/custody, and services to birth parents files are not vaulted and are maintained in the regional registry. These files should be examined to ensure they do not contain any adoption information including identifying the adoptive family or where the child was placed, if this information is subject to an order under **s.33** of the **Act**.

3. Once the file is received by post adoption services, the post adoptions social worker must complete the **Finalized Adoption Summary** form in ISM. This information will be used as the foundation for future requests from adopted persons, adoptive parents, birth parents, relatives and significant persons who apply to post adoption services.

4. Once completed, this form must be printed and added to the physical adoption file to be vaulted.

5. All **Expressions of Interest to Enter into an Openness Agreement** forms and **Openness Agreements** shall be forwarded to post adoption services to be maintained. The policies and procedures outlined in **Post Adoption Services** shall apply.

6. The finalized adoption record shall contain all information that was used in profiling the child and contents of the information submitted to court. In addition, the vaulted record shall contain other records insofar as they relate to the adopted child:

   a) case notes;
   b) email correspondence;
   c) all applicable information outlined on the **Checklist: Court Finalization**.

Exceptions: None

Relevant Documents:

- **Finalized Adoption Summary**

Post Adoption Services: Application and Screening

Policy no.: 13.3
Effective Date: June 30, 2014
Date Revised: March 22, 2018
Policy Cross References:
Legislative References: s.52 Post Adoption Openness Agreement**, s.53** Post Adoption Exchange of Information**, s.54** Disclosure to Adopted Person, **s.55** Disclosure to Birth Parent**, s. 56;** Disclosure Veto and Statement**, s.57** No-Contact Declaration and Statement**, s.60** Compliance with **Vital Statistics Act, 2009, s.62** Search and Reunion Services**, s.63** Release of Non- identifying Information**, s.65** Disclosure in the Interest of Adopted Child or Person**, s.66** Contact by Provincial Director

Purpose: To outline the procedures and requirements for adopted persons, adoptive parents, birth parents, birth or adopted relatives, and significant others to apply for and receive post adoption services.

Policy:

1. To receive post adoption services, the adoption must have been finalized in this province under the **Act** or a former Act.

2. To receive post adoption services, applicants must be **19 years of age or older**.

3. All requests for post adoption services must be submitted to the Provincial Director.

4. A **Post Adoption Application** may be accepted from a) adopted persons who are **19 years of age or older**, b) birth parents, c) birth or adopted relatives d) adoptive parents on behalf of an adopted child under 19 years of age, and e) significant others.

Procedures:

1. During the initial intake call, the social worker shall provide information on the services that are available through the post adoption services program. These include:

   a) non-identifying summaries that are available to adopted persons who are 19 years of age and older and to birth parents. The social worker shall refer to the **Non-identifying Summary** policy;
   b) search and reunion services for:
      i. adopted persons who are 19 years of age and older;
      ii. birth parents,
      iii. an adult son or daughter or adult grandchild of a deceased adopted person; and/or

iv. an adult birth sibling of an adopted person where the birth parent of both the sibling and the adopted person is deceased or where the sibling and the adopted person share two birth parents, both birth parents are deceased.
The social worker shall refer to the **Search and Reunion** policy;

c) a search that is required in circumstances affecting a person's health or safety. The social worker shall refer to **Contact or Disclosure in Compelling Circumstances** policy; and
d) the exchange of information. This service is available to adopted persons who are 19 years of age or older, birth parents, birth or adopted relatives, and significant others. The social worker shall refer to the **Search and Reunion** policy.
e) **Openness Agreements**. This service is available to adoptive parents of children under 19 years of age, birth parents, birth or adopted relatives, and significant others. The social worker shall refer to the **Openness: Post Adoption Openness Agreements** policy.
f) **Openness Order**s**:** This service is available where an order is made by the court that contact continue for a child and another party following adoption. See **Openness Order**s policy for details. Any variation or termination of an existing order is completed by the court.

2. All persons interested in obtaining post adoption services shall complete a **Post Adoption Application** indicating the requested service(s).

3. In order to provide service(s), the **Post Adoption Application** must be accompanied by supporting documentation as follows:

a) for a Non-identifying Summary, documentation includes a copy of the applicant's Vital Statistics birth certificate and government issued photo ID;
b) for search and reunion services where the applicant is an adopted person who wishes to locate a birth parent named on that adopted person's original birth registration, documentation includes a copy of the applicant's original birth registration, the **Adoption Order** and government issued photo ID;
c) for search and reunion services where the applicant is an adopted person who wishes to locate an adopted sibling or a birth parent not named on that adopted person's original birth registration, documentation includes the applicant's Vital Statistic birth certificate and government issued photo ID;
d) for search and reunion services where the applicant is a birth parent whose name appears on their child's original birth registration, documentation includes a copy of the adopted person's original birth registration, the amended birth registration, the **Adoption Order** and government issued photo ID;
e) for search and reunion services where the applicant is a birth father who was unable to obtain his documents from Vital Statistics, as his name does not appear on his child's original birth registration, documentation includes the birth father's Vital Statistics birth certificate and government issued photo ID;
f) for search and reunion services where the applicant is the birth child or the birth grandchild of an adopted person who is deceased, documentation includes a copy of the applicant's Vital Statistics birth certificate and a government issued photo ID and a copy of the deceased adopted person's death certificate;
g) for search and reunion services where the applicant is an adult birth sibling of an adopted person and;

i. the birth parent of both the sibling and the adopted person is deceased; or
ii. where the sibling and the adopted person share two birth parents, both parents are deceased, documentation includes their mutual birth parent(s)' death certificate(s), the applicant's Vital Statistics birth certificate, and government issued photo ID;

h) for the exchange of information, documentation includes a copy of the applicant's Vital Statistics birth certificate and a government issued photo ID;
i) for **Openness Agreements,** documentation includes a copy of the applicant's Vital Statistics birth certificate and a government issued photo ID; and
j) for a search in circumstances affecting a person's health or safety, applicants are required to provide supporting documentation from a qualified health practitioner supporting the request. Applicants must also provide a copy of their Vital Statistics birth certificate and a government issued photo ID.
k) for facilitation with **Openness Order**s**,** documentation includes a certified copy of the court order. Applicants must also provide a government issued photo ID.

4. Supporting documentation may be obtained from Service NL, Vital Statistics Division by completing the **Application for Service Pertaining to an Adopted Person or a Birth Parent** or other applicable application. All applications can be found on the Government of Newfoundland and Labrador website at www.gov.nl.ca or by contacting the Vital Statistics Division at 709 729-3308.

5. Where a **Disclosure Veto** has been filed by an adopted person or a birth parent, the Vital Statistics Division shall not release the documents requested. The Social Worker shall refer to the **Disclosure Veto** policy for further direction.

6. Where a **No-Contact Declaration** has been filed by an adopted person or a birth parent, post adoption services shall not conduct a search. The Social Worker shall refer to the **No-Contact Declaration** policy for further direction.

7. Upon receipt of the **Post Adoption Application** and the appropriate supporting documentation, applicants shall be notified to acknowledge registration of their application. Where the applicant does not qualify for service, the social worker shall also notify the applicant.

8. Upon review of the **Post Adoption Application**, the social worker shall inform the applicant if there is an item for them stored with the vaulted adoption file. Where the item is assessed to be non-identifying (e.g. unwrapped gift), the social worker may release the item to the applicant. Where it is not evident that the item is non-identifying (e.g. sealed envelope), prior to release of the item, the social worker must confirm that no **Disclosure Veto** has been filed.

Exceptions: None

Relevant Documents:

- **Post Adoption Application**
- **Openness Agreement**
- **Openness Order**

Post Adoption Services: Vital Statistics Records Pertaining to an Adoption Finalized in this Province

Policy no.: 13.4
Effective Date: June 30, 2014
Date Revised: March 22, 2018
Policy Cross References: Disclosure Veto; No-Contact Declaration
Legislative References: s.54 Disclosure to Adopted Persons**, s.55** Disclosure to Birth Parent**, s.56** Disclosure Veto and Statement**, s.57** No-Contact Declaration and Statement**, s.60;** Compliance with **Vital Statistics Act, 2009**

Purpose: To outline the process for obtaining adoption-related records from the Registrar of Vital Statistics where the adoption was finalized in this province.

Policy:

1. An adopted person 19 years of age or older who was born and adopted in this province may apply to the Registrar of Vital Statistics to obtain a copy of the following records related to their adoption:

   a) original birth registration; and
   b) the **Adoption Order**.

2. A birth parent named on an adopted person's original birth registration may apply, if the adopted person is **19 of age or older** and was born and adopted in this province, for a copy of the following records related to their child's adoption:

   a) original birth registration with a notation of the adoption and change of name consequent to the adoption;
   b) the birth registration that was substituted for the adopted person's original birth registration; and
   c) the **Adoption Order**.

3. An adopted person 19 years of age or older who was born in another province and adopted in this province may apply to the Registrar of Vital Statistics to obtain a copy of the **Adoption Order**.

4. A birth parent of an adopted person born in another province and adopted in this province may apply to the Registrar for a copy of the **Adoption Order**. The decision to release the **Adoption Order** is the responsibility of the Registrar of Vital Statistics.

5. Where an adoption was finalized under an Act of the province that was in force before April 30, 2003, adopted persons who are **18 years of age or older** and birth parents who are named on an adopted person's original birth registration may apply to the Registrar to file:

a) **Disclosure Veto** to prevent the release of the vital statistics records to the other party; or
b) a **No-Contact Declaration** to prevent contact by the other party.

Procedures:

1. To apply for vital statistics records, adopted persons and birth parents must:

   a) obtain from the Division of Vital Statistics, Service NL an **Application For Service Pertaining To An Adopted Person or a Birth Parent.** Go to www.gov.nl.ca or call 709 729-3308;
   b) attach their legal birth certificate;
   c) enclose the required fee; and
   d) submit to the Registrar of Vital Statistics.

2. Where a **No-Contact Declaration** has been filed, the applicant must complete an undertaking respecting the application prior to the release of the documents by Vital Statistics. See **No-Contact Declaration** policy for additional information.

3. Where a **Disclosure Veto** or a **No-Contact Declaration** has been filed by **only one** of the birth parents named on the original birth registration, the registrar shall provide the adopted person with the records but shall first remove information respecting the person who has filed the **Disclosure Veto** or **No-Contact Declaration**. See **No-Contact Declaration and Disclosure Veto** policies for additional information.

Exceptions: None

Relevant Documents: None

Post Adoption Services: Vital Statistics Records Pertaining To A Person Born In This Province But Adopted In Another Province

Policy no.: 13.5
Effective Date: June 30, 2014
Date Revised: March 22, 2018
Policy Cross References:
Legislative References: s.58, s.59, s.60

Purpose: To outline the process for obtaining adoption-related records from the Registrar of Vital Statistics where a person was born in this province but as a child was adopted in another province.

Policy:

1. A person **19 years of age or older** who was born in this province but as a child was adopted in another province may apply to the Registrar of Vital Statistics for a copy of their original birth registration.

2. A birth parent named on the original birth registration of an adopted person who was born in this province but as a child was adopted in another province may apply, if the adopted person is 19 years of age or older, to the Registrar of Vital Statistics for a copy of one or more of the following:

   a) the adopted person's original birth registration with a notation of the adoption and changes of name consequent to the adoption;
   b) the birth registration that was substituted for the adopted person's original birth registration; and
   c) the **Adoption Order**.

Procedures:

1. To obtain the above-noted records, adopted persons and birth parents must:

   a) obtain from the Division of Vital Statistics, Service NL an **Application For Service Pertaining To An Adopted Person or a Birth Parent.** Go to www.gov.nl.ca or call 709 729-3308;
   b) attach their legal birth certificate;
   c) enclose the required fee; and
   d) submit to the Registrar of Vital Statistics.

Exceptions: None

Relevant Documents: None

Post Adoption Services: Disclosure Veto

Policy no.: 13.6
Effective Date: June 30, 2014
Date Revised: March 22, 2018
Policy Cross References: Vital statistics records pertaining to an adoption finalized in this province
Legislative References: s.54 Disclosure to Adopted Person**, s. 55** Disclosure to Birth Parent**, s.56** Disclosure Veto and Statement**, s.60** Compliance with **Vital Statistics Act, 2009.**

Purpose: To outline the procedure to prohibit the disclosure of Vital Statistics records through the completion of a **Disclosure Veto** where a birth parent or adopted person does not wish the information disclosed.

Policy:

1. A **Disclosure Veto** may be filed with Vital Statistics and pertains only to adoptions that were finalized **prior to April 30, 2003**.

2. A **Disclosure Veto** may be filed by an adopted person who is 18 years of age or older and a birth parent whose name appears on the adopted person's original birth registration.

3. While a **Disclosure Veto** is in effect, Vital Statistics shall not release or disclose identifying information relating to the person who filed it.

4. A **Disclosure Veto** remains in effect until it is cancelled or until one year following the death of the person who filed it.

Procedures:

1. An adopted person who is 18 years of age or older and who was adopted **prior to April 30, 2003** does not want their original or amended birth registration and **Adoption Order** released to their birth parent, may file a **Disclosure Veto** by obtaining a **Disclosure Veto and Statement** Form from Vital Statistics.

2. A birth parent named on the original birth registration of a person who was adopted **prior to April 30, 2003**, who does not want their child's original birth registration released, may file a **Disclosure Veto** by obtaining a **Disclosure Veto and Statement** Form from Vital Statistics.

3. The **Disclosure Veto and Statement** Form can be found on the Government of Newfoundland and Labrador website at www.gov.nl.ca or obtained from the Vital Statistics Division of Service NL by calling (709)729-3308.

4. In recognition of adopted persons' and birth parents' needs for information, a person who files a **Disclosure Veto** may file with it a written statement that includes information that he/she wishes to disclose to the other party. The written statement must be kept in a sealed envelope at the Vital Statistics Division and may be released to the other party when/if that party applies for services.

5. A person who files a **Disclosure Veto** may request, in writing, that the Registrar of Vital Statistics cancel that veto and the Registrar shall carry out that request.

6. Unless cancelled, a **Disclosure Veto** remains in effect until one year after the death of the person who filed the veto.

7. Where a disclosure veto has been filed and, as a result an applicant cannot obtain the required documents from Vital Statistics, post adoption services will determine their eligibility for other services.

Exceptions: None

Relevant Documents: None

Post Adoption Services: No Contact Declaration

Policy no.: 13.7
Effective Date: June 30, 2014
Date Revised: March 22, 2018
Policy Cross References: Vital statistics records pertaining to an adoption finalized in this province
Legislative References: s.54 Disclosure to Adopted Person**, s.55** Disclosure to Birth Parent**, s.56** Disclosure Veto and Statement**, s.57** No-Contact Declaration and Statement, **s.60** Compliance with **Vital Statistics Act, 2009.**

Purpose: To outline the procedures to prohibit contact with a birth parent or an adopted person who files a **No-Contact Declaration** with Vital Statistics**.**

Policy:

1. A **No-Contact Declaration** is filed with the Registrar of Vital Statistics and pertains only to adoptions that were finalized **prior to April 30, 2003**.

2. A **No-Contact Declaration** may be filed by an adopted person who is 18 years of age or older and by a birth parent whose name appears on an adopted person's original birth registration.

3. While a **No-Contact Declaration** is in effect, Vital Statistics may only release the requested documents if the person requesting them signs an undertaking respecting the registration or document.

4. A **No-Contact Declaration** remains in effect until it is cancelled.

Procedures:

1. An adopted person who is 18 years of age or older and was adopted **prior to April 30, 2003** who wishes not to be contacted by their birth parent may file a **No-Contact Declaration** by obtaining a **No-Contact Declaration** Form from Vital Statistics.

2. A birth parent named on the original birth registration of a person who was adopted **prior to April 30, 2003**, wishes not to be contacted by their adopted child may file a **No- Contact Declaration** by obtaining a **No-Contact Declaration** Form from Vital Statistics.

3. The **No-Contact Declaration** Form can be found on the Government of Newfoundland and Labrador website at www.gov.nl.ca or by contacting the Vital Statistics Division of Service NL at (709)729-3308.

4. In cases where a **No-Contact Declaration** has been filed, the Registrar of Vital Statistics shall not release a birth registration or an **Adoption Order** unless the person seeking these records has signed a **Statutory Declaration and Undertaking Pertaining to an Adopted Person or Birth Parent** respecting the **No-Contact Declaration.**

5. A person who has signed a **Statutory Declaration and Undertaking Pertaining to an Adopted Person or Birth Parent** shall not:

   a) knowingly contact or attempt to contact the person who filed the **No-Contact Declaration** or procure another person to contact the person who filed that **Declaration**; or
   b) use information obtained under this **Act** or regulations to intimidate or harass the person who filed the **No-Contact Declaration** or procure another person to intimidate or harass the person who filed that **Declaration**.

6. In recognition of the needs of adopted persons and birth parents for information, a person who files a **No-Contact Declaration** may file with it a written statement that includes information that he/she wishes to disclose to the other party. The written statement must be kept in a sealed envelope at the Vital Statistics Division and may be released to the other party when/if that party applies for services.

7. A person who files a **No-Contact Declaration** may request, in writing, that the Registrar cancel that **Declaration** and the Registrar shall carry out that request.

8. Prior to completing a search, the social worker shall contact Vital Statistics to ensure a **No-Contact Declaration** has not been filed. Where a **No-Contact Declaration** has been filed and as a result an applicant is not eligible for search services, post adoption services shall determine and advise the applicant of their eligibility for other services.

Exceptions: None

Relevant Documents: None

Post Adoption Services: Disclosure or Contact in Compelling Circumstances

Policy no.: 13.8
Effective Date: June 30, 2014
Date Revised: March 22, 2018, October 28, 2022
Policy Cross References: Disclosure for Client Initiated Requests; Information not to be Disclosed Post Adoption; Right to Information and Review Process.
Legislative References: s.64 Access to Information and Protection of Privacy Act does not Apply**, s.65** Disclosure in the Interest of Adopted Child or Person**, s. 66** Contact by Provincial Director**, s.67** Provincial Director's Right to Information.

Purpose: To outline the conditions and procedures for contact by the Provincial Director for the purpose of obtaining or disclosing information in compelling circumstances. Compelling circumstances relate to the best interests of an adopted child/person or for the purpose of allowing an adopted child or adopted person to receive a benefit.

Policy:

1. The Provincial Director may disclose information in the best interests of a child to the following persons:

   a) a birth parent;
   b) where a birth parent cannot be contacted, a relative of the birth parent;
   c) an adopted person; and
   d) an adoptive parent.

2. The Provincial Director may disclose identifying information to a person if the disclosure is in the best interests of an adopted child or adopted persons or for the purpose of allowing an adopted child or an adopted person to receive a benefit.

3. Where identifying information is disclosed, the person being identified shall be notified by the Provincial Director of that disclosure where possible.

Procedures:

1. Where the Provincial Director is satisfied that there are compelling circumstances, the Provincial Director may contact a person to obtain or disclose identifying or non- identifying information.

2. Such compelling circumstances may include but are not limited to:

   a) serious health conditions which are evident after an **Adoption Order** is made and which have implications for the adopted child/person, the birth parent(s), or the descendants of either; and
   b) enabling an adopted child or an adopted person to receive a benefit.

3. Where the Provincial Director receives information or a request to obtain information related to the best interests of an adopted child or person, the person requesting the service shall:

   a) provide proof of their identity through a **government issued photo ID**; and
   b) provide documentation which states how the information will assist the adopted child or person. For example medical information related to a diagnosis and/or a treatment of an illness.

4. Where the Provincial Director receives information or a request to obtain information for an adopted child or adopted person to receive a benefit, the person requesting the service shall:

   a) provide proof of their identity through a **government issued photo ID**; and
   b) provide information related to the request.

5. The social worker for post adoption services may consult with officials in another government department or other professionals deemed appropriate to assist in determining if the information or the request for information meets the criteria required for contact.

6. Following review of the information, the social worker shall make a written recommendation to the Provincial Director regarding the request.

7. All requests related to the best interests of an adopted child or adopted person or a request for an adopted child or person to receive a benefit must be approved by the Provincial Director prior to disclosing information, obtaining information or contacting a person.

8. Where identifying information is released, the person being identified shall be notified by the social worker of that disclosure where possible. All attempts to notify the person must be documented.

Exceptions: None

Relevant Documents: None

Post Adoption Services: Non-Identifying Summary

Policy no.: 13.9
Effective Date: June 30, 2014
Date Revised: March 22, 2018
Policy Cross References:
Legislative References: s.63 Release of Non-identifying Information

Purpose: To outline the procedures for the completion of a **Non-identifying Summary** for adopted persons and birth parents.

Policy:

1. **Non-identifying Summary** may be completed on behalf of an adopted person or a birth parent named on an original birth registration.

2. A **Non-identifying Summary** may be completed on behalf of a birth father who is not named on his adopted child's original birth registration but where paternity was otherwise established. Paternity shall be considered otherwise established if:

   a) there is evidence related to how he had supported, maintained or cared for the child under a court order prior to the adoption; **and/or**
   b) the birth mother named him as the birth father and he acknowledged paternity; **and/or**
   c) he signed the consent to adoption or is named on a court document as the father of the child.

3. A **Non-identifying Summary** is based on information contained in the adoption and adoption related files up to the time that the adoption was finalized.

4. The social worker must ensure that all information released is non-identifying.

5. Have to be able to speak to an adopted person's ability to obtain information from their in care file and when it can occur.

Procedures:

1. A **Non-identifying Summary** is a narrative report that may be completed on behalf of adopted persons and birth parents. It is a summary of relevant information that is contained in the adoption file and adoption related files. The summary does not contain any identifying information.

2. The social worker shall confirm that the person applying is identified as either the birth parent or adopted person in the adoption file.

3. A N**on-identifying** summary may be completed on behalf of a birth father who is not named on his birth child's original birth registration but where paternity was otherwise established. Paternity is otherwise established where:

a) there is evidence related to how he had supported, maintained or cared for the child under a court order prior to the adoption; **and/or**
b) the birth mother named him as the birth father and he acknowledged paternity; **and/or**
c) he signed the consent to adoption or is named on a court document as the father of the child.

4. All persons requesting a **Non-identifying Summary** shall complete a **Post Adoption Application** form and attach a copy of their Vital Statistics Birth Certificate and government issued photo ID.

5. A **Non-identifying Summary** that is completed for an adopted person shall contain information that helps contribute to the adopted person's sense of identity, cultural heritage, understanding of the circumstances around their placement for adoption, knowledge of their social and medical history.

6. A social worker must complete the **Non-identifying Summary** on behalf of an adopted person using information contained in the adoption file and adoption related file(s) up to finalization. The following may be included:

a) information related to the child's birth, e.g., time, weight, length, type of delivery, APGAR scores, health issues;
b) placement history, progress, health and development of the child up to the time of finalization (as it relates to the child's progress in the home;
c)the birth mother's physical description, approximate age, personality, general health, health during pregnancy, interests/hobbies, approximate education, general employment history, number of siblings, relationship with her family, relationship with the birth father, reason(s) for choosing adoption or the reason(s) the child was removed from her care, any inquiries about her child after placement, whether or not the birth mother previously had other children and, if so, were they placed for adoption, and, any other significant non-identifying information;
c) information related to other children of the birth parent placed for adoption prior to **or** after the placement of the adopted person seeking the **Non-identifying Summary**;
d) approximate ages, descriptions, health status of the birth mother's parents and siblings, whether or not they were aware of the pregnancy, whether or not they were supportive of the birth mother's decision;
e) where paternity is established, information regarding the birth father and his family as contained in the file;
f) where paternity is not established but the birth mother provided information about the birth father, the social worker may include this information in the **Non-identifying Summary**. The social worker must state in the report that paternity was not established and that the information was provided by the birth mother;
g) a summary of the information contained in the child's progress reports and any health reports completed while the child was in care; and
h) the date the child was placed in the adoptive home and the date of adoption finalization; and

i) where the child is Indigenous, information related to the child's **Cultural Connection Plan**.

7. The following information shall **not** be released to adopted persons:

   a) the name and address of attending physician, name and address of hospital where the birth took place; names and addresses of birth parents and any other identifying information;
   b) name and address of previous placement(s) (identifying information related to foster parents may be requested in keeping with Section 71 of the CYFA);
   c) physical traits that could identify a person such as a birth mark;
   d) exact educational level and occupation of birth parents, where it may be identifying;
   e) birth parent's date of birth or place of residence; and
   f) any other information that would be considered identifying.

8. A **Non-identifying Summary** that is completed for a birth parent should contain information that details the child's health, growth and development prior to adoption finalization and provides basic information about the adoptive parent(s).

9. A social worker must complete a **Non-identifying Summary** on behalf of a birth parent from information that may be available in the adoption file and related adoption files. The following may be included:

   a) date, time of birth, head and chest circumference, length, APGAR scores, health at birth, discharge date, and other relevant birth information;
   b) date child was placed in care, progress reports and any health reports related to the development of the child up to the time of adoption placement;
   c) date child was placed in adoptive home, progress in placement, health and development of the child up to the time of finalization ; date of finalization;
   d) general information about the adoptive parent(s), e.g. approximate ages of adoptive parents (e.g. late twenties, early thirties), occupation in general terms (e.g. laborer, tradesman, professional) and any other children; and
   e) where the child is Indigenous, information related to the child's **Cultural Connection Plan**.

10. The following information shall **not** be released to the birth parent:

    a) the adopted person's new name(s), address or the name(s) and address of adoptive parent(s);
    b) the adoptive parent's date of birth;
    c) the adoptive parent's exact physical description, exact educational level or exact occupation; and
    d) any other information that would be considered identifying.

11. The social worker shall submit the written **Non-identifying Summary** to the Provincial Director for review and approval prior to releasing it to the person who requested it.

12. The social worker may verbally disclose to the applicant the information contained in the **Non-identifying Summary** prior to the release of the written report.

13. There may be cases where the information contained in the **Non-identifying Summary** is assessed by the social worker to be sensitive in nature and should be shared in-person with the applicant. In cases where, for geographic reasons, this is not possible, the assistance of another jurisdiction may be requested.

14. Where requested, a copy of a **Non-identifying Summary** previously completed by post adoption services may be released to an adopted person or birth parent.

Exceptions: None

Relevant Documents:

- **Post Adoption Application**
- **Non-Identifying Summary**

Post Adoption Services: Search and Reunion

Policy no.: 13.10
Effective Date: June 30, 2014
Date Revised: March 22, 2018
Policy Cross References:
Legislative References: s.54 Disclosure to Adopted Person**, s.55** Disclosure to Birth Parent**, s.56** Disclosure Veto and Statement**, s.57** No-Contact Declaration and Statement**, s.62** Search and Reunion Services

Purpose: To outline the procedures to apply for and obtain search and reunion services through post adoption services.

Policy:

1. An adopted person 19 years of age or older may apply to the Provincial Director for assistance in locating their:

   a) birth parent;
   b) birth grandparent;
   c) adult birth or adopted sibling; and
   d) other adult birth or adopted relative.

2. A birth parent who has obtained their birth child's original birth registration, the birth registration that was substituted for the adopted persons original birth registration, and **Adoption Order** from Vital Statistics may apply to the Provincial Director for assistance in locating their birth child.

3. A birth father who is not named on his birth child's original birth registration but where paternity was otherwise established may apply to the Provincial Director for assistance in locating his adult birth child. Paternity shall be considered otherwise established where:

   a) there is evidence related to how he had supported, maintained or cared for the child under a court order prior to the adoption; **and/or**
   b)the birth mother named him as the birth father and he acknowledged paternity; **and/or**
   c) he signed the consent to adoption or is named on a court document as the father of the child.

4. An adult birth sibling of an adopted person may apply to the Provincial Director for assistance in locating their adopted sibling if their mutual parent(s) is/are deceased.

5. An adult child or grandchild of an adopted person who is deceased may apply to the Provincial Director for assistance in locating adult birth or adoptive relatives of the deceased.

6. A social worker shall not assist in locating any person who has filed a **Disclosure Veto** or a **No-Contact Declaration**. The social worker shall refer to **Disclosure Veto** and **No- Contact Declaration** policies for more information.

Procedures:

1. All persons interested in search and reunion services shall complete and submit a **Post Adoption Application** form with the required supporting documentation as outlined in the **Application and Screening** policy.

2. A social worker shall not search for any person who has filed a **Disclosure Veto** or a **No-Contact Declaration**. The social worker shall refer to **Disclosure Veto** and **No-Contact Declaration** policies for more information. Prior to completing a search, the social worker shall contact Vital Statistics to ensure a **No-Contact Declaration** has not been filed.

3. A search may be conducted on behalf of an adopted person 19 years of age or older who applies to locate:

   a) the birth parent(s) named on that adopted person's original birth registration;
   b) a birth father not named on the original birth registration but where paternity is otherwise established. Paternity is otherwise established where:
      i. there is evidence related to how he had supported, maintained or cared for the child under a court order prior to the adoption; **and/or**
      ii. the birth mother named him as the birth father and he acknowledged paternity; **and/or**
      iii. he signed the consent to adoption or is named on a court document as the father of the child.
   c) birth grandparent(s);
   d) adult birth or adopted sibling(s); and/or e) other adult birth or adopted relatives.

4. A search may be conducted on behalf of a birth parent named on the adopted persons original birth registration who applies to locate their adult adopted child.

5. Where a birth father not named on his adopted child's original birth registration applies to locate his adult adopted child, a search may be conducted on his behalf where paternity was otherwise established. Paternity shall be considered otherwise established where:

   a) there is evidence related to how he had supported, maintained or cared for the child under a court order prior to the adoption; **and/or**
      b)the birth mother named him as the birth father and he acknowledged paternity;
   b) he signed the consent to adoption or is named on a court document as the father of the child.

6. Before proceeding with a search on behalf of a birth father not named on the adopted person original birth registration, the social worker must contact the Vital Statistics Division to determine whether or not the adopted person has filed a **Disclosure Veto** or a **No-Contact Declaration**.

7. In cases where an adopted person is deceased, their adult child or adult grandchild may apply to the Provincial Director for assistance in locating a birth parent, a birth grandparent, an adult birth or adopted sibling, or other adult birth or adopted relatives of the deceased. See the

Application and Screening policy for the required supporting documentation. Before proceeding with the search, the social worker must contact the Vital Statistics Division to determine whether or not the birth parent of the deceased adopted person has filed a **Disclosure Veto.**

8. An adult birth sibling of an adopted person may apply to the Provincial Director for assistance in locating their adopted sibling where:

   a) the birth parent of both the sibling and the adopted person is deceased; or
   b) the sibling and the adopted person share both birth parents, both are deceased.

   A copy of the deceased birth parent's(s') death certificate(s) shall be provided to the social worker prior to beginning a search.

9. Before proceeding with a search on behalf of an adult birth sibling, the social worker must contact the Vital Statistics Division to determine whether or not the adopted person has filed a **Disclosure Veto**.

10. Prior to the start of a search, the social worker will contact the applicant by phone to discuss their expectations and the possible outcomes of the search. The outcomes may include but are not limited to:
    a) the person is deceased;
    b) the person cannot be located;
    c) the person does not wish to be contacted; or
    d) the person wishes to have contact.

11. The following are some possible information sources that may be used to assist in locating a person:
    a) the adopted person's vaulted file;
    b) TRIM
    c) ISM
    d) the birth parent's file(s);
    e) the UPI/Client Registry;
    f) motor Vehicle Registration data base;
    g) post Adoption Services in other provinces/countries; and
    h) vital Statistics.

12. After reasonable attempts to locate a person, the social worker shall inform the applicant of the outcome of the search. All attempts shall be documented in the post adoption file and be included in the vaulted adoption file.

13. When it is believed that the correct person has been located, the social worker shall verify the person's identity by requesting their date of birth, current and former names, other demographic information that will assist in identifying the person and ensuring the correct person has been located. The social worker shall inform the located person that their birth child, birth parent or relative is requesting contact. The various forms of possible contact shall be explained to the located person. These include:

    a) exchange of non-identifying information. Each party sends correspondence e.g. letters, pictures, small parcels, to post adoption services for delivery to the other party. Neither party discloses their identifying information.

    b) exchange of identifying information. Each party completes a **Consent to the Release of Identifying In**form**ation** form outlining the identifying information they wish to have disclosed to the other party. This may include contact information such as name, address, telephone number, email, etc. Once consent is obtained, the social worker may provide the identifying information to each of the parties. Where requested, the social worker may assist the parties in arranging a time for their initial contact.

14. The social worker shall consult with the parties after their initial contact with each other to determine if either requires assistance/support.

15. Where necessary, the social worker shall provide short term ongoing support related to issues of adoption and reunification. Where it is determined that the parties may require additional support services, the social worker may explore personal and community resources available to the parties and make any referral deemed appropriate with the consent of the person.

16. A case is deemed suitable for closure when:

    a) a person cannot be located or is deceased;
    b) a person does not wish to have contact with the applicant;
    c) after initial contact, the applicant or person located no longer responds o requests for further contact;
    d) the applicant and the person located have:
        i. successful, ongoing contact, or
        ii. have, after initial contact(s), mutually agreed to terminate contact.
    e) after short term issues related to adoption and reunion are resolved and any appropriate referrals for ongoing support services have been made.

17. The Provincial Director will make the final determination regarding case closure.

Exceptions: None

Relevant Documents:

- **Post Adoption Application**
- **Consent to the Release of Identifying In**form**ation**

Post Adoption Services: Exchange of Information

Policy no.: 13.11
Effective Date: June 30, 2014
Date Revised: n/a
Policy Cross References:
Legislative References: s.53 Post Adoption Exchange of Information **s.62** Search and Reunion Services

Purpose: To outline the procedures where following the granting of an **Adoption Order**, an adopted person; an adoptive parent; a birth parent; a relative; and significant persons may register with the Provincial Director expressing interest in exchanging information when the adopted person reaches 19 years of age.

Policy:

1. All applicants must complete and submit a **Post Adoption Application** form and a copy of the applicants' Vital Statistics birth certificate and government issued photo ID.

2. Applications for the exchange of information may be received from adopted persons who are **19 years of age or older**, adoptive parents, birth parents, adult birth or adopted relatives, and significant persons.

3. Where an adopted person is **19 years of age** or older and there is a matched registration with the registration of their birth parent, relative, or person significant to the adopted person, post adoption services may facilitate the exchange of information.

Procedures:

1. In situations where an applicant is not eligible for or interested in receiving search and reunion services, they may register with the Provincial Director to indicate their interest in exchanging either identifying or non-identifying information once the adopted person reaches **19 years of age or older.**

2. Where the adopted person is **under** 19 years of age, and the applicant is expressing interest in exchanging information, the procedures and polices outlined in **Openness: Post Adoption Openness Agreements** shall apply. An **Openness Agreement** cannot be entered into after the adopted person reaches 19 years of age or older.

3. Where the adopted person is **under** 19 years of age, and an **Openness Order** exists in relation to the adopted person, post adoption services may assist the parties in facilitating court ordered contact. Any requests to amend or terminate an existing **Openness Order** must be completed through the court and are not the responsibility of post adoption services.

4 Persons who may register to express interest in the exchange of information include:

a) adopted persons 19 years of age or older who do not want search services but wish to register for a potential match with adult birth or adopted relatives or significant others;
b) adopted persons 19 years or older who cannot obtain search services because of a **Disclosure Veto** or a **No-Contact Declaration** but wish to register for a potential match with adult birth or adopted relatives or significant others. See **Disclosure Veto** and **No-Contact Declaration** policies for further information;
c) birth parents who do not want search services but wish to register for a potential match with their birth child; and
d) other adult birth or adopted relatives or significant others of an adopted person who is 19 years of age or older.

5. All persons interested in the exchange of information shall complete and submit a **Post Adoption Application** form. The form along with a copy of their Vital Statistics birth certificate and a government issued photo ID shall be forwarded to post adoption services.

6. Confirmation of an adoption **shall not** be provided to adult birth or adopted relatives or significant others due to a possible breach of the confidentiality of the adopted person's or the birth parent's information. The social worker shall accept the application and advise that acceptance of the application does not confirm that an adoption occurred. If the person they are seeking registers with post adoption services, a match may be made.

7. The social worker shall notify applicants in writing when they have been registered for the exchange of information.

8. Upon receipt of an application for the exchange of information, the social worker shall review the adoption registry to determine if there is a match.

9. Matched registrations occur when:

   a) an adopted person has registered and their birth parent, birth or adopted relatives, or significant other has also registered; and
   b) a birth parent has registered and their birth child has also registered.

10. Where a matched registration occurs, the social worker shall contact each applicant to determine if they continue to be interested in the exchange of identifying or non- identifying information with the other applicant.

Exchange of Identifying Inform**ation**

11. Where two matched parties wish to exchange identifying information, the matched registrants must complete **Consent to the Release of Identifying In**form**ation**. Identifying information must not be released without this written consent.

12. Upon receipt of both written consents, the social worker will share each party's identifying information with the other.

13. The social worker shall provide supportive services to the parties as per the **Post Adoption Services: Search and Reunion** policy.

14. When supportive services are no longer required by either party, the contents of the temporary file will be vaulted with the adoption file.

Exchange of Non-identifying Inform**ation**

15. When two matched parties wish to exchange non-identifying information, each must submit the non-identifying information they wish to exchange. This may include the exchange of letters, pictures, gifts, etc.

16. Each party must be informed that the exchange of non-identifying information will be facilitated through Post Adoption Services. Correspondence being exchanged shall be reviewed by the social worker to ensure it contains no identifying information.

17. Post Adoptive Services will maintain an active file where all exchanges of information will be documented.

Exceptions: None

Relevant Documents:

- **Post Adoption Application**
- **Consent to the Release of Identifying In**form**ation**
- **Openness Agreement**
- **Openness Order**

Post Adoption Services: Disclosure of Information to Another Adoption Authority or Agency

Policy no.: 13.12
Effective Date: June 30, 2014
Date Revised: March 22, 2018; October 28, 2022
Policy Cross References:
Legislative References: s. 64 Access to Information and Protection of Privacy Act does not Apply**, s. 67** Provincial Director's Right to Information**, s. 68** Disclosure of information

Purpose: To outline the conditions and procedures for the disclosure of information by the Provincial Director to an adoption agency licensed under the **Act** or an adoption authority in another jurisdiction.

Policy:

1. The Provincial Director may disclose information at the request of an adoption authority in another jurisdiction or an agency licensed under the **Adoption Act, 2013**.
2. The information must be necessary to enable the authority to provide post adoption services under its own legislation or regulations.
3. The request must outline the intended purpose of the information as well as steps already taken to find the requested information.
4. All release of information to another adoption authority must be approved by the Provincial Director prior to it being released.

Procedures:

1. An adoption authority responsible for adoptions or adoption records in another jurisdiction, may request the release of information by submitting a written request to the Provincial Director.
2. The written request must state the purpose for which the information will be used as well as attempts already taken to find the information.
3. The written request must include the date of birth, name, address, and/or contact information for whom the requested information relates.

   a) where it is determined that the requesting jurisdiction:
   b) has made reasonable but unsuccessful attempts to find the requested information; and
   c) plans to use the information to provide post adoption services under its own legislation,

4. The Provincial Director may approve a social worker to search for and/or release the information to the adoption authority who requested it. Where the social worker has located the requested information and has confirmed that no disclosure veto has been filed with the Registrar of Vital Statistics, the social worker may recommend to the Provincial Director, the release of the information.

5. The Provincial Director shall review and approve the release of the information prior to sharing it with an adoption authority in another jurisdiction.

Exceptions: None

Relevant Documents: None

Overview: Adoption By Step-Parents, Relatives Or Persons Having Permanent Custody Of A Child

The **Adoption Act, 2013** (**Act**) governs adoption in Newfoundland and Labrador. Under this **Act**, every adoption is by order of either the Supreme Court of Newfoundland and Labrador, Trial) or the Provincial Court of Newfoundland and Labrador. Provisions in the **Act** allow some applicants to process their own adoptions without having to go through the Department.

Exceptions

There are two **Exceptions** when the Department may become involved in an adoption by a step-parent, relative or persons having permanent custody of a child:

- Pursuant to Section 29 of the **Act**, where a person has applied for an **Adoption Order**, the Provincial Director, a Manager, a social worker or an adoption agency may file with the court information considered necessary to enable the court to determine whether the proposed adoption is in the child's best interests and a recommendation on an issue relating to the adoption;

- Pursuant to Section 30 of the **Act**, a court may require the Provincial Director, a Manager, a social worker or an adoption agency to inquire into a matter respecting an application for an **Adoption Order** that the court considers necessary.

- A **Self-Help Kit for Adoption by Step-Parents, Relatives or Persons with Permanent Custody of a Child (Self-Help kit)** has been developed to assist persons applying to adopt a child in situations where they:

- are applying to become a parent jointly with the parent of a child (step-parent adoption). The person applying to adopt may be married to, or living common law with, the child's parent;

- are a relative of the child. The **Act** defines a relative as a parent, grandparent, sibling, aunt, uncle, or first cousin of a birth parent or a child by birth or adoption; or

6. have permanent custody of a child and has had custody of that child under a temporary or permanent court order for at least **two years**.

Consents

Adoption by a step parent, relative or persons having permanent custody of a child involves obtaining consents from:

- the child, where the child is 12 years of age or older;
- the birth mother;
- the father;
- a person having custody of the child, where applicable.

Where consent cannot be obtained, the adoption may proceed provided the applicant(s):

- provides a court order where a court has dispensed with the required consent(s); and/or
- provides a Death Certificate to the court if the person who is required to give consent is deceased.

Requirements

For a step-parent, relative or persons having custody of a child to adopt, they must:

- be resident of the province;
- have had the child residing with them for at least **six months**;
- be at least 19 years of age;
- complete the **Self-Help Kit**;
- arrange all required documents into an adoption package;
- file the adoption package with the court;
- prepare for and attend the adoption hearing.

Self-Help Kit

The **Self-Help Kit** provides detailed direction and guidance to applicants in the completion of the adoption application. The **Self-Help Kit** provides information on adoption law and procedure and includes the necessary court forms and general instructions for completion. The **Self-Help Kit** is **not** intended to provide legal advice. The **Self-Help Kit** is available online and is also distributed through Government Service Centers, Provincial Office and departmental offices throughout the province.

Adoption By Step Parents Relatives or Persons Having Permanent Custody of a Child

Policy no.: 14.2
Effective Date: June 30, 2014
Date Revised: March 22, 2018, October 28, 2022
Policy Cross References:
Legislative References: s.7 Placement with relative; **s.27** Who may apply to court **s.28** Required documents **s.29** Additional information; **s.30** Inquiry requested by court

Purpose: To outline the adoption process for step parents, relatives and persons with permanent custody of a child.

Policy:

1. Step-parents, relatives, or persons with permanent custody of a child may apply to a court to adopt using the **Self-Help Kit for Adoption by Step-Parents, Relatives or Persons with Permanent Custody of a Child** (**Self-Help Kit**).

2. A court may request the Provincial Director, Manager, social worker, or adoption agency to inquire into a matter respecting an application for an **Adoption Order** that the court considers necessary.

3. The Provincial Director, Manager, social worker, or adoption agency may file with the court information or a recommendation on an issue which will enable a judge to determine whether the proposed adoption is in the child's best interest.

Procedures:

1. The following persons may use the **Self-Help Kit** to apply to a court to adopt.

   a) A person applying to jointly become a parent with a parent of a child (step-parent adoption).
   b) A relative of the child where the person is a parent, grandparent, sibling, aunt, uncle, or first cousin of a birth parent or a child by birth or adoption.
   c) A person who has permanent custody of a child and has had custody of that child under a temporary or permanent court order for at least **two years**.

2. The **Self-Help Kit** is available online and is distributed through Government Service Centers, Provincial Office and departmental offices throughout the province.

3. While social workers do not have primary responsibility for the processing of adoptions that may be completed using the **Self-Help Kit**, they may be contacted by applicants and should be prepared to answer questions about the **Self-Help Kit**.

4. Persons adopting using the **Self-Help Kit** may use community resources, lawyers and/or an adoption agency to help them through the adoption process.

5. General instructions for completing the court application are outlined in the **Self-Help Kit.**

6. Once **ALL** required documents are compiled, the adoptive applicant(s) must file these documents with a court, as an adoption package, in the following order:

   a) **Application for Adoption Order**;
   b) **Adoption Order;**
   c) **Schedule to Adoption** (to be completed by Court)
   d) Death Certificate (where birth/legal parent of child is deceased);
   e) Proof of Canadian Citizenship (where the child was born outside Canada);
   f) Birth Certificate of the child;
   g) Birth Certificate of the applicant(s);
   h) All applicable Consents to adoption (including the child's consent if age 12 years or older);
   i) **Application to Dispense with Consent** (where applicable)
   j) **Order To Dispense with Consent** (where a required consent is not available);
   k) **Notice to Respondent** (where applicable);
   l) **Family Self-Assessment**
   m) **Child Protection Clearance Check**;
   n) Criminal Records Check(s) and Court Checks; and
   o) **Affidavit Regarding Paternity** (where applicable)

7. Any costs associated with the adoption are the responsibility of the applicant(s).

8. The applicant(s) must contact their local departmental office to apply for a **Child Protection Clearance Check** for all persons residing in the home aged 16 and older. The social worker shall complete the **Child Protection Clearance Check** in accordance with the **Child Protection Clearance Check** policy.

9. If a social worker is aware of information regarding the safety or best interest of a child that may impact a judgment regarding an adoption plan (e.g. protective intervention information known through the completion of the **Child Protection Clearance Checks**), the social worker must consult with a Manager and determine how this information will be shared with the court prior to the granting of an **Adoption Order**. Under most circumstances the social worker shall meet with the prospective adoptive parents prior to presenting the information to the court.

10. The court may request that the Provincial Director, Manager, social worker or adoption agency inquire into a matter respecting an application for an **Adoption Order** that the court considers necessary.

11. Where an inquiry into matter is received from the court, the social worker shall consult with a supervisor to determine the appropriate action to be taken.

Exceptions: None

Relevant Documents:

- **Application for Adoption Order**
- **Adoption Order**
- **Schedule to Adoption Order**
- **Consent of Parent / Person With Custody to Adoption**
- **Affidavit Regarding Paternity**
- **Consent of the Child (where applicable)**
- **Application To Dispense With Consent**
- **Notice To Respondent**
- **Order To Dispense With Consent**
- **Child Protection Clearance Check**
- **Family Self-Assessment**

Overview: Disclosure

All use of, disclosure of and access to information related to an adoption is governed by the **Adoption Act, 2013**. All adopted persons and birth parents requesting information that was obtained under the CYFA may request the information as per policies outlined in Section 6 of the **Protection and In Care Policy and Procedures Manual.**

The following persons have the right to information about themselves:

a) a prospective adoptive parent;
b) a person who has been considered for approval as a prospective adoptive parent;
c) a birth parent who requested that their child be placed for adoption under the **Act** but no **Adoption Order** was granted in respect of the child; and
d) a birth parent who considered having their child placed for adoption under the **Act** but decide not to place the child for adoption.

After the granting of an **Adoption Order**, any information contained in vaulted adoption files shall only be released through court order, with the approval of the Provincial Director and in accordance with the policies and procedures outlined in **Post Adoption Services**.

For adoption client files that did not result in the granting of an **Adoption Order** and therefore have not been vaulted, designated staff may release information to a person requesting information relating to themselves where the information should have been provided to them as part of their involvement in the adoption application process.

There are times when information will not be released. These circumstance include withholding information where:

a) disclosure is prohibited under the CYFA , the **Young Persons Offenses Act** or the **Youth Criminal Justice Act**;
b) disclosure may result in physical or emotional harm to that person or another person;
c) disclosure could be expected to jeopardize a criminal investigation.

Where information is not disclosed, a person who requested the information may apply for an internal review of the refusal for information as outlined in policy **Right to Information and Review Process.**

Disclosure for Client Initiated Requests

Policy no.: 15.2
Effective Date: June 30, 2014
Date Revised: October 28, 2022
Policy Cross References: Post Adoption Services; Information not to be Disclosed; Right to Information and Review Process.
Legislative References: s. 33 Confidentiality **s. 37** Post Adoption Information; **s. 64** Acts do not apply. 64.1 Persons who may obtain information; 64.2 Information not to be Disclosed

Purpose: To outline the process of disclosing information related to client-initiated requests for information obtained under the **Adoption Act, Act**.

Policy:

1. The use of, disclosure of and access to information related to client-initiated requests for information is governed by the **Adoption Act, 2013**.

2. Where an adoption file did not result in the granting of an **Adoption Order**, the following persons are eligible to receive information from a client record related to themselves as per Section 64.1 of the **Act:**

   a) a prospective adoptive parent;
   b) a person who has been considered for approval as a prospective adoptive parent;
   c) a birth parent who requested that their child be placed for adoption under the **Act** but no **Adoption Order** was granted in respect of the child; and
   d) a birth parent who considered having their child placed for adoption under the Act but decided not to place the child for adoption.

   Information may be excluded in accordance with policies outlined in **Right to Information and Review** policy**.**

3. All requests to obtain information from an adoption file about a child that did not result in the granting of an **Adoption Order** shall be processed according to the policies and procedures outlined in Section 6 of the **Protection and In Care Policy and Procedures Manual.**

4. All adopted persons (age 19 years and over) and birth parents who have obtained their original birth information from the Registrar of Vital Statistics may apply to post adoption services for assistance in obtaining information related to their adoption. See **Post Adoption Services** for additional information. Should any persons make a formal request for information to the Department after the granting of an **Adoption Order**, disclosure shall only occur in accordance with policies and procedures outlined in Section 13 **Post Adoption Services.**

Procedures:

1. Where an **Adoption Order** was **not** granted, requests from anyone other than a child, shall be processed in accordance with the **Right to Information and Review Policy**. The person requesting the information about themselves must complete an **Application for Client File Information.** All requests to obtain information about a child from an adoption file that did not result in the granting of an **Adoption Order** shall be processed according to the policies and procedures outlined in Section 6 of the **Protection and In Care Policy and Procedures Manual.**

2. Following the granting of an **Adoption Order**, the Provincial Director shall maintain a sealed packet of documents in the possession of the Provincial Director that relates to the adopted child. This sealed packet shall not be opened except where ordered by the court or upon the direction of the Provincial Director. See **Finalized Adoptions and Vaulting** policy for information contained within the Provincial Director's vaulted/sealed adoption record.

Exceptions: None

Relevant Documents:

- **Application for Client File Information**

Information not to be Disclosed Post Adoption

Policy no: 15.3
Effective Date: October 28, 2022
Date revised: n/a
Policy cross reference: Post Adoptions
Legislative references: **s. 37** Post Adoption Information; **s.64.2** Information not to be Disclosed

Purpose: To identify information that shall not be released when requests for disclosure of information from Departmental adoption files or records have been made after an **Adoption Order**.

Policy:

1. Section 37 (1) requires that following the granting of an **Adoption Order**, all information related to an adopted child in the control of the Provincial Director shall be maintained in a sealed packet. This shall include information about the adopted parents, the matching process, and monitoring of the placement as well as other elements of preparing the adoption package for finalization in court.

2. The ability to search for and to consider the opening of this sealed packet must be done in accordance with the **Act** and **Regulations** as outlined in **Section 37(2)**. A decision regarding the opening of the packet itself, is at the direction of the Provincial Director or as ordered by the court.

3. Where an adoption file did not result in the granting of an **Adoption Order**, the policies and procedures related to **Disclosure of Information** in the **Protection and In Care Policy and Procedure Manual** shall apply in regard to the child, and a prospective adoptive parent and a birth parent may be eligible to receive information about themselves in accordance with **s.64.1**.

Procedures:

1. When the adopted parent of a child, an adopted person, birth parent, birth or adopted sibling or other adult birth or adopted relatives requests information related to an adoption, the social worker shall advise the person to apply to Post Adoption Services and/or the Director of Vital Statistics as per Section 13 **Post Adoption Services.**

2. Post Adoption Services shall review the request for information and make a recommendation to the Provincial Director regarding the release of information. Any information released from a sealed adoption record must be approved by the Provincial Director.

Exception: None

Relevant Documents: None

Right to Information and Review Process

Policy no: 15.4
Effective Date: October 28, 2022
Date revised: n/a
Policy cross reference:
Legislative references: **s. 68.1** Internal Review; **s.64.1** Persons who may obtain Information; **s. 64.2** Information not to be Disclosed

Purpose: To set out the right to information under **s.64.1** and to outline the process for an internal review within the Department when a person is refused information that is requested in accordance with **s.64.1**.

Policy:

1. The following persons have the right to request information about themselves under **s.64.1**:

   a) A prospective adoptive parent;
   b) A person who has been considered for approval as a prospective adoptive parent;
   c) A birth parent who requested that their child be placed for adoption but no **Adoption Order** was granted in respect of the child; and
   d) A birth parent who considered having their child placed for adoption but decided not to place the child for adoption.

2. Prior to any information being disclosed, a social worker must consider whether there is reason to withhold information in accordance with **s.64.2** including information that:

   a) is prohibited from being disclosed under the **Children, Youth and Families Act**, the **Young Persons offences Act** or the **Youth Criminal Justice Act (Canada)**;

   b) there are reasonable grounds to believe that the disclosure may result in physical or emotional harm to that person or another person;
   c) disclosure could reasonably expect to jeopardize a criminal investigation; and/or
   d) the information is a transitory record as defined in the **Management of Information Act**.

3. When a person has sought access to information under **s.64.1** and been denied some or all of the information, they can seek an internal review of the decision made, as set out in **s.68.1**.

4. All other requests for access to information are not subject to the internal review provisions of the **Act**.

5. The Internal review shall be conducted within **30 days** of the receipt of a written request for review, and the results of the review will be communicated to the applicant within **5 business days** of the decision being made.

6. If the applicant disagrees with the result of the internal review process, they can appeal the decision to a judge of the Supreme Court in accordance with **s.68.1(5).**

Procedure:

1. For adoption client files that did not result in the granting of an **Adoption Order** and therefore have not been sealed, designated staff may release information to a person requesting information relating to themselves where the information should have been provided to them as part of their involvement in the adoption application process. This information may include:

    a) an approved adoption home assessment;
    b) where an assessment was not approved, written confirmation of the decision by a Manager;
    c) a copy of the PRIDE Pre-Service completion certificate.

2. Once records related to the person are identified, consideration must be given to whether any one or more of the exceptions to disclosure apply. If a determination is made to withhold information, the reasons shall be documented in the persons file.

3. Department staff designated to disclose information contained in the file shall advise the person requesting the information of their right to an internal review if the information they requested is not provided to them.

4.. A written request from the individual denied information is required to initiate the review process.

5.. The Minister shall be notified immediately if a request is received for a review of a refusal to provide information from the client file.

6. An exact copy of the documents that were released and the information that was refused from release shall be maintained in the client's electronic disclosure file to be made available only to the person completing the review. Measures must be taken to ensure the pages are not altered, removed or changed in any way.

7. An internal review shall be performed within **30 days** of the receipt of the written request. As part of the review, the reviewer shall ensure that the **Act**, regulations and policy applicable to the request were complied with.

8. The results of an internal review shall be provided to the person who requested the review, in writing, within **five (5)** business days of being decided. If the review determined that additional records should be provided to the applicant, those documents shall be provided with the decision of the review. If additional documents were not released after the review process, the review shall ensure that the results of the review process outline the reasons for the decision.

9. Written communication regarding the results of the internal review process shall also identify that if the applicant is not satisfied with the results of the internal review, they may appeal to a Judge of the Supreme Court.

10. If a client file is not able to be located, the requestor of the information shall be advised immediately in writing of all efforts to locate the record and their right to a review. Quarterly searches for the file may occur for a one year period, at which time if the file or information is not located, the requestor shall be notified in writing that the request is being closed. The results of the quarterly searches shall be recorded on the client disclosure file.

Exceptions: None

Relevant Documents: None

File Transfers

Policy no: 16.1
Effective date: October 28, 2022
Date revised: June 9, 2025
Policy cross reference: IMP-2013-001 Client File Transfer Policy; IMP-20212-001
Legislative references:

Purpose: To outline the processes followed for the transfer of case management and client files when required.

Policy:

1. The transfer of files involves both the transfer of a client's paper and electronic file and the transfer of case management responsibilities between social workers.

2. File transfers shall occur in a **timely manner** with cooperation and collaboration between social workers, supervisors, and Managers to facilitate smooth transitions and continuity of service for the client.

3. The file transfer process shall not interfere with the safety of a **child**, the assessment of future risk of harm, client interventions, or service delivery.

4. The transferring social worker shall notify the client of the intention to transfer the file, the date the transfer will occur and the contact information for the receiving social worker.

Procedures:

Preparing for File Transfer

1. When the decision is made to transfer a file, the transferring supervisor, in consultation with their Manager, shall identify the receiving Manager and supervisor who shall then identify the receiving social worker who shall assume case management of the file upon transfer.

2. The transferring social worker shall prepare the electronic **record** and paper file for transfer and send the paper file to the receiving social worker within 30 **days** of the receiving social worker being identified.

3. Prior to the file transfer, the transferring social worker shall provide the receiving social worker, by phone, or in-person contact, with the verbal summary of the file, including:
   a) relevant demographic information (e/g. addresses and dates of birth);
   b) reasons for involvement (e.g assessment stage, status of post placement);
   c) reasons for the transfer;
   d) estimated date of the transfer; and
   e) any other relevant information**.**

4. Prior to the transfer of the file:

    a) the transferring social worker shall verbally notify all relevant client service providers of the file transfer and provide them with the contact information for the receiving social worker. The social worker shall document these notifications in the case notes;
    b) the transferring social worker shall complete all outstanding documentation and ensure all required documents are in the paper and electronic file; and
    c) the transferring supervisor shall complete a file review and ensure all required documentation is complete, including all required signatures on electronic and paper documents. Once this is complete, the transferring supervisor shall document in the case notes that the file has been approved and is ready for transfer.

5. The transferring social worker or a representative (e.g. clerical staff) shall ensure the paper file is transferred to the receiving social worker, as per **Information Management and Protection** policy (refer to: **Client File Transfer Policy**).

Transfer of Case Management

6. Upon transfer of the file, the transferring and the receiving social workers shall meet (either in person or via conference call) to discuss case management of the file. Transfer meetings shall include both the transferring and receiving supervisors when:
    a) concerns exist in relation to the assessment process; the adoption placement; or where the child placed has complex needs; and/or
    b) it is assessed as appropriate by either social worker and/or supervisor.

7. The transferring social worker shall document the transfer meeting in the case notes and include:
    a) who was in attendance;
    b) what was discussed; and
    c) any decisions made.

8. The transferring social worker shall notify the client of the transfer of the file, the date the transfer will occur and the receiving social worker's contact information. A copy of this letter shall be scanned and uploaded into the client's file in ISM.

9. Both the transferring and receiving social workers shall work in collaboration to ensure the file transfer process does not interfere with client interventions or service delivery.

Post File Transfer

10. Upon receipt of the paper file, the receiving supervisor shall review the file and assign it to the receiving social worker in the electronic record.

11. The receiving social worker shall review the file and make contact with the client within 30 days of receiving the file.

12. When receiving files where concerns exist in relation to the assessment, placement or the child has complex service needs:
    a) the receiving supervisor shall review the file and meet with the receiving social worker to review the case (unless this has already been discussed in the case transfer meeting), and ensure needed interventions and services are in place; and
    b) the receiving social worker shall arrange a meeting with the client within 30 days of receiving the file.

Exceptions: None

Relevant Documents: None

Appendix A

- **Provincial / Territorial Protocol on Children, Youth and Families Moving Between Provinces and Territories**

Provincial/Territorial Protocol

On Children, Youth and Families Moving Between Provinces and Territories

April 1, 2016

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Provincial/Territorial Protocol on Children, Youth and Families Moving between Provinces and Territories

1. Introduction

The purpose of the **Provincial/Territorial Protocol on Children and Families Moving between Provinces and Territories** (Protocol) is to outline the roles and responsibilities of statutory child welfare organizations (including government ministries, agencies, boards and societies and may include First Nations, Inuit and Métis child welfare organizations) when working together to provide child welfare services to children and families moving between provinces and territories (PTs). In this document these entities will be referred to as "the child welfare organizations".

The Protocol applies to a wide variety of legislation, policies, governance structures, and service delivery models throughout Canada. To accommodate these variations, it is necessary for this document to be written using generic terminology and should be interpreted in a way that is consistent with the principles described in Section 1.1, Protocol Principles. The Protocol is mandatory for all PTs that are signatories; however, if there is a conflict between the Protocol and the legislation or policies within a PT, the latter shall prevail.

The Protocol covers child protection, children and youth in care, children and youth in out of care placements, and, adoption services. Within these service areas the Protocol addresses:

- coordinating services, including information sharing and case management;
- financial responsibilities; and
- dispute resolution.

Sections 1-6 are general sections that apply to all services and will assist PTs in understanding the terms used and their respective roles and responsibilities when cases are shared. The nature and scope of the services to which the Protocol applies are specifically outlined in Sections 7-10. Section 11 addresses Protocol administration and forms are appended which will assist to operationalize the Protocol.

The Protocol reflects the commitment of the signatory provinces and territories to:

- promote and support all PTs in meeting their statutory responsibilities under their child welfare legislation;
- support the ongoing operation of the Protocol, including where required, developing PT specific procedures or other materials to assist in interpreting the Protocol;
- provide PTs with an updated list of its interprovincial coordinators/contacts and Directors of Child Welfare;
- monitor the placement of children and youth in care placed outside their PT;
- ensure child welfare organizations providing statutory services to children, youth and families who move between PTs understand their roles and responsibilities under the Protocol;
- facilitate dispute resolution;
- address any systemic issues between the PTs related to the Protocol; and
- consider changes to its legislation and policy that will enhance the provision of services under the Protocol.

1.1 Protocol Principles

- the safety, best interests and well-being of children and youth is the paramount consideration in all decisions;
- this Protocol shall be administered so that the rights of children and youth as defined in the United Nations Convention on the Rights of the Child (1990) are respected;
- the originating PT always maintains the legal responsibility for children and youth in their care, custody or guardianship and this legal responsibility ends in accordance with the originating PT's legislation; however, both PTs have responsibilities for delivering required services to children, youth and families;
- in unique situations, **Exceptions** to the Protocol can be made where necessary to promote the best interests of a child or youth;
- in unforeseen circumstances where the Protocol does not provide sufficient direction, the PTs will work collaboratively to promote the child or youth's best interests consistent with both PTs' legislation; and
- services are not delayed due to budgetary, administrative or jurisdictional issues or disputes and, where these do arise, a timely and effective resolution is promoted.

2. Definitions

aboriginal – includes all First Nations, Inuit and Métis children, youth and families.

adoptive applicant – a person or persons who have applied to adopt a child or youth in care, but who have not received a child or youth for purposes of adoption.

adoptive parent – a person or persons who have received a child in care for purposes of adoption or who have been granted an order of adoption of a child or youth.

case plan – a planning process used by case workers in the receiving and originating PTs when providing services to a child and/or family. The format will depend on the case circumstances, should be mutually agreed and meet the policy requirements of the originating PT. The minimum case plan requirements must address the goals of the child protection services and/or placement, itemization of the services to be provided, and detail on the roles and responsibilities of the various parties.

child in care – a child or youth who is in the care, custody or guardianship of a child welfare organization by court order, agreement or adoption consent. This includes a child or youth under apprehension status.

child in out of care placement – a child or youth who is not in care but whose placement is financially supported and/or supervised by a PT.

child protection alert – a communication issued to another PT when a person or family cannot be located or there is knowledge that a person or family has moved to another PT and a child or youth is or may be in need of protection.

child protection alert form – a standardized document used when a child protection alert is issued to another PT.

child welfare – statutory services relating to support services, child protection services, services to children or youth in care and in out of care placements, adoption and post-adoption services.

child welfare organizations – organizations with the statutory authority to deliver child welfare services, including government ministries, agencies, boards and societies.

children and youth – persons who are under 16, 18 or 19 years of age pursuant to child welfare legislation in an originating PT.

custom adoption – an adoption that has occurred by way of aboriginal customary law and has been recognized by the PT in which the adoption took place.

days – all references to "days" in the Protocol refers to calendar days.

foster parent – an individual, other than a parent or guardian of a child or youth, approved by a child welfare organization or foster care licensee to provide care for a child or youth in care. This individual may or may not be related to the child or youth (e.g. kinship).

home study – the assessment of caregivers being considered to provide care and supervision for a child or youth.

interprovincial placement agreement (IPPA) – a standardized agreement negotiated between two PTs that describes their respective roles and responsibilities in serving a child or youth.

interprovincial coordinator/contact – the person(s) designated by each PT with responsibility for facilitating the coordination of interprovincial/territorial services and for resolving issues and disputes between the PTs.

maintenance and service expenditures – financial assistance, subsidies and other services (refer to 4.2 and 4.3).

originating PT - the child welfare organization in the province or territory that requests services from a receiving PT or agrees to the repatriation of a child or youth from a receiving PT.

PT – means province and territory and refers to the government ministries, agencies, boards or societies and First Nations, Inuit and Métis agencies (child welfare organizations) within each province or territory with statutory authority for the delivery of child welfare services.

receiving PT - the child welfare organization in the province or territory that agrees to provide child welfare services at the request of an originating PT or repatriates a child or youth to an originating PT.

residential facility – a PT approved or licensed residential placement, other than a foster parent placement, that provides care and supervision of a child or youth in the care of a PT.

serious occurrence/incident – reportable incidents for children and youth in both in care and out of care placements, including but not limited to: the death or serious injury of a child or youth; alleged abuse or mistreatment of a child or youth by family members, foster parent, staff, volunteers or others associated with providing the service; serious complaints made by or about a child or youth, or any other serious occurrence involving a child or youth that is considered to be of a serious nature in a receiving PT.

service delivery costs – salaries and operating costs (refer to 4.1)

temporary placement – an approved temporary and transitional placement or place of safety that may be used prior to a planned placement.

temporary residential treatment facility – an approved facility used for the care and treatment of a child or youth. These are typically short term (up to six months) treatment facilities (e.g. medical, mental health or addictions treatment).

3. Co-ordination of Services

3.1 Information Sharing

Each PT agrees to share information with respect to persons needing or receiving services to the extent permitted by its legislation and policy. Personal information is shared with the consent of the persons who are the subject of the information where possible. However, legislation in all PTs authorizes the sharing of confidential information without the person's consent where necessary to ensure the safety and well-being of a child or youth. This may include, conducting child protection investigations, obtaining child welfare record prior contact checks, carrying out guardianship duties for a child in care and assessing the suitability of potential caregivers.

3.2 Case Management Roles and Responsibilities

Case management begins after an Interprovincial Placement Agreement has been completed in consultation with the receiving PT. Ensuring that the appropriate services are provided to meet the child's or youth's needs is a shared responsibility of each PT. Files must be opened in both PTs and each must comply with its respective file and records management policies.

The child welfare organization in the originating PT maintains the legal responsibility, guardianship or statutory authority and case management role through collaboration and regular or as needed conferencing with the child welfare organization in the receiving PT.

The child welfare organization in the receiving PT is responsible for the day to day monitoring and supervision of the case through collaboration and regular or as needed conferencing with the child welfare organization in the originating PT.

4. Financial Responsibilities

4.1 Service Delivery Costs – Receiving Province/Territory

In providing services under the Protocol, a receiving PT is responsible for salaries and operating costs normally incurred in the delivery of child welfare services including:

- child protection investigations;
- arranging for the signing or renewal of voluntary service or placement agreements;
- serving child welfare court documents;
- preparing safety assessments and home studies;
- participating in case planning;
- monitoring and supervising placements; and
- adoption and post-adoption services.

4.2 Maintenance and Service Expenditures – Originating Province/ Territory

In requesting services from a receiving PT, an originating PT agrees to directly pay for:

- in care maintenance and service costs at the receiving PT's rates;
- out of care maintenance and service costs at the originating PT's rates;
- youth receiving post-care services – maintenance and service costs at the originating PT's rates, and in accordance with the originating PT's legislation and policies;
- residential facilities at the receiving PT's rates;
- temporary residential treatment facilities (where not covered by health insurance or other publicly funded sources in a receiving PT);
- dental, optical and prescription drugs not covered by the receiving PT publicly funded sources;
- psychological and psychiatric services not paid for by health insurance or other publicly funded sources in a receiving PT;
- adoption subsidy payments;

- where required by the receiving PT's legislation and policy, adoption court completion costs; and
- other expenditures as negotiated on a case by case basis between the originating and receiving PTs.

4.3 Maintenance and Service Expenditures – Receiving Province/Territory

In providing services requested by an originating PT, a receiving PT agrees to pay for:

- expenses related to repatriating children or youth pursuant to Section 7.5; and
- other expenditures as negotiated on a case by case basis between the originating and receiving PTs.

4.4 Document Translation Services

When receiving requests for services from Quebec, Quebec will ensure required documentation is translated to English. When requesting services from Quebec, the requesting PT will be responsible for the translation of required documents to French.

5. First Nations, Inuit or Métis Child Welfare Organizations

5.1.1 In some PTs, First Nations, Inuit or Métis child welfare organizations have varying levels of authority for the delivery of child welfare services depending on the legislation of the PT. In those circumstances where services from an First Nations, Inuit or Métis child welfare organization is required, the interprovincial coordinator in the receiving PT must be contacted by the originating PT to confirm that the level of statutory authority, capacity, resources and funding models available to the First Nations, Inuit or Métis child welfare organization is consistent with the case plan for a particular child and/or family.

5.1.2 When providing services to aboriginal children, youth and families under this Protocol, the receiving PT agrees to follow legislative requirements and existing protocols of the originating PT with respect to aboriginal children, youth and families to the extent possible under the receiving PT's legislation and policy.

4.1.3 As part of negotiations to develop the Interprovincial Placement Agreement to move a child or youth in care who is First Nation or Inuit to another PT, the originating PT shall advise the receiving PT whether any service or maintenance expenditures for the child or youth are currently being funded by the federal government.

5.1.4 When applicable, the originating PT shall determine whether the federal government will continue to pay for maintenance and service expenditures for the child or youth in care moving to the receiving PT and advise the receiving PT of financial arrangements for the child or youth.

5.1.5 If the federal government is unable to continue to pay maintenance and service expenditures for children and youth in care after the move then the originating PT is responsible for these costs.

6. Dispute Resolution

6.1 Dispute Resolution at the Local Level

It is expected that most issues arising between PTs will be resolved between caseworkers and/or supervisors/Managers directly involved in the matter.

6.2 Involvement of Interprovincial Coordinators

In the event that a dispute or other issue cannot be resolved in a timely fashion at the local level, the matter shall be referred to the interprovincial coordinator for each PT with a view to negotiating a mutually satisfactory resolution of the matter **within 14 calendar days of receiving the matter**.

6.3 Involvement of Provincial and Territorial Directors of Child Welfare

In the event that the dispute or issue cannot be resolved between the interprovincial coordinators for each PT as described in 6.2, the matter shall be referred to the PT Director of Child Welfare in each PT. A mutually satisfactory resolution of the matter will be determined and communicated **within 14 calendar days** of the PT Directors receiving the matter or longer time period agreed to by both PT Directors.

7. Child Protection Services

7.1 Introduction

Section 7 applies to:

a. child protection alerts issued to one or more receiving PTs;
b. child protection requests for services from another PT;
c. child protection referrals to another PT; and
d. repatriation of children and youth from a receiving PT to an originating PT.

7.2 Interprovincial Child Protection Alerts

7.2.1 Criteria for Issuing Child Protection Alerts

An originating PT may issue a child protection alert when a child, youth, adult or family is missing or there is knowledge that a person or family has moved to another PT and a child or youth is or may be in need of protection. Circumstances that may lead to the issuing of a child protection alert include, but are not limited to the following:

a. a family, family member or guardian leaves the PT prior to the conclusion of a child protection investigation;
b. a family, family member or guardian receiving child protection services leaves the PT prior to closing the case;
c. a family under court-ordered supervision leaves the PT without approval from the PT or court;
d. a parent or guardian takes a child or youth in care to another PT without prior approval from the originating PT or court;
e. a child or youth in care is missing from his or her placement and is believed to have left the PT;
f. a high-risk pregnant person has or is suspected to have left the PT; and
g. a child or youth is taken or has fled to another PT for a variety of reasons, including child trafficking, sexual exploitation, so called 'honour based' violence or illegal adoption.

7.2.2 Issuing and Receiving Child Protection Alerts

Each PT agrees to implement a process for ensuring that child protection alerts are issued and received in a secure and timely manner. At a minimum, each PT shall designate one or more provincial contacts responsible for issuing and receiving child protection alerts.

7.2.3 Content of Child Protection Alerts

When issuing an alert, the originating PT shall use the Interprovincial Child Protection Alert Form appended to the Protocol. The content of the Interprovincial Child Protection Alert may include, but is not limited to the following information:

a. the name and birth date of each subject of the alert;
b. the name, address, email address, telephone number and facsimile of the child welfare organization that issued the alert and the date sent;
c. if applicable, the name of the interprovincial contact, worker and supervisor, who issued the alert and how to contact them or their alternates;
d. the reason(s) for issuing the alert including sufficient details of the child protection concerns and risk factors related to the child or youth;
e. possible destinations and other information that may assist a receiving PT in locating the person or family;
f. specific actions requested of the PT and, if required collateral agencies/hospitals in the receiving PTs;
g. known history or risk of violence; and
h. expiry date if less than nine months.

7.2.4 Responding to Child Protection Alerts

Upon receiving an alert, the receiving PTs shall:

a. request additional information from the originating PT if needed, including sufficient information about the child protection concerns and risk factors;
b. distribute the alert in accordance with the legislation/policy of the receiving PT;
c. inform designated contacts in the originating PT when the missing person or family is located;
d. develop a plan of action in consultation with contacts in the originating PT; and
e. close the alert when it expires or extend it for a further period if requested by the originating PT.

7.3 Interprovincial Requests for Services

7.3.1 An originating PT may request a receiving PT to provide services in a child protection case including:

a. child welfare record checks;

b. interviews with alleged perpetrators or victims of abuse;

c. service of court documents;

d. supervision of visits or contacts between children or youth and family members; and

e. other services agreed to by the receiving PT.

7.3.1.1 When requesting services, the originating PT shall use the Interprovincial Request for Services Form appended to the Protocol. Upon receiving the request, the receiving PT agrees to provide services based on the originating PT's case plan if in accordance with the receiving PT's legislation and policy.

7.4 Interprovincial Child Protection Referrals

7.4.1 Criteria for Child Protection Referrals

An originating PT shall refer an individual or family moving to a receiving PT for services when:

a. the individual or family has requested the referral;

b. the originating PT is in the process of conducting a child protection investigation;

c. there is an open child protection case;

d. child protection court proceedings are pending or in process;

e. there is an order of supervision; or

f. there is a need for ongoing services to prepare the family for the return of children or youth.

7.4.2 Issuing and Receiving Child Protection Referrals

7.4.2.1 When making a child protection referral, the originating PT shall:

a. if appropriate, inform the individual or family of the decision to refer and, if appropriate, obtain consents to share information with the receiving PT;

b. prior to or as soon as it is known the family is moving, consult with the receiving PT with the goal of reaching an agreement on the services to be provided by the receiving PT; and

c. send a summary of the case, including investigation reports and findings, risk assessments, case plans, and all relevant court documents to the receiving PT.

7.4.2.2 Upon receiving a child protection referral, the receiving PT shall:

a. accept the referral as an intake using the same intake process as normally provided;

b. if necessary, advise the originating PT which child welfare organization will be responsible for accepting the referral;

c. if the referral involves an open child protection case, the receiving PT opens a child protection case, according to its own legislation and policy; and

d. if required by the originating PT, send copies of documents and correspondence to the interprovincial coordinator in that PT.

7.5 Repatriation Services

7.5.1 Eligibility

7.5.1.1 Repatriation services may be considered for a child or youth who has fled or been abducted to a receiving PT and who:

a. is in care of an originating PT;

b. is placed in an out of care placement by an originating PT; or c. is or may be in need of protection in a receiving PT.

7.5.1.2 On learning of a child or youth who may need to be repatriated, a receiving PT agrees to accommodate the concerns of an originating PT and the parents or guardians who reside in the originating PT to the extent possible under its legislation.

7.5.1.3 When considering repatriation of a child or youth under Section 7.5.1.1 to an originating PT, a receiving PT shall:

c. check with police or justice/probation officials in the receiving PT to determine if there is a missing person report filed or if the child or youth is under investigation, charged with or found guilty of an offence, on probation or otherwise involved with the **Youth Criminal Justice Act**; and

d. collaborate with the originating PT and where required, police and justice officials to arrange appropriate escort services.

7.5.2 Exclusions

This Section does not apply to the return of children or youth who have been abducted and who are the subjects of a custody or access dispute between parents when there are no child protection concerns. These matters should be referred to the appropriate Family Court with jurisdiction by the parent, guardian or police.

7.5.3 Children or Youth in Care or in Out of Care Placement

7.5.3.1 With respect to the repatriation of a child who is in the care of or in an out of care placement of an originating PT, the receiving PT shall:

e. gather information on the child or youth and his or her present situation;

f. notify the originating PT as soon as possible to advise of the child or youth's location;

g. consult regarding a plan to repatriate the child or youth;

h. provide necessary services pending repatriation of the child or youth;

e. arrange for the most expedient form of travel appropriate to the needs of the child or youth and for any supervision required by the child or youth while travelling;

f. contact the originating PT as required to advise of the repatriation arrangements in a timely manner and to provide any follow-up that is indicated or recommended; and

g. provides the originating PT a written summary of the services provided and any relevant comments, reports or recommendations.

7.5.3.2 To assist in repatriating a child or youth under paragraph 7.5.3.1, the originating PT shall:

a. provide any relevant information about the child or youth to assist the receiving PT in making appropriate repatriation arrangements;

b. when necessary, advise the receiving PT which child welfare organization will be responsible for providing services; and

c. immediately notify the receiving PT when the child or youth arrives as planned or if a child or youth does not arrive as planned.

7.5.3.3 Subject to paragraph 7.5.3.4, the receiving PT assumes all expenses related to the child or youth's care and repatriation, including travel costs for the child or youth (and escort if required) unless otherwise negotiated with the originating PT.

7.5.3.4 Notwithstanding paragraph 7.5.3.3, the originating PT assumes responsibility for all costs directly related to repatriating a child or youth that the originating PT has placed in a temporary residential treatment facility or residential facility in a receiving PT. These costs do not include salaries and operating costs of the receiving PT normally incurred by a child welfare organization in delivering child welfare services.

7.5.4 Other Eligible Children

7.5.4.1 With respect to the repatriation of a child or youth who is not in care or in an out of care placement in an originating PT, but who is or may be in need of protection in a receiving PT, the receiving PT shall:

a. gather information on the child or youth and his or her present situation;
b. contact the originating PT to make arrangements for the child or youth's return;
c. provide necessary services pending repatriation;
d. arrange for the most expedient form of travel appropriate to the child or youth's needs and for any supervision required for the child or youth while travelling;
e. contact the originating PT as required to advise of the repatriation arrangements and of any follow-up that is indicated or recommended; and
f. provide a written summary of the services provided and any relevant comments, reports or recommendations if requested by the originating PT.

7.5.4.2 When contacted to assist in repatriating a child or youth under paragraph 7.5.4.1, the originating PT shall:

a. provide any relevant information about the child or youth to assist the receiving PT in making appropriate repatriation arrangements;
b. advise the receiving PT which child welfare organization will be responsible for providing services; and
c. immediately notify the receiving PT when the child or youth arrives as planned or if a child or youth does not arrive as planned.

7.5.4.3 The originating PT is responsible for contacting the parent and determining the parent or guardian's willingness and ability to pay for the costs of repatriation.

If the parent or guardian cannot or will not cover the cost of the repatriation, the receiving PT assumes the full or remaining cost.

8. Children and Youth in Care

8.1 Introduction

Section 8 applies to a child or youth who is in the care, custody or guardianship of a child welfare organization by court order, agreement or adoption consent. This also includes a child or youth under apprehension status.

8.2 Notification and Negotiation

8.2.1 Child or Youth Moving with Foster Family to Another Province/Territory

8.2.1.1 When planning for a child or youth to move with a foster family to a receiving PT, the originating PT shall:

a. **60 days prior to the move** (or such shorter period of time as negotiated between the originating and receiving PT's, in accordance with the particular circumstances of the planned move) contact the receiving PT to:

- confirm the move details;
- discuss the case plan;
- provide documentation related to the approval or licensing of the foster family;
- provide all assessments or reviews of the foster home completed within the past 24 months; and
- negotiate the Interprovincial Placement Agreement utilizing the form appended to the Protocol.

b. prior to the move, give the foster family contact information in the receiving PT for the office that will be providing supervision and monitoring services.

8.2.1.2 Approval by Receiving Province/Territory of Foster Family that has Moved with a Child or Youth

Within 30 days of the foster family's move, the receiving PT will complete an assessment of the foster family in accordance with its legislation and policy to ensure that the family meets the receiving PT's requirements to provide foster care services in the receiving PT. The receiving PT arranges any further training required by the foster family.

8.2.1.3 Monitoring and Support of a Foster Family that has Moved with a Child or Youth to a Receiving Province/Territory

A foster family approved as a resource in the receiving PT, shall be monitored and supported by the receiving PT in accordance with the legislation and policies of the receiving PT.

8.2.2 Child or Youth Moving to Family (not currently approved to provide care) in Receiving Province/Territory

8.2.2.1 When planning for a child or youth to reside with a relative or significant person in a receiving PT, the originating PT shall consult with the receiving PT and shall provide the receiving PT with **60 days prior** written notice of the plan or such shorter period of time as negotiated between the originating and receiving PTs. The request for a home study will be in writing utilizing the Interprovincial Request for Services Form appended to the Protocol.

8.2.2.2 The receiving PT shall complete a home study in accordance with the receiving PT's legislation, policy and format on the home of the relative or significant person **within 60 days** of receiving notice in writing or such period of time as negotiated between the receiving and originating PTs.

8.2.2.3 The home study must also meet the standards of the originating PT; it is the responsibility of the originating PT to determine what is required to meet those standards. Where the originating PT is not satisfied that the home study conducted by the receiving PT meets the originating PT's standards, and the PTs are unable to negotiate a solution, the originating PT is responsible for making alternative arrangements. Alternative arrangements include, but are not limited to, contracting with a third party approved by the receiving PT to complete the study in accordance with the originating PT's legislation and policy; or, sending an approved delegate from the originating PT to complete the study.

8.2.2.4 If the receiving PT, on completing a home study, recommends that a child or youth not reside with a relative or other significant person in the receiving PT, the originating PT shall not place the child or youth unless the matter is resolved either through the receiving PT's review/appeal process or the dispute resolution process.

8.2.2.5 Decisions must be based on the best interests of the child including any evidence of child protection concerns pertaining to the prospective caregivers as documented by the receiving PT.

8.2.3 Placement in a Residential Facility

8.2.3.1 It is recognized that originating PTs may place children or youth in approved or licensed residential facilities in other PTs. The originating PT will notify the receiving PT in all cases and inform the receiving PT if monitoring and supervision services are requested of the receiving PT. In either circumstance the originating PT retains financial and case management responsibility for the ongoing care of the child or youth.

8.2.3.2 Prior to placing a child or youth in a residential facility when supervision and monitoring have been requested the originating PT shall consult with the receiving PT to:

a. determine whether the facility is licensed in the receiving PT and the status of the license;
b. identify any concerns the receiving PT has about the use of the facility by another PT;
c. determine whether the facility is likely to meet the needs of the child in question;
d. identify available and appropriate community services and resources in the receiving PT;
e. negotiate the level of day to day case management services the receiving PT will provide; and
f. complete an Interprovincial Placement Agreement in consultation with the receiving PT.

8.2.3.3 An originating PT shall not place a child or youth in a residential facility in a receiving PT if the receiving PT confirms that:

a. a facility must be licensed and the facility under consideration is not licensed or the license has been suspended or revoked; or
b. it is of the opinion that the residential facility is inappropriate for the child or youth.

8.2.3.4 When a child or youth is placed in a residential facility in a receiving PT and there are supervision and monitoring services being requested of the receiving PT, advance notification and planning must take place verbally and in writing prior to the placement.

8.2.3.5 On agreeing to assist the originating PT in supervision and monitoring the placement, the receiving PT shall complete and provide progress reports to the originating PT according to the legislation and policy of the originating PT.

8.2.4 Placement in a Temporary Residential Treatment Facility (medical, mental health or addictions treatment)

8.2.4.1 It is recognized that children or youth may attend temporary residential treatment facilities in other PTs. The originating PT must notify the receiving PT only if monitoring and supervision services are requested of the receiving PT. Whether or not supervision and monitoring is requested, the originating PT retains financial and case management responsibility for the ongoing care of the child or youth.

8.2.4.2 When a child or youth is placed in a temporary residential treatment facility in a receiving PT and there are supervision and monitoring services being requested by the receiving PT, advance notification and planning must take place verbally and in writing prior to the placement. The originating PT shall consult with the receiving PT to complete an Interprovincial Placement Agreement. The originating PT retains financial and case management responsibility for the ongoing care of the child or youth.

8.3 Case Planning and Management

8.3.1 Developing a Case Plan

8.3.1.1 The originating PT shall:

a. develop a thorough, detailed and long-term plan according to the legislation and policy standards of the originating PT for all children and youth moving to a receiving PT;

b. consult with the receiving PT regarding the plan, revision of the plan if necessary and implementing the proposed case plan;

c. in circumstances where the youth is close to aging out of care in the receiving PT, the case plan will include, where required, any transition to adult services including services to young adults or extended care services;[1]

d. enter into an Interprovincial Placement Agreement prior to the child or youth moving to the receiving PT;

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1 It is the responsibility of the originating PT to address any gaps in services, including gaps created when a youth ages out of care and the receiving PT's age of majority. This may include the originating PT offering post-care services to the youth in the receiving PT.

e. where a child or youth has been or is involved with the youth justice system and subject to Part 6 of the **Youth Criminal Justice Act** and policies in the PTs, the originating PT shall:

   i) share information necessary to ensure the receiving PT is able to meet the child or youth's specific needs; and
   ii) where required in the originating or receiving PTs, obtain youth justice system involvement and/or approvals.

8.3.2 Implementing the Case Plan

8.3.2.1 The case plan should identify the goals of the placement, identify the services to be provided, and the roles and responsibilities of the case workers and any other providers involved.

8.3.2.2 In agreeing to a case plan, the receiving PT shall provide supervision and monitoring. The originating PT maintains ongoing contact with the family of the child or youth unless otherwise negotiated with the receiving PT.

8.3.2.3 The originating and receiving PT shall review the case plan for a child or youth according to the legislation and policy of the originating PT unless the parties agree more frequent reviews are required.

8.3.2.4 The receiving PT will report any significant events such as, serious occurrences, hospitalizations, injuries or other events (e.g. child or youth is missing from their placement, caregiver investigation) to the originating PT immediately or as soon as reasonably possible.

8.3.2.5 If a parent or guardian is moving or has moved to the receiving PT, the originating and receiving PTs may agree to terminate a voluntary agreement or allow a voluntary agreement or temporary order to expire. Such decisions should normally be made with the appropriate involvement of the parent or guardian and the child or youth. The receiving PT may subsequently enter into a voluntary agreement with the parent or guardian or proceed to court for a new order if required.

8.4 Documentation

8.4.1 Information on Child or Youth in Care

8.4.1.1 When a child or youth moves to a placement to be supervised and monitored by a receiving PT, the originating PT shall provide, at a minimum, the following to the receiving PT prior to the move if possible or at the latest **within 30 days** of the move:

a. a certified copy of the child or youth's birth registration;

b. an original or certified copy of any orders or agreements with respect to the child or youth's current legal status;

c. in the case of a voluntary agreement, the written consent of the parent or guardian of the child or youth to the placement;

d. information relevant to the child or youth's cultural, racial, religious and linguistic heritage;

i. the child or youth's life book, if available, or a copy of it;

f. in the case of an aboriginal child or youth, details with respect to their status under the **Indian Act** (Canada) and community of origin;

g. confirmation that the originating PT has involved the appropriate Indian band or First Nations, Inuit or Métis organization as required under the originating T's legislation and policy;

h. a social history including documentation of all services and assessments;

i. any relevant medical, psychological or educational assessments completed within the past two years or longer if they continue to be relevant;

j. subject to Part 6 of the **Youth Criminal Justice Act** and policies of the PTs, any relevant youth justice system reports;

k. up-to-date medical reports if the child is receiving treatment;

l. a current case plan developed in consultation with the receiving PT if available;

m. a statement clarifying the type of decisions and consents, including those related to medical treatment, that may be authorized by the receiving PT; and

n. any additional documentation required by the receiving PT.

8.4.1.2 When monitoring or supervising the placement of a child or youth in a temporary residential treatment or residential facility, the receiving PT may require some or all of the documentation required under paragraph 8.4.1.1.

8.4.2 Progress Reports

8.4.2.1 Unless otherwise agreed to between the receiving and originating PTs, the receiving PT shall complete and provide to the originating PT all progress reports relating to the child/youth (including a copy of all assessments and follow-up reports) according to the legislation and policy of the originating PT or as agreed to in the Interprovincial Placement Agreement.

8.5 Placement Disruptions

8.5.1 Temporary or Transitional Placement

8.5.1.1 When the placement of a child or youth is disrupted, a temporary placement may be used. The PTs agree to renegotiate a case plan that is in the best interests of the child or youth.

8.5.2 Placement Decisions

8.5.2.1 The receiving and originating PTs agree to consider the following factors in determining whether a child should remain in the receiving PT or be returned to the originating PT:

b. best interests of the child or youth;

c. needs of the child or youth and the ability of each PT to meet them;

c. appropriate placement options in both the receiving and originating PTs that would meet the needs of the child or youth;

d. where parents, guardians or other significant persons reside;

d. preferences of the child or youth;

f. length of time the child or youth has resided in the receiving PT;

j. for an aboriginal child or youth, access to his or her cultural heritage;

h. confirmation that the originating PT has involved the appropriate Indian band or aboriginal organization as required under the originating PT's legislation and policy; and

i. any applicable legislative requirements regarding placements that apply.

8.5.2.2 The receiving PT agrees to make all non-emergency placement changes in consultation with the originating PT where possible and to notify the originating PT of an emergency placement as soon as possible or **within seven (7) days**.

8.5.2.3 At the request of the receiving PT, the originating PT shall facilitate the return of a child or youth to the originating PT. Such requests must be based on a review of the factors in paragraph 8.5.2.1.

8.5.2.4 The final decision as to where a child or youth is placed is the responsibility of the originating PT.

8.6 Visitation

8.6.1 Temporary Visits to a Receiving Province/Territory

When a child or youth receiving services will be visiting a receiving PT and the receiving PT is being asked to provide supervision and monitoring services during the visit, the originating PT shall request the required services **at least 30 days prior** to the visit or such shorter period of time as negotiated between the originating and receiving PT. When requesting services, the originating PT shall use the Interprovincial Request for Services form appended to the Protocol. The originating PT shall provide, at a minimum, the following information:

a. the name, address, birth date, health card information and legal status of the child or youth;
b. the name, address and phone number of the caseworker in the originating PT;
c. the name, address and phone number of the person the child or youth will be visiting;
d. the timeframe for the visit;
e. an outline of the expectations of the receiving PT for supervision and monitoring; and
f. any other circumstances that the receiving PT should be made aware.

8.6.2 Temporary Return to Originating Province/Territory

8.6.2.1 Arrangements for the temporary return of a child or youth to an originating PT shall be planned in advance as part of the case plan. If circumstances do not permit advance planning as part of the case plan, as much prior notice as possible should be provided to the other PT.

8.7 Services to Young Persons who were formerly in care or in out of care placement

8.7.1 This section applies to persons formerly in care or in an out of care placement and due to their age are not eligible to be admitted to care but are eligible for and may have entered into an agreement for post care or extended services.

8.7.2 The originating PT remains responsible for establishing and maintaining the agreement with the young person, including all payments and supports covered in the agreement.

8.7.3 Notification to the receiving PT is not required in situations where supervision and monitoring are not requested of the receiving PT. If an originating PT is requesting supervision and monitoring then an Interprovincial Placement Agreement must be negotiated.

9. Children or Youth in Out of Care Placements

9.1 Scope of Legislative Authority

9.1.1 Children or youth in out of care placements are not in the care of a PT, but whose placement is financially supported and/or supervised by the PT.

9.1.2 Some PTs do not have the legislative authority to provide services to children or youth in out of care placements from other PTs. Prior to a move to another PT, the originating PT must contact the receiving PT to determine whether they will be able to assist with case planning, monitoring and supervision.

9.1.3 If the originating PT is unable to negotiate an appropriate plan for the child or youth through negotiating an exception in the receiving PT or by the originating PT providing or contracting for the service, the child or youth should not be moved to the PT.

9.1.4 In circumstances where a child or youth does move to another PT, the originating PT maintains responsibility for meeting the originating PT's policies and standards for children or youth in out of care placements.

9.1.5 Although the legal status of the child or youth is different than a child in care, in those circumstances where supervision and monitoring is being provided by a receiving PT, an Interprovincial Placement Agreement is still required along with the case planning and documentation requirements in Section 8, Children and Youth in Care.

10. Adoption and Post-Adoption Services

10.1 Introduction

Section 10 applies to:

a. adoption inquiry and application services;

b. adoption placement services;

b. subsidized adoptions; and d. post-adoption services.

10.1.1 Administration

When providing services under this Section to persons planning to move to a receiving PT, the originating PT shall:

a. obtain general information from the receiving PT regarding its policies and services;

b. inform the person of the information received from the receiving PT regarding its policies and services, noting apparent differences to those in the originating PT; and

c. provide the person information regarding who to contact in the receiving PT for more information on its policies and services and, the name, address and phone number of the office that will be providing services.

10.2 Adoption Inquiry and Application Services

10.2.1 Originating and Receiving PTs

The originating PT is the PT where the person who is inquiring about adoption services or an adoptive applicant resides. The receiving PT is the PT to where an adoption inquiry is directed or an adoptive applicant is moving.

10.2.2 Adoption Inquiries

Section 10.2.2 applies to persons who are inquiring about adoption services and requirements in PTs other than the originating PT and pertains to inquiries about all types of adoptions. The remainder of Section 10 applies to the adoption of children or youth in care of a PT.

10.2.2.1 In response to an inquiry about interprovincial adoption services in another PT, the originating PT shall:

a. provide information to the person about its legislative and policy requirements; and

b. refer the person to the appropriate child welfare organization in the receiving PT for information about that PT's legislative and policy requirements.

10.2.3 Adoptive Applicant Referrals

Section 10.2.3 applies to persons who have applied to adopt a child in care and who are moving from an originating PT to a receiving PT.

10.2.3.1 With the written authorization of an adoptive applicant who has applied to adopt a child in care in an originating PT and who is moving to a receiving PT, the originating PT shall provide the following to the receiving PT **within 30 days** from the date the authorization is received:

a. an original or copy of the applicant's adoption application;

b. original or certified copies of all documents on file relating to an adoptive applicant's marital status or relationship to a partner including, but not limited to, a marriage certificate, declaration of commitment to a partner, divorce certificate or death certificate;

c. any preliminary information or assessments on file with respect to the suitability of the adoptive applicant;

d. if completed, a copy of the most recent home study and any home study updates conducted with respect to the adoptive applicant;

e. supporting documentation on file including police and other applicable checks, medical reports and personal references; and

f. other relevant information and documentation on the adoptive applicant's file.

10.2.3.2 Upon receiving a referral from the originating PT, the receiving PT shall:

a. accept the adoption application as if it were made in the receiving PT and place the adoptive applicant on its waiting list, if applicable, as of the date of the application in the originating PT;

b. open an adoption file as may be required under its legislation and policy; and

c. accept the home study subject to any updates or further adoption preparation and assessments, if the originating PT has completed a home study on the adoptive applicant, required under the receiving PT's legislation, regulations and policy.

10.3 Adoption Placement Services

The originating PT is the PT that has the child or youth in care. The receiving PT is where a prospective adoptive applicant resides or to where a child or youth in care and adoptive applicant are moving.

10.3.1 Adopting a Specific Child or Youth in Care

10.3.1.1 When a prospective adoptive applicant in a receiving PT inquires about adopting a specific child or youth in care in an originating PT, the originating PT shall contact the receiving PT **within 30 days** of receiving an inquiry to:

a. advise if the child or youth is legally available for adoption and may be considered for adoption placement with the prospective adoptive applicant;

b. advise if the prospective adoptive applicant may be eligible for an adoption subsidy with respect to the child or youth; and

c. request a preliminary assessment to estimate the capacity of the prospective adoptive applicant to meet the needs of the child or youth.

10.3.1.2 When an originating PT inquires about the possibility of placing a specific child or youth in care with a prospective adoptive applicant who resides in a receiving PT, the receiving PT shall **within 30 days** of receiving an inquiry or such period of time as negotiated between the originating and receiving PTs:

a. carry out a preliminary assessment to determine the interest and estimate the capacity of the prospective adoptive applicant to meet the needs of the child or youth in care;

b. advise the originating PT in writing if placement seems viable and if the receiving PT will conduct a home study of the prospective adoptive applicant; and

b. the originating PT will keep copies on file of all documents sent to the receiving PT.

10.3.1.3 The receiving PT shall complete a home study on the adoptive applicant and provide a copy to the originating PT **within six (6) months** from the date the PTs agree to a tentative plan to place the child in care for adoption, or such period of time as negotiated between the originating and receiving PTs.

10.3.1.4 The originating PT shall develop a written adoption placement plan in collaboration with the receiving PT upon:

a. concluding that it is in the best interests of the child or youth to be placed for adoption with the adoptive applicant in the receiving PT; and

b. receiving confirmation that the adoptive applicant has been approved or will likely be approved for adoption by the receiving PT.

10.3.1.5 A written adoption placement plan shall include:

a. arrangements for pre-placement visits;

b. provision for the receiving PT to supervise the placement;

c. if applicable, provision for an openness agreement or agreements;

d. if applicable, information about the availability of an adoption subsidy pursuant to paragraph 10.4.2; and

e. a time frame for applying to court for an order of adoption and confirmation as to the PT where the application will be made.

10.3.1.6 Prior to the child in care being placed for adoption with the adoptive applicant who is residing in the receiving PT:

a. the originating PT shall request in writing that the receiving PT provide supervision of the child as outlined in the adoption placement plan; and

b. the receiving PT shall confirm in writing that it will provide the requested supervision as outlined in the adoption placement plan.

10.3.1.7 Subject to Part 6 of the **Youth Criminal Justice Act** and the policies of the PTs, the originating PT shall advise the receiving PT of any relevant youth justice system involvement.

10.3.2 Child or Youth in Care Moving with Adoptive Parent

10.3.2.1 When it becomes known that a child or youth in care and his or her adoptive parent are moving to a receiving PT prior to a court granting an order of adoption, with the written consent of the adoptive parent, an originating PT shall provide **30 days prior** written notice of the move to the receiving PT if the circumstances permit.

10.3.2.2 At the request of the originating PT, the receiving PT shall as soon as reasonably possible after receiving the notice:

a. advise the originating PT as to which office has responsibility for providing adoption services in the receiving PT; and

b. provide the notice to the appropriate office in the receiving PT.

10.3.2.3 The originating PT shall develop a written plan for completion of the adoption in collaboration with the receiving PT. When possible, the plan shall be developed prior to the adoptive parent's move to the receiving PT. The plan shall include:

a. provision for the receiving PT to supervise the placement;

b. a time frame for applying to court for an order of adoption and confirmation of the province or territory where the application will be made;

c. if applicable, information about any additional legal requirements relating to completion of the adoption identified by the receiving PT; and

d. if applicable, information about the availability of an adoption subsidy.

10.3.2.4 Prior to the adoptive family moving to the receiving PT, if possible:

a. the originating PT shall request in writing that the receiving PT provide supervision of the child or youth as outlined in the adoption plan; and

b. the receiving PT shall confirm in writing that it will provide the requested supervision.

10.3.2.5 The originating PT shall provide information on the adoptive parent to the receiving PT **within 30 days** of the adoptive applicant's move to the receiving PT pursuant to paragraph 10.2.3.2.

10.3.3 Information on Child or Youth in Care

When a child or youth in care is placed for adoption in a receiving PT or moves with an adoptive parent to a receiving PT, the originating PT shall provide, at a minimum, the following to the receiving PT **within 30 days** of the placement or move:

a. a certified copy of the child or youth's birth registration;

b. an original or certified copy of any orders or agreements with respect to the child or youth's current legal status;

c. information relevant to the child or youth's cultural, racial, religious and linguistic heritage;

d. the child or youth's life book, if available, or a copy of it;

e. in the case of an aboriginal child or youth, details with respect to the child or youth's status under the **Indian Act** (Canada) and community of origin;

f. confirmation that the originating PT has involved the appropriate Indian band or aboriginal organization as required under the originating PT's legislation and policy;

g. a social history including documentation of all services provided and assessments conducted with respect to the child or youth;

h. any medical, psychological or educational assessments completed within the past two years or those that remain relevant;

i. up-to-date medical reports if the child or youth is receiving or has received treatment;

j. a current adoption placement plan developed in consultation with the receiving PT;

k. a statement clarifying the type of decisions and consents, including those related to medical treatment, that may be authorized by the receiving PT; and

l. additional documentation required by the receiving PT if available.

10.3.4 Progress Reports

With respect to a child or youth in care who has been placed for adoption, or who has moved with an adoptive parent, the receiving PT shall complete and provide to the originating PT:

a. all reports on the progress of the adoption placement, including a copy of all assessments and follow-up reports, completed according to standards and time frames required by the originating PT;

b. a copy of the receiving PT's final progress report with a recommendation regarding completion of the adoption; and

c. if the application to court for an order of adoption will be made in the receiving PT, a request that the originating PT provide to the receiving PT the required written consents to the adoption.

10.3.5 Placement Disruptions

When an adoption placement of a child or youth in care is disrupted prior to the granting of an order of adoption, the originating and receiving PTs will, subject to applicable child welfare legislation in the receiving PT, renegotiate a case plan that is in the best interests of the child or youth.

10.3.6 Application for Order of Adoption

10.3.6.1 Depending on where the application to court for an order of adoption is to be made, the receiving PT or the originating PT shall:

a. provide the required written consents to the adoption to the PT where the application to court is to be made; and

b. provide required court documentation with respect to the application for an order of adoption.

10.3.6.2 As a general rule, the PT that assumes responsibility for completion of the adoption shall proceed to court for an order of adoption **within one (1) year** from the date the child or youth was placed for adoption or such period of time as negotiated between the originating and receiving PTs.

10.3.6.3 The PT where the order of adoption is granted shall notify the other PT in writing as soon as possible, but in all cases **within 30 days** of the order being granted; and then **within 30 days** of receiving the physical order, a copy shall be sent to the other PT.

10.3.7 Adoption of Child or Youth in Care in Originating Province/Territory

At the request of a PT that requires consent to adoption from a person who resides in another PT to complete the adoption of a child or youth in care, the PT that receives the request shall assist in obtaining the required consents to adoption from the person.

10.4 Subsidized Adoptions

10.4.1 Child or Youth in Care Placed for Adoption in Receiving Province/Territory

10.4.1.1 In planning to place a child or youth in care with an adoptive applicant who resides in a receiving PT, the originating PT shall:

a. advise the receiving PT if the child or youth has special needs or whether there are special circumstances that fall within the originating PT's eligibility criteria for subsidized adoption;

b. request that the receiving PT explain the child or youth's needs or circumstances to the adoptive applicant and ascertain whether the adoptive applicant intends to apply for an adoption subsidy; and

c. at the request of the adoptive applicant, determine eligibility for an adoption subsidy and the type and amount of subsidy that will be available.

10.4.1.2 In responding to the originating PT's request for assistance, the receiving PT shall:

a. determine whether the adoptive applicant is prepared to proceed with the adoption of the child or youth in care of the originating PT and whether the adoptive applicant will be requesting an adoption subsidy;

b. if applicable, advise the originating PT as to the availability of needed services in the receiving PT and provide an estimate of the costs associated with the needed services; and

c. assist as required in assessing the adoptive applicant's need and eligibility for an adoption subsidy and in negotiating a subsidy agreement on behalf of the originating PT.

10.4.2 Child or Youth in Care or Adopted Child or Youth Moving with Adoptive Parent

10.4.2.1 When it is known that a child or youth and his or her adoptive parent are moving to a receiving PT, with the written consent of the adoptive parent, the originating PT shall provide **at least 30 days prior** notice in writing to the receiving PT if:

a. the adoptive parent is receiving or is eligible to receive, an adoption subsidy; or b. the originating PT requires the assistance of the receiving PT to:

i. secure needed services,
ii assist in assessing an ongoing need and eligibility for subsidy, and
iii assist as required in negotiating or renewing a subsidy agreement on behalf of the originating PT.

10.4.2.2 With the written authorization of the adoptive parent, the originating PT agrees to provide to the receiving PT **within 30 days** of the move the following information:

a. information about available adoption subsidies from the originating PT and the adoptive parent's eligibility;

b. copies of all documents associated with the approval of the adoption subsidy; and

c. the most current review f the need for an ongoing subsidy.

10.4.3 Services and Subsidies

10.4.3.1 At the request of the originating PT, the receiving PT agrees to maintain contact with the adoptive parent regarding the need for an adoption subsidy and to provide reports to the originating PT as may be required by the originating PT.

10.4.3.2 The originating PT agrees to continue to pay the adoption subsidy to the adoptive parent, where eligible, following the adoptive parent's move to the receiving PT and to negotiate any changes to the subsidy in consultation with the receiving PT.

10.5 Post-Adoption Services

10.5.1 Registration

10.5.1.1 When there is no alternative but to request the assistance of a receiving PT to facilitate registering a person for a post-adoption search or reunion, an originating PT (where the **Adoption Order** was granted) may request a receiving PT to:

a. assist in obtaining a signed registration for a post-adoption search or reunion; or

b. provide information that will assist in the registration process.

10.5.1.2 In responding to the request, the receiving PT shall provide the requested service or information **within 60 days** of receiving the request or such period of time as negotiated between the receiving and originating PTs.

10.5.2 Searches

10.5.2.1 When all available alternatives to locate a person have been exhausted and there is information to indicate that the person may have moved to a receiving PT, an originating PT may request a receiving PT to check existing search mechanisms to assist in locating a person who is the subject of a search.

10.5.2.2 Upon receiving a request under paragraph 10.5.2.1 together with a written consent to conduct a search if required, the receiving PT shall advise the originating PT of the results of the search **within 90 days** or such period of time as negotiated between the originating and receiving PTs.

10.6 Custom Adoptions

Some PTs recognize aboriginal customary law for adoptions that take place in their PT. This Protocol does not apply to custom adoptions. Where an originating PT has legislation supporting custom adoptions (e.g. **Custom Adoption Recognition Act** in Nunavut), the unique policies and procedures shall be followed.

11. Protocol Administration

11.1 Working with Province/Territories that are not Signatories to this Protocol

This Protocol shall apply to those provinces and territories that have signed the Protocol. The Protocol shall not apply to a party that does not sign the Protocol or subsequently opts out. When dealing with a PT that is not a signatory to the Protocol, planning and services should be negotiated on a case by case basis and, to the extent possible, consistent with this Protocol.

11.2 Opting Into Protocol

A province or territory that has not signed the Protocol on or before the date it comes into force may opt into the Protocol by giving 30 days' notice in writing to all parties to the Protocol together with a copy of the Protocol executed by its proper authority.

11.3 Opting Out of Protocol

A province or territory may opt out of the Protocol by giving 90 days' notice in writing to all parties to the Protocol.

11.4 Amendments to Protocol

Amendments to the Protocol may be made upon the written consent of all the parties executed by their proper authorities.

11.5 Review of the Protocol

A formal review of the provisions in the Protocol must be conducted every five years or sooner at the recommendation of the Provincial/Territorial Directors of Child Welfare Committee.

11.6 Commencing of Protocol

The Provincial/Territorial Protocol on Children and Families Moving between Provinces and Territories (2016) comes into force on April 1, 2016.

11.7 Existing Protocol

This Protocol replaces all previous versions of the Provincial/Territorial Protocol on Children and Families Moving Between Provinces and Territories.

11.8 Existing Agreements Under Former Protocols

Any existing arrangements or agreements completed under former versions of the Provincial/ Territorial Protocol on Children and Families Moving Between Provinces and Territories Protocol will be grandfathered and remain unchanged unless re-negotiated under this Protocol.

11.9 Signing by Parties

The Protocol may be executed in several counterparts, each of which, when so executed by all parties hereto, shall be deemed to be an original of the Protocol and such counterparts together shall constitute but one and the same instrument.

Protocol Signatories

The following provinces and territories endorse the 2016 Provincial/Territorial Protocol on Children and Families Moving between Provinces and Territories and adopt it for use within their province or territory:

Alberta
British Columbia
Manitoba
New Brunswick
Newfoundland and Labrador
Northwest Territories
Nova Scotia
Nunavut
Ontario
Prince Edward Island
Saskatchewan
Yukon

Appendices

Sample Forms

Confidential

Interprovincial Child Protection Alert

Instructions to Sender
Completed forms are to be faxed (insert originating jurisdiction Interprovincial Coordinator fax #) or emailed to the Interprovincial Desk (insert originating jurisdiction Interprovincial Coordinator email address). The originating Interprovincial Desk will then forward to the relevant provinces/territories or Canada wide.

Issued By (province or territory)

Child Welfare Organization			
Caseworker	**Telephone**	**Fax**	**Email Address**
Address		**Date of Alert**	**Alert End/ Expiry Date if less than 9 months**

Subject of Alert

Full Legal Name	**Date of Birth**	**Last Known Address**

Others Involved in Alert (children, legal partners, others in home, etc.)

Name	**Date of Birth** (if known)	**Relationship to Subject**	**Location/Address/Last Known Whereabouts**

Reason for Alert/Cause for Concern (check *all* that apply)

■ Maternity	■ Child Sexual Exploitation/Trafficking	■ 'Honour-Based' Violence	■ Illegal Adoption
■ Child protection investigation not concluded	■ Left jurisdiction prior to case closure	■ Left jurisdiction without approval while under child welfare court-ordered supervision	■ Child in Care taken from jurisdiction without approval
■ Child in Care missing believed to have left jurisdiction			

Known History or Risk of Violence

Additional Information

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■ **Possible Destinations** (where the subject might be going, if known) or ■ **Canada Wide**

Include other relevant information that may assist in locating the subject, e.g. Aboriginal Band/Community, known family/friend contact information

Action Required (e.g. alert local hospitals, investigation required, contact caseworker, etc.)

Distribute copies as follows:

■ Originating Interprovincial Coordinator
■ Receiving Interprovincial Coordinator
■ Receiving Child Welfare Organizations, hospitals, etc.

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Interprovincial Request for Services

Originating Province/Territory

Child Welfare Organization	Caseworker (contact person)		Date
Phone Number	**Fax Number**	**Email Address**	

Receiving Province/Territory

(Interprovincial Coordinator will complete this information prior to forwarding to the regional designate if you do not know)

Child Welfare Organization	Address		Postal Code
Phone Number	**Fax Number**	**Email Address**	

Type of Request (check *all* that apply)

■ Child Welfare Record Check	■ Background History/Information
■ Home Study (adoption, foster care, place of safety, etc.)	■ Courtesy Supervision of a Visit
■ Service of Court Documents	■ Interview with alleged perpetrator(s) or victim(s) of abuse
■ Other – describe:	

Child Information

Full Legal Name	Date of Birth (if known)	Location/Address

Parent/Caregiver

Full Legal Name	Date of Birth (if known)	Relationship to Child or Caregiver	Location/Address

Reason for Request or Details (briefly describe and attach a separate sheet if necessary)

Distribute copies as follows:

■ Originating Interprovincial Coordinator
■ Receiving Interprovincial Coordinator
■ Receiving Child Welfare Organization

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Interprovincial Placement Agreement (IPPA Form)

The Interprovincial Placement Agreement (IPPA):

- **is negotiated prior to a child/youth moving to another jurisdiction: with a foster family; to a family member or other approved care provider; to a temporary treatment or residential facility where there is supervision and monitoring role for the receiving jurisdiction; to an out of care placement; or, a supervision and monitoring role is required with a young person who was a former ward and has entered into an agreement for post care or extended services.**
- **must be completed after the review and consideration of each jurisdiction's obligations as outlined in the *Provincial/Territorial Protocol on Children and Family Moving Between Provinces and Territories* (the Protocol); and**
- **must be reviewed every 12 months or earlier at the request of either jurisdiction.**

Part A - Instructions

Completion of this form involves the following steps:

1. Prior to placement the originating child welfare organization initiates contact with the appropriate receiving child welfare organization. The Interprovincial Coordinator in your jurisdiction may assist with identifying the appropriate contact.
2. The case worker/designate in the originating jurisdiction arranges a planning conference with the case worker/designate in the receiving jurisdiction to review and coordinate services and negotiate the IPPA pursuant to the Protocol.
3. Once plans are finalized between the originating and receiving case workers/designates, the originating case worker/designate completes the IPPA and sends two signed copies to the receiving case worker/designate.
4. The case worker/designate in the receiving jurisdiction has both copies of the form signed, returning one copy to the case worker/designate in the originating jurisdiction.
5. The case worker/designate in each jurisdiction sends copies of this form and related documentation to its Interprovincial Coordinator(s) and others as may be required.
6. The IPPA will be reviewed **annually** or earlier if circumstances change.

Part B – An Agreement Between:

Originating Jurisdiction (province/territory)

Originating Child Welfare Organization		**Contact Person (who can be contacted about this Agreement)**
Address		
Telephone	**Fax**	**Email**
Alternate Contact (name)	**Alternate Contact** (phone number and email address)	

Receiving Jurisdiction (province/territory)

Receiving Child Welfare Organization		**Contact Person**
Address		
Telephone	**Fax**	**Email**
Alternate Contact (name)	**Alternate Contact** (phone number and email address)	

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Part C – Information on Child or Youth (you must complete a separate agreement for each child/youth)

Full Legal Name of Child/Youth	Alternate Name of Child/Alias

Date of Birth	Gender	Aboriginal Status
	■ Male ■ Female ■ Transgender	■ Not Applicable ■ Status Indian ■ Non-Status Indian ■ Inuit ■ Métis

Aboriginal Community/Band (include applicable contact information and their level of involvement with the child/youth)

Legal Status (indicate and attach a copy of order or Agreement)	Expiration Date of Legal Status	

The receiving jurisdiction agrees to support/enforce/defend the status of the child while monitoring and supervising the child/youth's care in the receiving jurisdiction. Any attempt to change this status will be redirected to the originating jurisdiction.

The originating jurisdiction agrees to not allow the order/agreement to lapse or terminate without notifying the receiving jurisdiction and the jurisdictions will review/ revise this Agreement in the event there is a significant change in circumstances or placement disruption.

Current Placement

Name(s)	Type of Resource (e.g. family, foster family, residential, out of care placement, etc.)

Address

Telephone	Email

Receiving Placement

Name(s)	Type of Resource (e.g. family, foster family, residential, out of care placement, etc.)

Address

Telephone	Email

Part D – Summary of Responsibilities

Notification & Negotiation

■ Child/Youth Moving with Foster Family ■ Child/Youth Moving to Family or Other Approved Provider
■ Child/Youth Moving to Residential Facility ■ Child/Youth Moving to Temporary Treatment Facility
■ Youth Formerly in Care

Case Planning & Management (detail expectations of case workers or any service providers involved and identify schedule/timeframes)

In collaboration, the case plan will be developed according to the legislation and policy standards of the originating jurisdiction (e.g. case conferencing, contact standards, progress reports, case plan reviews, visitation, decisions and consents that may be authorized by the receiving jurisdiction etc.) The receiving jurisdiction agrees to immediately or as reasonably possible notify the originating jurisdiction of any serious occurrences/incidents as per the Protocol. Both jurisdictions will maintain a file record on the child/youth and will have a case worker assigned to the child/youth. Jurisdictions must notify the other of any change in the assignment of case workers.

Documentation- 8.4 of the Protocol Outlines information on the child to be shared. (list attachments)

■ Certified copy of birth registration ■ Legal Order/Agreement ■ Copy of Life Book ■ Social History
■ Medical Assessments ■ Psychological Assessments ■ Educational Assessments ■ Current Case Plan
■ Other

i. **The originating jurisdiction agrees to provide the required documentation to the receiving jurisdiction pursuant to the Protocol.**

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ii. **The receiving jurisdiction agrees to forward to the originating jurisdiction all reports on the progress of a child/youth completed**

according to the standards in the originating jurisdiction or as otherwise negotiated.

Placement Disruption-8.5 of the Protocol outlines placement disruptions and placement decisions in the event of a disruption.

The receiving jurisdiction agrees to make all emergency and non-emergency placement changes wherever possible in consultation with the originating jurisdiction; following placement disruptions the jurisdictions agree to renegotiate a case plan that is in the best interests of the child.

Financial Arrangements- Placement and Service Expenditures

As per the Protocol, the originating jurisdiction agrees to:

i. **make maintenance and service payments to the service provider; and**
ii. **provide any costs not covered by the receiving jurisdiction's medical plan.**

Any expenditure must be pre-approved by the originating jurisdiction.

☐ Other (indicate as negotiated):

Receiving Child/Youth Maintenance Amount	**Other**	**Approved Exceptional Funding**

Current Source of Funding

☐ Province/Territory ☐ Federal Government (Canada) ☐ Other (indicate):

Part E – Signatures

Local Child Welfare Organization in Originating Province		
Name of Signing Authority (Print)	**Signature**	**Date**

Central Authority in Originating Province (complete only if required)		
Name of Signing Authority (Print)	**Signature**	**Date**

Local Child Welfare Organization in Receiving Province		
Name of Signing Authority (Print)	**Signature**	**Date**

Central Authority in Receiving Province (complete only if required)		
Name of Signing Authority (Print)	**Signature**	**Date**

Distribute as follows:

☐ Copies of IPPA Agreement on files in both originating and receiving jurisdiction
☐ Copy Originating Jurisdiction Interprovincial Coordinator

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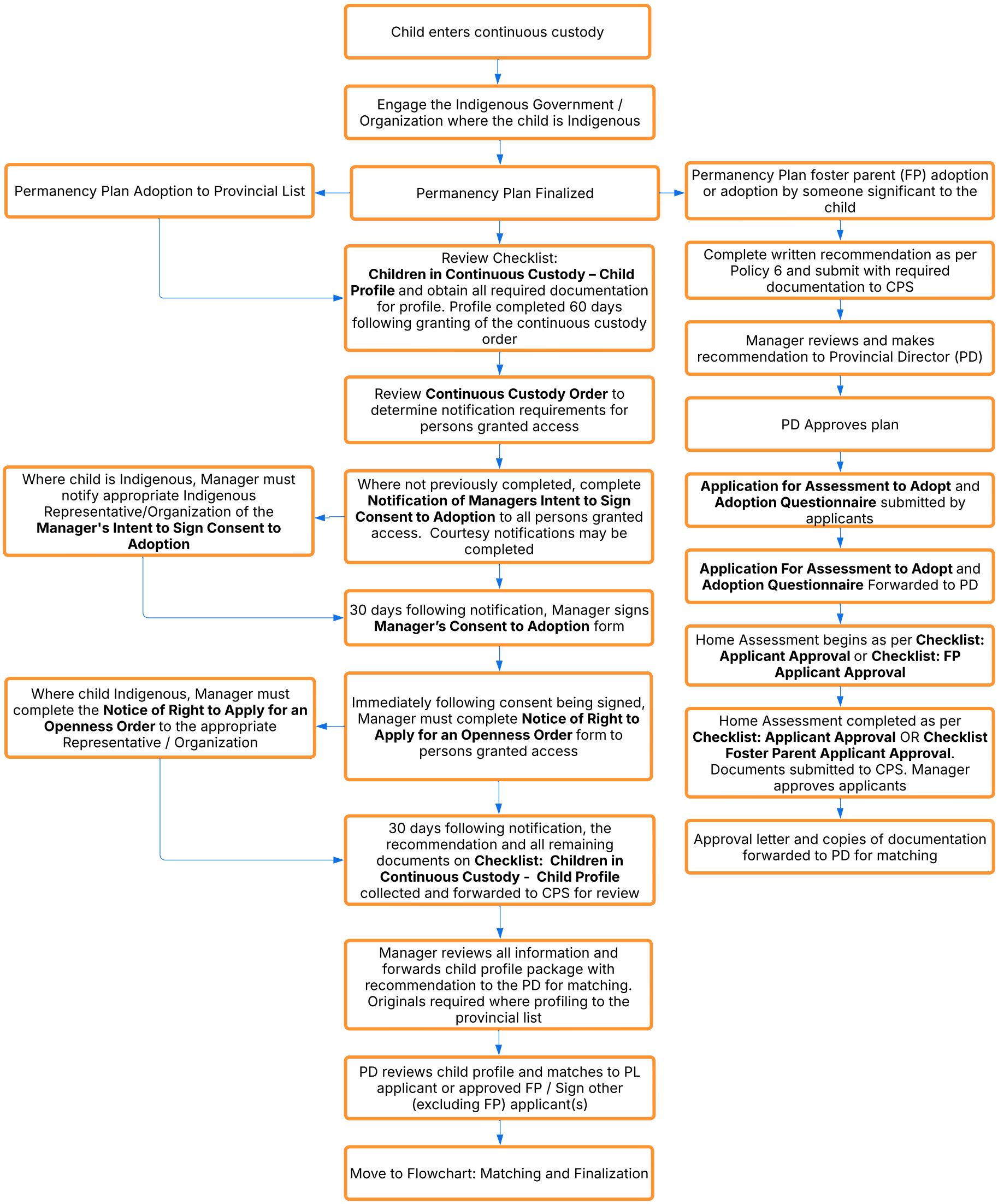
Appendix B

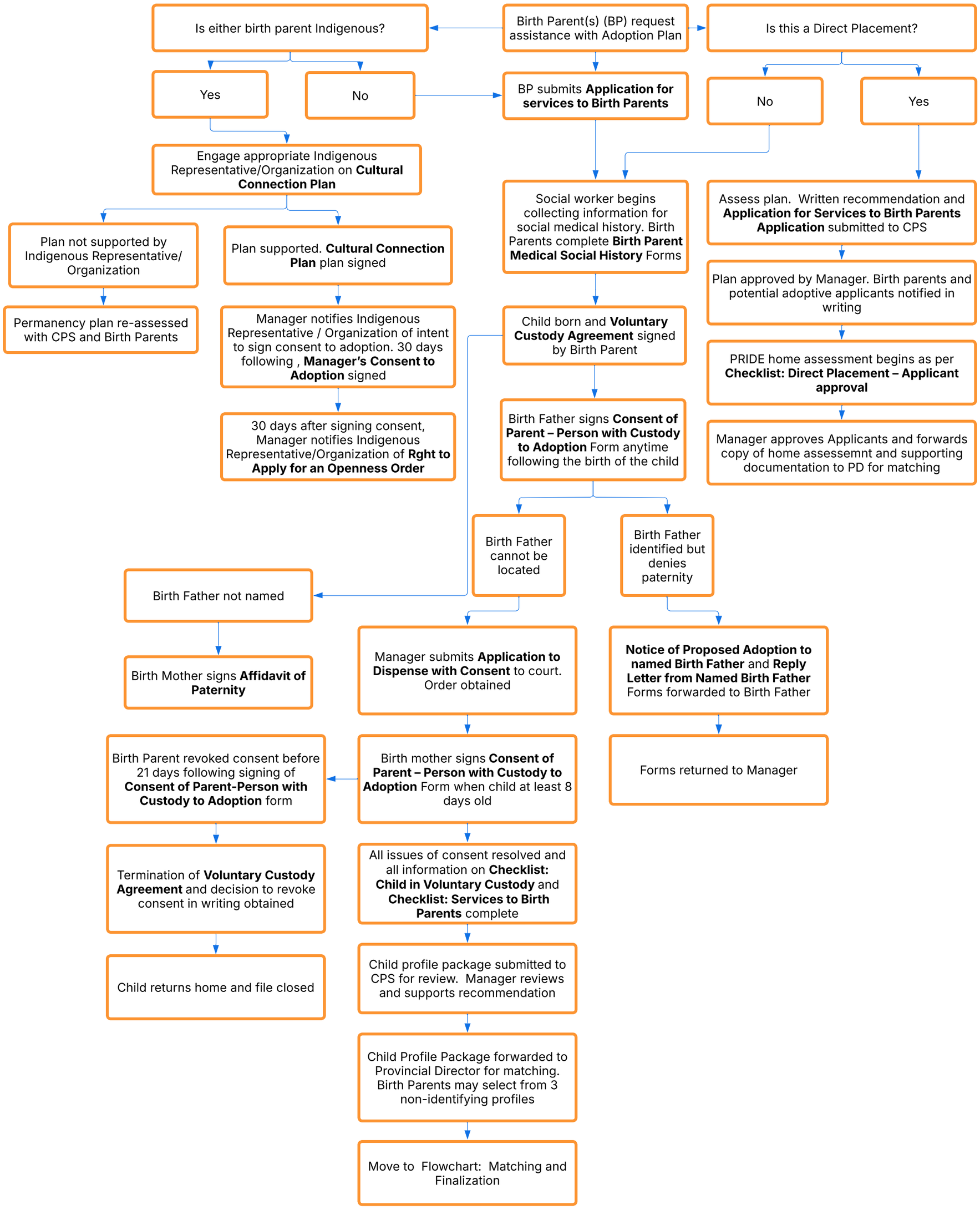
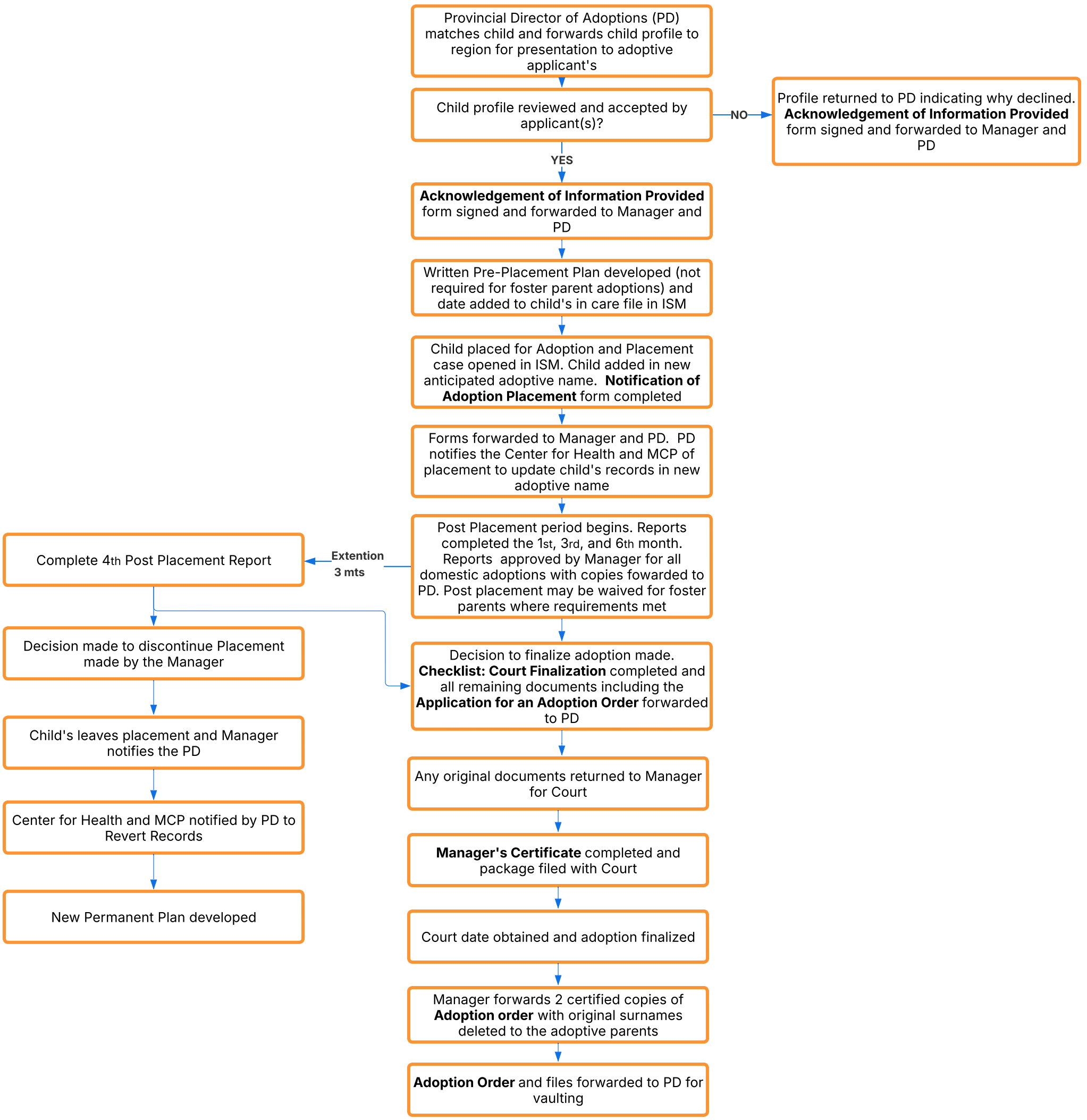
Flowcharts

Child in Continuous Custody



* When adoption is the permanency plan ensure all required Notifications are completed as earliest as possible to avoid delays.

Child in Voluntary Custody



Domestic Adoption:Matching to Finalization