

Fourth Session – Forty-Second Legislature
of the
Legislative Assembly of Manitoba
Standing Committee
on
Public Accounts

Chairperson
Mr. Jim Maloway
Constituency of Elmwood

Vol. LXXVI No. 3 - 6 p.m., Tuesday, April 19, 2022

ISSN 0713-9462

MANITOBA LEGISLATIVE ASSEMBLY
Forty-Second Legislature

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**LEGISLATIVE ASSEMBLY OF MANITOBA
THE STANDING COMMITTEE ON PUBLIC ACCOUNTS**

Tuesday, April 19, 2022

TIME – 6 p.m.

LOCATION – Winnipeg, Manitoba

CHAIRPERSON – Mr. Jim Maloway (Elmwood)

**VICE-CHAIRPERSON – Mr. Greg Nesbitt
(Riding Mountain)**

ATTENDANCE – 11 QUORUM – 6

Members of the committee present:

*Mr. Lamont, MLA Lindsey, Messrs. Maloway,
Martin, Michaleski, Ms. Naylor, Messrs. Nesbitt,
Smook, Teitsma, Wasyliw, Wishart*

APPEARING:

Mr. Tyson Shtykalo, Auditor General

WITNESSES:

Ms. Michelle Dubik, Deputy Minister of Families

MATTERS UNDER CONSIDERATION:

*Auditor General's Report – Annual Report to the
Legislature – dated March 2014*

Chapter 4 – Helicopter Ambulance Program

*Chapter 7 – Manitoba's Framework for an
Ethical Environment*

*Auditor General's Report – Follow-up of
Previously Issued Recommendations – dated May
2014*

Section 7 – Personal Care Homes Program

Section 8 – Pharmacare Program – Part 2

Section 23 – Wireless Network Security

*Auditor General's Report – Manitoba Home Care
Program – dated July 2015*

*Auditor General's Report – Follow-up of
Previously Issued Recommendations – dated May
2015*

Section 10 – Wireless Network Security

*Auditor General's Report – Follow-up of
Recommendations – dated May 2016*

Wireless Network Security

Helicopter Ambulance Program

*Auditor General's Report – Follow-up of
Recommendations – dated March 2017*

Helicopter Ambulance Program

Manitoba Home Care Program

*Auditor General's Report – Follow-up of
Recommendations – dated March 2018*

Helicopter Ambulance Program

*WRHA's Management of Risks Associated
with End-user Devices*

Manitoba Home Care Program

*Improving Education Outcomes for
Kindergarten to Grade 12 Aboriginal
Students*

*Auditor General's Report – Forensic Audits –
dated October 2018*

*Rural Municipality of De Salaberry: Audit of
Financial Irregularities*

*Auditor General's Report – Management of
Foster Homes – dated November 2019*

*Auditor General's Report – Follow-up of
Recommendations – dated March 2019*

*WRHA's Management of Risks Associated
with End-user Devices*

Manitoba Home Care Program

*Improving Education Outcomes for
Kindergarten to Grade 12 Aboriginal
Students*

*Auditor General's Report – Follow-up of
Recommendations – dated March 2020*

*Improving Education Outcomes for
Kindergarten to Grade 12 Aboriginal
Students*

*Rural Municipality of De Salaberry: Audit of
Financial Irregularities*

*Auditor General's Report – Follow-up of
Recommendations – dated March 2021*

*Rural Municipality of De Salaberry: Audit of
Financial Irregularities*

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Mr. Chairperson: Good evening, everybody. Will the Standing Committee on Public Accounts please come to order.

The meeting has been called to consider the list of reports announced in the House by the Government House Leader (Mr. Goertzen) on March 24th, 2022.

Prior to dealing with this evening's business, I'm pleased to table the responses provided by the Auditor General of Manitoba to the questions pending responses from October 14th, 2020 meeting.

These responses were previously forwarded to all the members of this committee by the research officer, and I'm aware that we have some new members since then. So, if you'd like another copy, please speak to the research officer directly.

I believe that there was prior agreement that the committee complete consideration of the following items without debate: No. 1, Auditor General's Report, Annual Report to the Legislature, dated March 2014; chapter 4, Helicopter Ambulance Program, and chapter 7, Manitoba's Framework for an Ethical Environment.

And then: Auditor General's Report, Follow-up of Previously Issued Recommendations, dated May 2014, section 7, Personal Care Homes Program, section 8, Pharmacare Program, Part 2, and section 23, Wireless Network Security.

Then the Auditor General's Report, Manitoba Home Care Program, dated July 2015; Auditor General's Report, Follow-up of Previously Issued Recommendations, dated May 2015, section 10, Wireless Network Security.

Then the Auditor General's report, follow-up recommendations, dated May 2016, Wireless Network Security, Helicopter Ambulance Program; then the Auditor General's Report, Follow-up of Recommendations, dated March 2017, Helicopter Ambulance Program, Manitoba Home Care Program; Auditor General's report, follow-up recommendations, dated March 2018, Helicopter Ambulance Program, WRHA's Management of Risks Associated with End-user Devices, Manitoba Home Care Program, Improving Education Outcomes for Kindergarten to Grade 12 Aboriginal Students; Auditor General's Report, Forensic Audits, dated October 2018, Rural Municipality of De Salaberry: Audit of Financial Irregularities; Auditor General's Report, Follow-up of Recommendations, dated March 2019, WRHA's Management of Risks Associated with End-user Devices, Manitoba Home

Care Program, Improving Education Outcomes for Kindergarten to Grade 12 Aboriginal Students; Auditor General's Report, Follow-up of Recommendations, dated March 2020, Improving Education Outcomes for Kindergarten to Grade 12 Aboriginal Students, Rural Municipality of De Salaberry: Audit of Financial Irregularities; Auditor General's Report, follow-up recommendations, dated March 2021, Rural Municipality of De Salaberry: Audit of Financial Irregularities.

Does the committee agree to complete consideration of these sections? *[Agreed]*

Are there any suggestions from the committee as to how long we should sit this afternoon? It's been suggested—

Mr. Shannon Martin (McPhillips): Mr. Chair, I'd like to recommend we sit until 8 o'clock and see what we can get through and then reassess at 8 if needed.

Mr. Chairperson: Okay, it's been suggested by Mr. Martin that we sit until 8 o'clock and reassess then. Agreed? *[Agreed]*

We will now consider the Auditor General's report titled Management of Foster Homes, dated November 2019. As per the motion passed at the October 14, 2020 meeting, an action plan was requested from the Department of Families for this report. This was received back and I table it now.

Does the Auditor General wish to make an opening statement? Tyson?

Mr. Tyson Shtykalo (Auditor General): First, I'd like to introduce the staff members that I have with me here today. *[interjection]*

Mr. Chairperson: The Auditor General.

Mr. Shtykalo: I'd first like to introduce the staff I have with me today: Stacey Wowchuk, assistant auditor general for performance audits and Melissa Emslie, director of performance audits.

Mr. Chair, at the time of our audit, there were over 10,000 children in care in Manitoba. More than 93 per cent of these children were in foster homes and places of safety.

To ensure the safety and well-being of these children, it is important that they be placed in suitable homes. That is, homes that can appropriately deal with the identified needs of the child and that are culturally appropriate. It is also important that foster homes and places of safety be properly managed by CFS agencies.

Mr. Chair, this audit assessed the adequacy of the systems and processes in place for ensuring sufficient and appropriate funding of foster home services and for ensuring compliance with foster home standards. To do this, we examined the operations of the Department of Families, the four Child and Family Services' authorities and four of the 23 mandated agencies delivering foster home services.

We noted many issues with the funding approach in place at the time of our audit. We found that agencies were not explicitly funded for the work required to meet provincially set standards for licensing and case managing foster homes. Agencies had to redirect funding earmarked for other areas, creating increased caseloads in these other areas.

Caregivers in foster homes and places of safety are commonly referred to as foster parents. They are funded using child maintenance payments as well as special rate payments. We found issues with how these funding elements are determined.

Child maintenance payments are made to provide for the everyday care of a child, such as food and clothing. These rates had not changed since 2012 and there was no known rationale to support the amount that was paid to caregivers.

Special rates may also be paid to caregivers when a child's needs assessment shows that a child's needs are beyond those deemed age-appropriate. Special rates include service fees, respite fees and support worker fees.

We found that each of the four agencies examined used a different approach for assessing child's—a child's needs and setting the related special rate for the caregiver. This resulted in variations in rates paid to foster parents for similar circumstances, causing inequities.

As well, we found the special rates paid to foster parents were commonly unsupported. Not requiring proper support for the assessments made and the related rates—and for the related rates increases the risk and likelihood of rates being manipulated to meet foster parent demands.

Mr. Chair, in examining the management of new and existing foster homes by agencies, we found inadequate systems for ensuring that foster home standards were being consistently and properly applied. With respect to new foster homes, there was minimal direction to workers on how to assess the suitability of foster home applicants. We found that

some were licensed even though they did not comply with certain licensing requirements.

* (18:10)

While we recognize that licensing a home with minor exceptions can be justified for eight of the 40 newly licensed foster homes that we examined, we concluded that the decision to issue the licence was not justified based on the number and type of licensing requirements not met.

With respect to the renewal of existing foster home licences, we found that they were renewed despite gaps in the agency's annual reviews. Specifically, we found that annual reviews were not always done. When they were done, they were frequently incomplete, security checks were not done as required, home inspections were not thorough and subsequent follow-ups were not done for items of non-compliance.

In addition to gaps in the required annual reviews, we noted some of the workers overseeing foster homes conducted limited home visits and rarely made unannounced visits.

With respect to places of safety, we found that the department CFS Standards Manual includes policies for approving and monitoring places of safety. But unlike foster homes, there are no regular—regulatory requirements for the screening approval and monitoring of places of safety. We found weaknesses in how agencies assess the places of safety for suitability, noting: a lack of guidance; required documents not always being prepared or obtained; and thorough assessments of the information that was attained were often not on file. This is concerning because while places of safety are intended to be for short-term emergency placements, this was often not the case. As of June 2017, nearly 400 places of safety had been operating beyond the six-month time limit.

I'd like to close by noting that the majority of management and staff we interviewed said there was a chronic shortage of suitable foster homes. Despite this, we found limited processes to lessen shortages of suitable foster homes and minimal monitoring and reporting of foster home supply challenges by CFS authorities and the department. Because of the chronic shortage, officials noted that child placement decisions were sometimes being made out of desperation rather than the best fit. This was leading to children living in ill-suited placements and a reliance on more expensive placements.

The report includes 43 recommendations.

In February 2019, the Province announced it would begin implementing single-envelope funding of authorities. It's important to note that some of our recommendations in the report relate to strengthening the funding model that was in existence at the time of our audit. Nonetheless, we believe these recommendations are valuable to the department and authorities as they move forward with implementing single-envelope funding approach.

Thank you, Mr. Chair.

Mr. Chairperson: Thank you.

Did the deputy minister wish to make an opening statement, and would she introduce her staff.

Ms. Michelle Dubik (Deputy Minister of Families): So I'm joined today by three colleagues: Lorna Hanson, who is our acting assistant deputy minister for the Child and Youth Services Division—

Mr. Chairperson: Oh, excuse me, I'd like to recognize the deputy minister.

Ms. Dubik: I am sorry, Mr. Chair. Thank you.

Lorna Hanson, acting assistant deputy minister for the Child and Youth Services Division; Meeka Kiersgaard, manager of Authority and Stakeholder Relations with the department; and Andrew Lajeunesse—I hope I got that reasonably right—who is our comptroller for the division.

Thank you.

All right. Thank you very *[inaudible]* the opportunity to join you for this discussion today on, you know, an important subject matter, and while much of the landscape has changed, surroundings are big. There's been big changes to child welfare in the last couple of years. Many of the Auditor General's recommendations are still very useful for the department and authorities.

Clearly, you're coming to correct something. There we go. Awesome.

I want to acknowledge the Office of the Auditor General for their attention to the issue in the report lease—released in 2019. The department recognizes the significant time spent to understand the important aspects of care and particularly when this—within the complexities of our child-welfare system in Manitoba.

As many of you know, child welfare in Manitoba is highly—is a highly devolved system with service oversight occurring by four child family service authorities, of which three are Indigenous-led and

governed. As you will be aware, the creation of the Child and Family Services authorities and our now long-standing devolved child-welfare system was done in collaboration with First Nations and Métis leaders as part of the Aboriginal Justice Inquiry initiative.

In recognition that more than 90 per cent of children in care in Manitoba are either First Nations, Métis or Inuit, the devolution of central system oversight was a necessary foundational step to begin the child—the transformation within child welfare to Indigenous-led and culturally appropriate services versus services that were formally designed based on geography.

The creation of the authorities through The Child and Family Services Authorities Act impacts oversight of foster care in Manitoba. The provincial role is to establish policy and standards, and it's partnered with authority, decision making, and local and culturally appropriate policy in foster-care home licensing and support. Authorities in Manitoba have the role to mandate and oversee Child and Family Service agencies and to provide the direct care to children.

These Child and Family Service agencies in turn license foster homes in Manitoba. The licensing agency reviews applications, follows provincial guidelines and applies local and authority-led direction to ensure the safety and best practice requirements are met. If approved for licensing, the agency and the authority work together to provide orientation, training, inclusion of cultural and community connections, and the local CFS agency provides foster home support and direction and financial support.

The department now provides funding through single envelope to authorities to support service delivery. This includes foster-care licensing and other placements to prevention streams such as supported guardianship in customary care.

In Manitoba, some third-party organizations manage and co-ordinate specialized foster home services. These too are licensed by CFS agencies. The goal for these organizations is usually to train and support higher skilled foster parents to provide for care for children who may have exceptional needs. Under this model, the third-party organizations provide more tailored training, knowledge and skill development to support foster carers. Children placed in these homes are usually assessed as having a higher level of need and higher per diem payments on their

behalf. All homes still must have a CFS agency who has reviewed the background, the application and then assessed in order to determine the decision to license the home and renew it annually.

Since 2019 and since this audit, the child-welfare landscape has evolved significantly on a number of fronts. But most notably, single-envelope funding, child-welfare transformation and federal child-welfare legislation has transformed the landscape. C-24, the—has—federal legislation—has more recently—had led to active negotiations here in the province with Indigenous governing bodies. Individually and collectively, these steps advance First Nations and Métis peoples' inherent right to determine the types of services needed to support families and protect children. It signals a return to Indigenous customary practices and approaches and a commitment to reconciliation and to a shared belief that systemic Indigenous-led change is needed to improve outcomes for children.

Changes made under child-welfare transformation are succeeding in reducing the number of kids in care in Manitoba. There is an increased use of extended family, kinship, community and all forms of customary care and alternate care arrangements because this, in keeping with children—this is keeping children more closely tied to family, community and culture. We know that this improves outcomes for children, increases parents' overall wellness and maintains safe connections to children's inherent right to know their family and where they come from and belong.

Investments have been made in community-based supports outside of the child-welfare system to help children remain in home. Innovative approaches such as Granny's House and community-led crisis response programs are helping families before they reach crisis and before they 'weach' child-welfare system. These prevention strategies are Indigenous-led, and they are resulting in families seeking help versus—versus requiring mandated intervention.

These Manitoba-created solutions are garnering attention from other jurisdictions who are looking at ways to replicate our successes. The CFS authorities are focusing on new approaches to help children find stability with extended family and communities when parents are not able to parent and as alternatives to traditional stranger-based foster-care home models.

* (18:20)

These shifts in practice support holistic child-centred approaches that do not sever their connection with family, community or culture. Some examples include a focus on customary care placements and arrangements following local cultural traditions.

The move to single envelope funding for child welfare in Manitoba means that Child and Family Services authorities and agencies now have autonomy to make decisions based on specific needs of communities. The new funding model reinforces the relationship between authorities and their agencies, and it's flexible, autonomous and allows for appropriate financial decisions based on the needs of children and foster providers, including extended family, and 'kinshid'—alternate care providers working with their agencies.

Authorities and their agencies are able to proactively decide how best to use that funding and what support each program needs in their agency. The shift in funding underscores a shift in practice from funding-focused assessments to outcome-focused planning. Agencies are now able to use funds in prevention services, which we all know are always more cost effective both short and long term, and lead to better outcomes than apprehension.

As the number of children in care decreases, this frees up even more funding for other areas of family and community work. The department has taken action to respond to the recommendations from the report by the Office of the Auditor General; they inform our child-welfare transformation. Of the 43 recommendations, some have been addressed while others are in progress or alternate solutions have been identified. Eleven of the recommendations we have assessed as being the responsibility of CFS agencies or authorities.

As the department navigates transformation, it's going—it must balance change to strengthen the provincial system as we know it today with an eye to the architecture for a new child-welfare system where other nations—First Nations and Métis nation—pass laws paramount to provincial laws and shape the landscape. As we come to further understand the federal legislation and concurrent jurisdiction in what was provincially—what was provincial—solely provincial space, the department is having to consider its approach to this work.

We have observed history in the making in Manitoba. Peguis Child & Family Services is the first Indigenous law-mandated service provider, providing to services to children and families who are members

of their communities. This is under the act respecting First Nations, Inuit and Métis children, youth and families, and it restores the constitutional rights of nations to make and provide laws to provide child-welfare services to their people, both on and off reserve.

In Manitoba, we are actively engaged and aware of a number of other Indigenous communities and/or governing bodies who are in various stages and will soon be supporting children and families under their own laws and no longer under provincial—the provincial legal framework.

This continued evolution will dramatically alter the landscape of provincial child-welfare services in Manitoba and significantly change our working relationship with service providers. We are committed to working in partnership with Indigenous governing bodies, as this is one step to truly reconciling, improving outcomes for children, youth and families.

Thank you again for this opportunity to return to this discussion and share information about the work the department has been doing, an ongoing work as child welfare evolves in Manitoba. We remain committed to our shared key objective to provide the best possible supports and services to families, to prevent children entering care and, when needed, to support children in care and their families and with alternate care providers, including foster care.

Mr. Chairperson: Thank you.

Before we proceed further, I'd like to inform those that are new to the committee of the process that is undertaken with regard to outstanding questions.

At the end of every meeting, the research officer reviews the Hansard for any outstanding questions that the witness commits to provide to answer to and will draft a questions-pending-response document to send to the deputy minister. Upon receipt of the answers to those questions, the research officer then forwards the responses to every PAC member and every other member recorded as attending the meeting.

Before we get into questions, I'd like to remind members that questions are to be of a 'ministrative' nature. They are placed to the deputy minister, and the—policy questions will not be entertained and are better left for another forum.

The floor is now open for questions.

Mr. Mark Wasyliv (Fort Garry): I'm wondering—big theme in the report is that things have changed since 2019 with the funding model.

I'm wondering if you could break down to us what changes have been made in the funding model in a bit of a detailed way and how they address the concerns of the Auditor General and where they, in your view, don't, you know, meet those concerns? *[interjection]*

Mr. Chairperson: The deputy minister.

Ms. Dubik: Sorry, I'll get the hang of it, I promise.

Single-envelope funding: In the previous—in our—at the time of the audit, the system was a retroactive payment to agencies. So agencies would be in a process of trying to secure a placement for a child, and they would—they, then, would make those arrangements. Workers were in a situation where they had to, often, try and create a needs assessment that would drive the price of care up to some degree in order to secure a placement. And what has happened now, through single-envelope funding, is the funding goes directly from the department proactively to the authority. So it is not a retroactive payment to agencies for services they've already agreed to. It goes to the authorities where they have the proper oversight, then, of their agencies. The prior system cut the authorities out of the oversight role with respect to funding and put that relationship directly between the department and agencies.

What that shift has done is it'll—has allowed the authorities to work with their agencies to come up with much more creative and flexible care arrangements or services to support families. They can be much more proactive and they can be much more prevention-focused in the work that they do as it's not—so they can look at the care needs and look at what outcomes—what services are needed to drive an outcome as opposed to what services do I—or what needs do I need to say exist in order to get the funding that I need for this foster home to exist.

So we see a big shift now to support a guardianship, customary-care arrangement. We see kids—more children staying at home and being supported with family members in the home as opposed to being removed, because those service arrangements now are more—there's more room to be flexible and there's more room to be adaptive to the needs that are right in front of you.

Yes, stop there.

Mr. Chairperson: Mr. Wasyliw, I'll let you ask one more question, and then we'll let Mr. Michaleski.

Mr. Wasyliw: So that's not clear to me. So is there still a basic maintenance fee attached per child, and if there is, who determines that, and has there been any changes to that since 2019, since this audit?

Ms. Dubik: We don't fund basic maintenance directly anymore. So there is a minimum, I understand, a minimum dollar amount provided in terms of what needs to be provided for a foster-care amount if you're going to be providing foster care. That's what sets the minimum. Many authorities and agencies can then work with how they need to, to create the service framework around that, and they can raise those—they can raise well beyond the minimums amount or the standard that the Province has put in place. So—but we don't fund to that anymore.

* (18:30)

Mr. Brad Michaleski (Dauphin): I guess I would have just an opening comment on the report in general. I understand it's a very complicated situation when you're talking foster care—very, very, very complicated; I can appreciate that.

But having said that, the report does highlight a lot of things that weren't working and some really basic, fundamental things. I understand and it's been mentioned that there's been a funding change, which really can change the outcomes considerably. So, you know, I'm encouraged to see that and I'm encouraged to hear that there seems to be some positive actions—that's been going on for a couple of years on this, so that's great to hear. Because this is something that's—it is extremely important and it shouldn't be something—we need to make sure that we get this one right.

And—but understanding there's some foundational changes, changes that are going on, there still is going to be a need—whether it's in transition or wherever we land—that there's audits, there's performance audits. And of course if we go through the report there's—you know, we look at licensing, home inspections, security checks, all these things that have—there's flags been thrown up on them. Now, again, I understand that the funding has changed so that might just change everything.

But I guess my question is, what's imbedded in here to ensure that the audits are taking place all the time, that they're being monitored all the time and who's doing it? Because it's not okay, I don't think, to simply say it's the responsibility of the authority, you know, and nobody's watching, you know. There needs

to be checks on this. So, I guess that's my question is having to do with the audit process during transition and where we're going to land—if there's any thought about that.

Ms. Dubik: So, it is the role of the authorities in foster care to oversee their agencies and the licensing of foster care. I think there's recognition that this audit and the shift to single-envelope funding at the same time raised awareness within the system to pay more attention to some of those things. The shift to single-envelope funding places authorities in a position where they really have to look at what's going on there in a different way than they did. And I think the audit highlights some of the gaps that they need to focus on and pay attention to.

So the Province's role in that is working with those authorities to support them in doing that work. We do know that the GA, following this audit, went and did some of their own work on quality assurance with respect to foster care. We know that other authorities have undertaken foster care quality assurance review work too. We continue to work with the authorities on looking at the data that's available to help them and support them to recognize potential gaps and work on solutions. We do this in partnership with those authorities. It is not—really, the way the legislation is written, that is where that accountability is, but the Province recognizes it has a role with respect to some of that, and we do work in partnership with them actively to strengthen the system.

Mr. Chairperson: Mr. Michaleski, follow-up question.

Mr. Michaleski: Yes, just one follow-up question and I guess, again, this need for ongoing audits and accountability, again, to me is something that, you know, is critical, right, to the entire system, funding, the whole bit.

So is there any sort of timeline, have you got a flow chart—okay, we're going to hit a particular—let's say housing standards, right, let's pick that—and we—are we going to—we're going to resolve this, we're going to focus on that, we're going to have everything in place in terms of standards, what's measured—you know what I mean? If we're going to get some sort of established timeline on—because, of course, these things can drag on forever unless we put a—put an end date or a target date.

So anything regarding targets?

Ms. Dubik: So a couple pieces—and I think the larger one will be my last point, but, you know, foster homes

are renewed annually and we run monthly extracts to show compliance to support the authorities with monitoring and keeping track of things. And I think I understand from staff now, too, that since single-envelope funding and since the audit there's been a much stronger focus on authorities learning to run this data and use this data to support them in their oversight role, which has been a marked shift.

But the department has undertaken also, in partnership with the authorities, a standards modernization project that, you know, we're looking to see come to fruition over the course of the next year. And that will be to really rationalize and focus on the standards and clean up some of that work in order to support the work in child welfare.

Ms. Lisa Naylor (Wolseley): Looking at recommendation No. 4, which talks about the culturally appropriate assessment tool, and in the action plan it was noted that the recommendation was not addressed as recommended. Can the department explain that and what is being done to ensure the assessment tool in use is, in fact, culturally appropriate?

Ms. Dubik: I think I'm understanding your question right and I trust you'll correct me if I have this wrong. But—so the agencies and authorities do use different assessment tools and, really, that comes to our place where we don't believe there is one tool that is going to give us that culturally relevant, culturally specific kind of assessment to use across all agencies and all authorities.

I think there's recognition that Métis have different cultures and so the services put in place, you know, based on their assessments, are going to look different than First Nations in the south or First Nations in the North. And so the department's role and work with them is, you know—they all have tools. They all have their own policies. They all have oversight principles, but there isn't one universal tool to support that. And so they are able to, you know, determine what services, then, make sense and culturally appropriate services make sense in response to their assessment based on using their own tools.

Mr. Chairperson: Mr. Wishart, you were the next person with his hand up.

Mr. Ian Wishart (Portage la Prairie): Mr. Chair—and—oh. I'm sorry.

Mr. Chairperson: Just follow-up question? Yes, Ms. Naylor.

Ms. Naylor: There a number of components to the fourth recommendation. I mean, obviously, the culturally relevant piece is important, but I'm wondering because that is what was recommended, the action plan says it's not addressed as recommended.

Does the department feel that everything that was captured in the fourth recommendation, that it has been addressed, like, by the—by saying that it hasn't been addressed as recommended. Is the intention to say it has been addressed in a different way or that there's not an intention to address those recommendations from the Auditor General's office?

* (18:40)

Ms. Dubik: So, I think what the recommendation here is still—is talking about one provincial tool and that's not a direction we're heading in, you know, nor having a tool that directly links a score to a funding amount. That's also really not where agencies and authorities are headed. And so that's not in place.

But absolutely, are we working with them and do we believe that you need to assess the skills and abilities and needs of a kid individually using a culturally specific tool or a tool that identifies their cultural needs within the framework? Absolutely we do.

And then the documentation and the justification—absolutely we believe authorities and we should be working with them to support them in those endeavours, for sure.

Mr. Wishart: I'd like to take a moment and thank you for the great work that you guys do. I know it's a challenging field to work in, and we certainly all appreciate what's been done. But the ultimate goal is to have the best of foster care that you can find, but finding it is, I am told, increasingly difficult to do in some communities, and you want to have them in the community as much as possible.

So, I guess I would appreciate a little more insight into how they identify appropriate places of safety and—or foster homes in the community, and how do you evaluate them to make sure that they meet your criteria and make sure that they're available on an as-needed basis?

Ms. Dubik: All right, I hope I cover all the components of your question here.

So, a couple things, I think, to set the stage for this. You know, the traditional model for kids in care was group-home care and foster care; and that

landscape is shifting. There is—the federal legislation now requires and prioritizes types and locations of placement.

And so the priority placement—and this is law across the country now—so there is a real requirement and obligation when dealing with Indigenous children that we are placing them—and there's like five or six staff will find them for me to read—that we use immediate or extended family regardless of residence; other family within a child's community of origin; other family of same region or tribal council; other family of the same racial, cultural or linguistic group; former caregivers; and a placement that—resource that facilitates contact with placements.

So these are orders of placement, so there is a movement away from stranger-based care. Despite how caring and involved many very loving, qualified foster parents there are, there's still a movement away from that kind of a placement.

That all said, there are standards and regulations that guide the aspects of placements and selecting placements. So, safety checks, criminal record checks, how to store items within a household—like, you can't have your bleach and all the things underneath the counter not secured; medications—lot of physical components of that. So agencies have all of that and work through those as they're licensing a facility or a family home.

Places of safety are identified more through who the family knows and, you know, whether that's an appropriate kinship, relative placement, that could potentially be used, or whether that's just someone else known to the child. That is a qualifying factor, that it has to be someone known to the child to count as a place of safety, and then the agency will work with that care provider, if identified, to ensure that the physical space is safe as well as the care provided.

Mr. Wishart: And just to follow up on that area, you referenced the fact that you're using many less care homes or a third-party that is unrelated—and certainly that's one of the laudable goals of the whole process here—but we do hear occasionally from people that have been doing this for a long time, and when someone's—when their children or foster child is moved from them, that they're not very happy and they want to appeal. I'm told the appeals process is extremely lengthy.

And is there something that can be done to help deal with—it's a trauma to both sides of the family,

frankly, when that happens, and is there a better resolution?

Ms. Dubik: I want to acknowledge the problem—the attachment happens all around and for foster families as well as they invest significant emotional and other time in the children that are placed in their care.

Foster care is always ideally temporary. It is—reunification with family is always the goal, and that has increasingly become important as our understanding of the impact of being a child in care has increased and evolved over the years.

Subsequent to the audit, the department has worked on new work around alternate dispute resolutions and the movement of children out of foster-care arrangements to (1) bring structure to the timelines around that and the process. So there is more work done now.

Agencies are required to have alternate dispute resolution policies now, and procedures developed in consultation with their mandating authorities. The regulation supports agencies and mandating authorities to employ culturally appropriate approaches to alternate dispute resolution and appeal can occur without licensing cancellation. So we do see some agencies—and alternate dispute resolution would, you know, involve an elder, whereas others can evolve quite differently.

So if alternate dispute resolution—and there's timelines around that—does not resolve in the issue being resolved, then there's subsequent escalation procedures all the way up to the director of child welfare that then would result in the minister appointing an adjudicator to hear the appeal.

The ideal is to move away with that but foster families are—there's definitely, as there's more movement now of children in order to meet the new federal law, there is definitely, you know, concern created and a desire to stay involved. Ideally, if a foster family is an important person in the life of the foster child that they've been caring for, then, you know, movement should still allow their involvement in a perfect world

But yes, all the agencies now have alternate dispute resolutions. Authorities have escalation processes and ultimately the director of child welfare and the minister can appoint an adjudicator.

MLA Tom Lindsey (Flin Flon): I just want to go back to the block funding for a minute so that you can help me understand. Now, my understanding is the

block funding amount hasn't changed since 2019. The needs, I don't think, have gotten a whole lot less.

* (18:50)

So could you explain to me just how that same amount of money now is suitable for this system you've got going forward without any increase? Does that mean that some parts are now getting less funding or are foster families just not keeping pace with inflation and what not to make sure that they're properly funded? So just help me understand how that block funding piece works.

Ms. Dubik: So what we know about single-envelope funding is we know that authorities and their agencies are actively working for different care options and so we see more families being supported with supports in the home to even avoid children even coming into care. So those numbers are increasing quite significantly, the number of children being supported in a family home to even prevent those—that's a less expensive option.

Then we have increasingly more and more children, if they are brought into care, they're being brought into kinship care or family-related care, and so those also tend to be less expensive options with supports being provided there. So there is a—authorities, now that they're part of that loop, in terms of funding, which they weren't before, they have a—definitely a more interest in those high-cost placements and there is a movement away from the high-cost placements. We see more money going into culturally appropriate services or—that are, again, less expensive. We know the average cost of kids in care is going down and we know the number of kids in care has gone down since single-envelope funding.

MLA Lindsey: So it was noted in the action plan that under single-envelope funding, the authorities that—funding allocations will be reviewed prior to the start of each new funding agreement, and it's been three years since the single-envelope funding was introduced.

What adjustments have been made in the base amounts?

Ms. Dubik: So we're at the end of our third year now and we're really having to—the department's going to have to take a real think at how to approach funding going forward in light, particularly, of the federal law and Indigenous governing bodies drawing down jurisdiction.

And so we will take a look at the single-envelope funding model. We're looking to enter into MOUs with the authorities—the Indigenous authorities for just one year for right now. As we start to build out what this transition and the funding transition begin to look like as we have Indigenous governing bodies taking over jurisdiction. Peguis has now pulled out. They're on their own. We know more will and some we're in quite active conversations with.

And so as that landscape shifts and we're participating in funding arrangements with Indigenous governing bodies that don't operate under provincial legislation and we're maintaining a provincial system. We have to turn our minds to how we're going to navigate that. And so we're looking to be putting up options this fall for consideration on how we manage that transition.

Mr. Martin: Earlier in the report you talk about the child assessment format and the fact that all—like, the four agencies all have their own assessment model. Now, if I heard you correctly I think you said it was largely irrelevant when it came to cultural considerations for children, that obviously each agency has its own cultural view, but I'm just curious whether or not there's been any move to consolidate that skills assessment for the purposes of funding, or is that also relevant due to the single envelope now?

Ms. Dubik: It's not so much that it's about the single envelope. That's about each Indigenous-led authority working with its agencies that it mandates to use what it considers to be a culturally relevant tool to do the work of assessment to decide what services they need and want to provide.

So, while we require that the CAF—I don't remember what it's called—is used for those extraordinary level services for the authorities to review, it is the only place at which that one assessment tool is used in the system right now. They—otherwise, they have the authority to work with their agencies on the most appropriate assessment tools that they consider.

Mr. Martin: Well, I appreciate that obviously the assessment tools are going to be different culturally in that—but I assume that the assessment tools measure more than just the cultural needs of the child.

Is there—has there been a move towards consistency in terms of those identification of needs and supports as identified?

Ms. Dubik: So we are talking about a tool that assesses the needs of the child, and no, there isn't a

move to look at a standardized tool across the authorities and all their agencies.

Mr. Martin: If I understand—correct me if I'm wrong—was that not a recommendation, though, that there be move towards a consistent assessment tool, cultural requirements notwithstanding? Or am I wrong?

Ms. Dubik: My understanding is that was the recommendation to move to one provincial tool, but it is not—that's not within the role of the department to do and the authorities aren't looking to move in that direction.

Mr. Wasyliv: Yes. I want to get back to the minimum amount that you were talking about.

What is the minimum amount? Has that changed from 2019? Is it indexed for inflation, meaning that it goes up every year? And to the Auditor General's point, how is the minimum amount determined? Because in 2019 what you were calling the minimum amount, the basic maintenance, was the second lowest in the country. So has that changed?

* (19:00)

Ms. Dubik: So, I think your question was how much is it, too, so I'm going to answer that.

So, the basic maintenance rates payable to foster parents ranges from \$22.11 a day to \$32.80 a day, depending on the age of the children and the location of the foster home, or approximately \$660-some dollars to \$984 a month.

The rate hasn't changed since 2011. Authorities—you know, now instead of agencies trying to, you know, work the needs to fit a higher funding model, authorities and agencies are able to look at the services needed and slot those in. And the comparison with other jurisdictions—respecting—it is a bit of an apples and oranges comparison, not knowing what's in each basket of funding.

So even if just something like transportation isn't included in another jurisdiction's funding basket, that is significant funding that's included in our envelope that really then does change the landscape of funding.

So, recognizing that—haven't reviewed all of what the other jurisdictions are doing, but those are apples and oranges comparisons often.

Mr. Wasyliv: The question from the Auditor General was: How was the minimum reached?

It was obviously the minimum in 2011. We're 10 years down the road, so how—what factors go into

coming up with that number, because what I'm inferring here is that there's no thought, with the greatest respect, to that number. Just—it's happened for 10 years, and so that's the number we have. And then, from what I'm hearing from you, you've built more discretion into the system, meaning that your individual agencies can provide more funding as they see a fit and see as appropriate on a case management basis.

So, what safeguards do you have in place for equity that you could have the same situated child but getting very different resource levels depending on the agency that they fall under the jurisdiction? What safeguards are there for that child?

Ms. Dubik: No. Recognizing that the rate hasn't been reviewed since 2011, as part of our re-look at single envelope and how we architect a future funding state, all of that will be taken into consideration as we try and navigate how to move forward on funding both the current system and as children move out of the provincial system into Indigenous governing bodies.

So, all of those will come into—you know, under the department's review and, you know, there are some national and international bodies of work that, you know, we'll draw on to inform some of that as we present options.

Fundamentally, the shift has been a paradigm shift to supporting prevention and people in the home, but recognize what you're saying.

Mr. James Teitsma (Radisson): I also very much want to thank the staff for their work and the deputy for her work. This is a very, very important task, and one that is near and dear to my heart and one of the reasons I got into politics in the first place.

So, I also want to thank Mr. Lindsey and Michaleski for exploring some of these items. I'm particularly intrigued by the federal framework and the comments you had there about how Peguis, and potentially future other agencies, are now able to operate under a federal framework, essentially completely independently from any provincial authority. And I'm assuming that funding is still flowing from the Province to these independent authorities.

So, if you can confirm that that is the case, and maybe just talk a little bit about if the federal government has, in their law, any consideration for taking on that responsibility themselves.

And if you could also comment on how—if all First Nations enter into this type of—and Métis—enter

into this type of an arrangement and adopt the federal framework, what percentage of the children in care would that represent for us?

Ms. Dubik: Understanding that more than 90 per cent of children in care are Indigenous, that represents—if Indigenous governing bodies take full jurisdiction for all Indigenous children in care—that would leave a much smaller provincial child-welfare system.

You know, I don't expect that will be the case overnight but there is active work happening by our—some of our largest First Nations communities and the Métis. And so—and our highly devolved system supports this transition and so I think we will see that movement.

And what does—you know, what that landscape looks like, the—you know, in terms of federal funding and provincial funding, given that we're in active negotiations, I don't know that I want to put that on the record right here, for this table, until some of that is more inked and more suitable for public consumption at this time.

But it will change the landscape significantly. This is federal law that will now give First Nations and Métis the same constitutional rights as the Province has over child welfare. We don't have that in this space anywhere in Canada right now and I think Manitoba is quite actively pursuing this with our partners.

And so, navigating concurrent jurisdiction, navigating potentially 20-plus sets of other legal frameworks that will govern this space, is a significant piece of transformation. It will happen not only on-reserve, but it will exist off-reserve.

So, yes. I hope I answered all of your questions.

Mr. Teitsma: No, I think that's fair.

And just to be—for clarity, I guess, of how it's working with Peguis right now—so, the general authority, I think, or the Winnipeg Child and Family Services would have no involvement with someone from Peguis, whether they were in the city here or wherever they were in the province?

Ms. Dubik: Yes, good question. So, under our current authorities act, families can choose their authority. This federal law, First Nations will pass their laws and it will apply to their members as they define their members.

And so, Peguis will define its members as part of their law and then it will not matter—no, no other

authority—no other authority will have jurisdiction, not the general authority, no other Indigenous authority will have jurisdiction to provide services to those children. They will not exist under fed—provincial law. They will be governed by an completely independent law.

Ms. Naylor: I'm—I just want to go back to—a little earlier, you talked about there being less children in care now and so—when you were addressing questions about funding.

And so, that brings me to a question about kind of the accuracy of calculating the number of children in care. This might be a question for the Auditor General, but we've seen that the Auditor General has long identified that CFSIS records aren't accurate. That was taken from the Auditor General's notes.

* (19:10)

Yet we know the department is relying on that number to determine the number of children in care, so I'm wondering both, you know, does the—this might be a question for the AG—does he have a sense of the accuracy of the number of children in care and how are resources determined if those records, in fact, aren't reliable as a count of the number of children in care?

Ms. Dubik: I'll try to respond. I'm not sure if the question was directed at me, but I can take a run at it and then Tyson can too—Auditor General. So, I'm advised that we reconcile each and every child-in-care file following—around the annual report that makes sure that every child has a legal status, a placement noted and they are financially supported by the Province, and we reconcile this with the authorities', file by file, once a year. So we are confident in that number.

Ms. Naylor: I'm not sure if the AG still wants to comment on that discrepancy, but in the annual report—this is for the department—the department said that there are 9,850 children in care, and in the same report, the department said that the average number of children in care receiving EIA health services was 11,772.

So can you explain that discrepancy and, you know, have—has the system of tracking this changed in some way?

Ms. Dubik: Can you just clarify where you're getting that second EIA number from, if you're looking at the annual report, so we can look at the same page?

An Honourable Member: I just—sorry—they're notes that we wrote.

Mr. Chairperson: Ms. Naylor.

Ms. Naylor: Sorry. My apologies, I don't know. I don't know the page number, I'm sorry.

Ms. Dubik: Not knowing exactly what numbers you're looking at, I understand that the annual report is children in care at a point in time, like, so, on March 31st. And I'm—if I understand and we're making the right assumptions here, that the EIA numbers are probably services provided to kids in care over the course of the year, so it's going to capture all of them over the course of a year, whereas the numbers for kids in care in our annual report would be a point in time.

Mr. Dougald Lamont (St. Boniface): Yes, it is—we are all living in interesting times, especially with the transfer of jurisdiction. Of course—and, you know that the vast majority of children in care are Indigenous, but some aren't. So, and again, that transition will not happen overnight.

I was wondering, is there still a shortage of foster homes and what is the department—because one of the recommendations was around safety—what's the department doing to ensure that existing foster homes are safe and that parents are sufficiently supported because, clearly, there are also going to be, you know, there's a certain percentage of—some of their kids with disabilities and so on who have special needs. And if you could just let me know, is there still a shortage of foster homes and what's happening to ensure that existing foster homes are safe?

Ms. Dubik: So, I think a couple pieces in response: the federal legislation requires an order of placement priority. That order of placement priority puts and, you know, this is their—that kind of traditional foster home stranger care at the bottom. So it is driving demand in a different way now, in a different place. The shift to family, kin, community, other kinds of care, is really the focus and effort of authorities and agencies because there's a federal law that now requires it. And so there's a significant shift.

Do we still need foster homes? Yes. I'm advised that there's a real fluctuation, though, in the need for that, and so in some communities that will be greater than others. It's not the same as it was even a few years ago.

Mr. Lamont: Yes. I guess, yes, the follow-up is—it relates to block funding as that as well because I think,

I mean, I've spoken with people who work with agencies and it's clear that the prevention end of it, it means if you can spend a few bucks on, what's the example, you know, diapers or groceries, you can sometimes prevent somebody from being taken into care. But, again, that's a very—the federal law applies to Indigenous—there are non-Indigenous kids in care as well, but the one—around block funding because, on the one hand, block funding allows for that greater flexibility with that block funding, but if there's a fluctuation, as you say, even if there's a fluctuation, say, in the number of children, what's—how does that work? And are there agencies that have said they felt caught short or that they are struggling because, you know, if they have a surge in cases, or how is that block funding calculated now and has it—has that been increased at all over the last three years?

Ms. Dubik: So, the single-envelope funding goes to the authorities. And so if one agency has more apprehensions or something changes differently and they need that money more than another agency, they have the flexibility to move that money around within the envelope and do so, whereas before, they were not part of that funding equation, and so they weren't able to do that.

Mr. Greg Nesbitt (Riding Mountain): I understand, from what you're saying, that kinship placements are very common and, in fact, mandated now under federal legislation and I think we can all appreciate the value of keeping kids with family if we can. Does that, then, outweigh the standards that might be in place for care homes, foster-care homes, in the province? I know the Auditor General recommended that changes be made to the foster homes licensing requirement, and in your action plan you address that and said new legislation was coming.

* (19:20)

So, I guess my question is, will the foster homes' licensing regulation be amended to clarify requirements specifically for kinship homes?

Ms. Dubik: I think the department needs to recognize that the landscape has shifted and we need to adapt and have definitely—support a broader suite of care arrangements in order to support agencies navigating both the federal legislation and our own legislative framework.

And so, what that all looks like, not sure yet but, yes, we recognize there's a need to adapt, and to do that to support and enable kinship care.

Mr. Nesbitt: Thank you for that.

Is there any timeline for any legislation that might address this issue?

Ms. Dubik: I can't commit to a timeline right now.

Mr. Wasyliw: I want to follow up on Mr. Lamont's question.

So, initially, if you're an agency, you get a set amount from the Province. If you have a surge in your jurisdiction, you have the freedom to reallocate the money to deal with that surge, but is there any process to get more money from the Province to make up for those unexpected expenses during the year, or are you basically on your own and you have to make whatever, you know, funding the Province handed to you work?

Ms. Dubik: So, two things: the money goes to the authorities, not agencies—just for clarity—and they can then look within their envelope at where the money needs to go within all of the agencies that they mandate.

Kids in care have gone down, not up, so that's—while the numbers may have moved around within agencies, they haven't gone up provincially.

Mr. Wasyliw: I'm taking from that response that they can't get extra sort of special funding from the Province for unspecified emergencies.

But my other question is: the Auditor General found in 2019 that there were different salary levels between agencies; that Winnipeg Child and Family Services paid the best, and they were concerned about the inequities of that because, obviously, the most experienced or the best qualified are going to gravitate to the higher salary; and that could affect retention, that could 'reflect' recruitment and create very uneven systems of CFS where you don't get the same level of staffing and professionalism between agencies.

Is there any safeguards with this current funding model to prevent that, or given the, sort of, you know, single envelope funding model, that situation's actually exacerbated and that the Province has no control over the salary levels for the same position in two different agencies?

Ms. Dubik: So, yes, recognizing there's inequities in staffing in the report and, you know, some of those inequities, I think, are a result of location.

I think some of the issues raised around—in the report—around Awasis, highlight possibly more of a location issue that they may a salary issue, but the agencies all receive the salary—the authorities receive

the funding for salaries. They all choose how to pay their workers, recognizing that the Winnipeg Child and Family Services staff are part of the government of Manitoba and they are funded differently.

Mr. Wishart: Thank you for taking our questions this evening.

We're all very aware that C-24 has kind of changed the whole landscape here a little bit and in many ways Manitoba was probably positioned better than some other provinces because we were already a fair ways down the devolution process. So there are other things to change besides what you have outlined here.

But you made one comment that kind of worried me a little bit. You mentioned that the First Nations themselves would define their own membership and that may work pretty well if they're, certainly, of the open and inclusion approach. However, I have three First Nations in my constituency I am honoured to represent and they've had some seniors come back to their First Nations from other locations and they were not always opening and welcoming and, in fact, they get to define their own membership and there is no appeal process to that.

So, we don't want to get ourselves in a corner where we have any number of kids, Heaven forbid, that nobody wants. So we have to be aware of this, you know, this challenge to the process and make sure that when the definition is outlined and they have their own right to define them—their membership, that they are as open and inclusive as possible. And I'm not sure what you can do to help with that, but I can tell you it is a challenge out there.

Ms. Dubik: Respecting that the Province can't be defining membership, I think what we will be actively looking for is transparency in a process so that there's—that it's understood who is a member of which communities as we navigate the transformation.

Mr. Lamont: Just a question back to the single-lane envelope funding, because he was—mentioned in the action plan that funding allocations will be reviewed prior to the start of each new funding agreement and it's been three years. So have there been any adjustments to funding allocations and base amounts?

Ms. Dubik: No. We're at the end of the first three years and we're about to go into now, you know, our next year—and, no, there isn't an allocation adjustment. We're working towards MOUs for this next one year as we try and navigate how we both

disentangle funding from the existing system and navigate funding of the existing system.

Mr. Lamont: Yes. And just to go back to a question I had about foster homes—clearly, you know, I—you mentioned the—that basically they'll be a place of last resort, which is to be expected. But inevitably there's lots of things that we end up having to resort to, including last resorts. So I just wanted to, yes, make sure—is there still the—is there still a shortage of foster homes currently and what has been done to make sure that they're safe?

Ms. Dubik: I'm advised there are times when we do, you know, even though families [*inaudible*] that there are times when there isn't an appropriate placement in foster care because of shortage as well, and that we wouldn't be able to accommodate.

What are we doing for safety? We're working with the authorities to work on the standards to ensure that—

Mr. Chairperson: Excuse me. I have to re-recognize you because the microphone was not on.

So, deputy minister.

Ms. Dubik: All right. Thank you.

So, two things. I am advised that there are times when we haven't—we have had to look to foster care and there hasn't been an easy and appropriate foster-care placement, and that can be more challenging in some regions than others at times.

* (19:30)

In terms of working on your question with respect to safety, we are actively working with the authorities and the agencies to look at the recommendations that came out of the report, the findings to run audits on the numbers to help them with implementation to ensure that they're able to support their agencies with licensing.

Ms. Naylor: I want to just ask a little bit about the places of safety and I noticed recommendation 26, which was to develop written standards and guidance to conduct assessments of places of safety, there's a list of what those standards include. I won't read them all out now, but I do understand that that recommendation was addressed and that those standards have been met.

So my question is that I noticed in the report that when the report was done in 2019—when the Auditor General's report was done, that the approvals for places of safety were missing. Almost 25 per cent of

the time there weren't approvals and that more than half the time the approval happened after the placement. We also know that some of those placements were, you know, rather than being a really short time, could be very, very long. The report wasn't really clear on, you know, how much after, you know, the next day, was it an emergency, it's the next day, or was it weeks and months later.

So I'm wondering if you can comment on how, in the last three years, those—that's changed. You know, with the new standards in place, are approvals happening prior, like, 100 per cent of the time, prior to children being placed in places of safety. And, if not, how often are these delayed and do you have approvals for every place of safety home.

Ms. Dubik: I'm advised that since the audit one of the things that we've done is we've created new reports within the CFSIS system in order to enable authorities to run their own reports on places of safety and to monitor them more directly, so particularly around those approvals. I'm advised that, you know, placement that's not particularly outside of Winnipeg, often happen on an emergent basis, right, and so the minimum requirements before a child can be left for sure must be done and often in consultation with a supervisor.

But the formal approvals may not be in place until the next day or so, and so that may come after. So that's some of the work the department has been doing. We know that because of the federal legislation there are more places of safety happening and that requirement around the one month to pursue licensing and the licensing process. We know that we have to adapt and do more work in those space. Those numbers are going up.

Ms. Naylor: So—also, just a follow-up question about the places of safety. So, with the action plan that was implemented, again, the follow-up and documentation of security check results, the related documentation for non-compliance, whether or not the placement's done on emergency basis or not, and greater clarity on the suitability of a place of safety.

How different are—or, how did those standards or guidelines compare to, say, those of foster homes versus places of safety? What are the differences around those standards?

Ms. Dubik: Sorry—yes, they're the same.

Mr. Michaleski: Again, I—just, kind of, give a preamble that can—saying, No. 1, thank you for being here tonight and helping us provide some answers to

questions we have. Of course, foster care—if we can avoid it, that would be the best. I think we all agree with that and—I guess, just some of the comments or the direction things were going and, of course, there needs to be will on all sides. And it sounds like it was federal-provincial, Indigenous-provincial. There's a lot—there's got to be a strong will to get this right and make the system work better for the kids.

So, having said that, there was some language mentioned about a paradigm and how things are structurally transforming, right. And I would say that, you know, the incentives for this program—or foster-care program—are outside this program. And whether it's beforehand or after, you know, again, the success of this program very much is a function of the larger paradigm, right.

So again, I'm optimistic to when transformation language is being used, but I would ask you and I would ask the department: is there a sense of co-operation? Has—over the last—since the model—funding model changed in the last three years, has there been a sense of co-operation between—and are things moving ahead? Like, I, you know, don't have a crystal ball to see the outcome but, you know, is there a real co-operation to, sort of, to get this right?

And the—my other question would be to Auditor General—because, again, and I'm—just because the language that's been used here, you know, three years is—a lot seems to have happened. Like, how relevant really is this report and should we be not having a recommendation—an update on all recommendations, right, to get us current on this. Because I'm not—I understand lots of this is relevant to, you know, to a functioning system but, like, how far are we away from, say, getting a recommendation or an update on all the recommendations?

Mr. Shtykalo: Maybe I'll go first to your question on follow-up. We are planning to do a follow-up of the recommendations that we made in this report. I don't have a date for it right now, but we're looking at—you know, we're relooking at our follow-up process and how we conduct it, factoring in the fact that action plan—that there's an action plan in place and there is a process in place to—or, there—yes, there is a potential process to request a progress report in the meantime until our final follow-up.

Right now we're looking at probably the latter part of 2023 or into 2024 when we would do a follow-up. That would allow enough time for a lot of these changes to have been put into place and relook at the recommendations and the status of the response from

the department, sort of, and looking at the new context or the new paradigm that we're in. So we're a few years away but it—certainly, we will be doing a follow up in the future.

* (19:40)

Ms. Dubik: Mr. Chair, staff were eager to tell me about all the collaboration, so I'm going to say the answer is yes; there's lots of collaboration. I didn't write it all down.

You know, I think just—in the briefings I've had in the short time I've been here, there's—clearly, there's significant work and partnership happening with the authorities. Whether it was the Auditor General's report or the single-envelope funding, the two combined have really brought together the authorities in the department to do some significant work together just on the system. They're engaged in the standards review with us and working with us collaboratively there.

You know, where we used to have one staff that managed a placement desk, we now have a collaborative process with the authorities to work on placement of kids in care, right? We've got—they're engaged around funding and that kind of work. We're doing potentially some work collaboratively on third-party foster homes, so there's a lot of excitement around engagement and architecting a future together here.

Mr. Michaleski: No further questions.

MLA Lindsey: So just back to some things you said earlier about the costs, and I get, perhaps, where the care in the same family home there may be some reduced costs there. But when it's kinship care, you've taken a child from the family home and maybe it's going to stay with grandma or grandpa or an uncle or aunt or something, you said there was also less costs there.

So could you explain to me why it—why there's less costs there than there would be in a stranger care? I don't understand why it would cost less.

Ms. Dubik: So I think a couple key differences. Families don't tend to—they rely a lot more on their internal structures as opposed to pay-based services. So examples like respite, right, whereas a foster placement is often—relies on paid respite services. When auntie's caring for child, some—they can rely on the cousin or the grandma or others, so they rely more on internal structures within the family that don't require as much funding support, frankly. So different

funding supports can be put in place, though, in order to support services that are more enable reunification.

MLA Lindsey: So to Mr. Lamont's point earlier where, potentially, there's sometimes issues finding enough foster homes. Would it not make sense—ideally, you want to keep the child with a family member. But if the family member isn't getting the same level of support that a stranger is, would that not make it less likely that the family members would come forward to act as foster parents? So in my way of thinking it just makes sense they should get the same level of funding.

Ms. Dubik: Family doesn't often want to be paid in that way to support children in—to support family members. It doesn't mean that agencies can't and in some cases they do. It just—there's more flexibility within single-envelope funding for authorities and agencies to fund the services that make sense for that particular child and that particular family.

I hope I've answered your question.

Mr. Dennis Smook (La Vérendrye): With all the changes in the federal government's rules and regulations and there's going to be more autonomy for all the different agencies and that to do things, is there any—like, we talk about, you know, coming up with new plans for the next, you know, year or whatever, is there more thought about oversight from the department to make sure that there aren't, like Mr. Wishart had mentioned, about, you know, are you getting the right numbers from the different agencies and authorities?

Is there plans to be more oversight from the department on that?

Ms. Dubik: I think you're talking about the Indigenous governing bodies and the federal law, and if I'm understanding that question, there won't be a role for oversight between the Province and their laws; that won't exist. However, we will always partner and work with those Indigenous governing bodies to make sure children aren't falling through the cracks. So there will be—the role of co-ordination will become ever that much more important as we potentially have, you know, more than a dozen sets of laws that govern the space of child welfare, co-ordination will become a more important role than anything else.

Mr. Smook: So, then, in essence, there will—it's not really maybe oversight, but there will be some way to make sure that children don't fall through the cracks.

Ms. Dubik: Absolutely, and we see that right now in the spirit of the conversations at the negotiating table right now. We're actively in conversations with Peguis, and that is absolutely the spirit of the conversations that are happening.

MLA Lindsey: So, several of the communities that I represent, Flin Flon constituency, there's communities that have both the Indigenous community and the northern affairs community. But so many of the residents on the northern affairs community are Indigenous; they just don't have status. How does this funding model work where perhaps on-reserve they'll get the funding from the federal government, but the family members may be off-reserve, although still in the same community. How's that going to work?

Ms. Dubik: I don't know yet. I think, you know, right now, we're trying to navigate this with our first partner. And Indigenous law, as it's written, will apply to all their members regardless of where they live. If it's the neighbouring community or if it's the city of Winnipeg, those laws will apply. And so how they define those members and how we navigate the funding between a new system with nation-to-nation relationships and the system that we currently will be in for a while is an exercise that we'll have to be undertaking and start to advance to government this fall.

MLA Lindsey: Just to clarify, some of the members that live in the northern affairs communities aren't classified as members of that First Nation because of previous federal law that stripped certain individuals of their membership rights and some of those descendants haven't got those rights back, but that still may be the family member that should be stepping up to assist. That's just how that funding—particularly if the Province doesn't have responsibility anymore for funding on-reserve, how does that transfer to their responsibility for people coming from on-reserve to off-reserve?

Ms. Dubik: Good question. I'm learning things as we sit here.

* (19:50)

So, the federal law does not mandate how Indigenous governing bodies define their membership. And so, it's not necessarily band membership. It's not necessarily treaty status. It's not necessarily any of those things.

So, they will have to do that, and then it's in doing that we will have to navigate how the funding works.

Mr. Martin: One of the things we've talked about is support for agencies and support for children, but we haven't touched on support for foster parents themselves.

I know one of the recommendations from the Auditor was the implementation of minimum standards for foster parents; whether expectations of the agency, maybe some cultural knowledge, physical, medical needs of the child as well as initial—one-week visit upon initial placement of the child. And the department says that those recommendations were met.

I'm just wondering now: What are the minimum standards for a foster, in terms of supports for a foster family?

Ms. Dubik: So, a couple of things in response.

The department has done some works on standards around—particularly around culture and training, in order to ensure that there is a shared understanding of the history of First Nations, Métis and Inuit people in our country and province, in order to then provide further support for kids in care. And so—and the department did some work around funding authorities to also then build out and deliver some of that training.

And then, in addition, subsequent to the report, there has been a foster-care placement communication protocol developed, and that really outlines the roles of—I think what the Auditor General recognized was that sometimes what you have is a foster home and you have different agencies, workers, going through that home; you have the licensing worker.

And so, it was really to build out what are the communication standards around all of that and what are the roles and responsibilities of the different players entering and leaving that home in response to either the child or the foster family, to ensure that some of the gaps that I think were identified in the report are addressed.

Mr. Martin: No, I'm okay.

Mr. Wasyliw: Now, under the old funding model, there was extra funding for northern and remote agencies of a 5 per cent allowance.

Did that survive the new model? Is there a northern minimum and is it based on 2011 funding models, given that the Auditor General found that was completely inadequate—it didn't reflect the cost of living in the North—and is there a system in place to

actually take into account the cost of living in North and to adjust the minimum amount accordingly?

Ms. Dubik: So, the envelope that went to authorities was based on actuals—2019 actuals, 20—no, the envelope for 2019 was based on '17-18 actuals. Okay, I got that right. And so it 'includ' everything in that envelope.

So, the envelope wasn't based on basic maintenance or 'northerly', it was based on all of that and based on the actuals, so it included the special needs, respite services—all of that formed the envelope.

Now, how authorities are funding their foster families within that envelope may look quite different.

Mr. Wasyliw: Now, the Auditor General noted that the Phoenix Sinclair inquiry basically said that the gold standard for child protection caseload was 20 cases per worker. And they found that that wasn't being met in 2019.

Now, is there an official ratio that the department has, and is there a safeguard in place, now that you have this single-envelope funding, that will ensure that these agencies are putting no more than 20 cases per child-protection worker?

Ms. Dubik: So, the previous funding formula was based on those ratios that you're referring to, but the 'curring' funding formula is not. It was based—again, like I said, 2019 funding envelope was based on the actual funding that went to—the money that went to the authorities was based on the actual funding, including the entire envelope.

So—and then, it is the role of the authorities, now, to provide that oversight and supervision of their agencies and how they work and commit their practice.

Mr. Chairperson: Are there any more questions?

Mr. Wasyliw: So, there is no direction or best practices from the department saying that it should be a 20-to-one ratio, and is this something that is monitored by your department and action is taken if the numbers are way out of what's reasonable?

Ms. Dubik: Sorry. 'Norry'—no, the department doesn't provide a standard with respect to ratios, recognizing that how agencies and authorities organize caseloads is designed to meet the needs of how they're choosing to serve the client group that they're serving.

Mr. Chairperson: Are there any further questions?

Mr. Wasyliv: One of the issues under licensing standards was something called a criminal risk assessment was done instead of a criminal record check.

And the impression I get is, quite frankly, untrained workers doing a profile on a potential 'fosper' parent and—obviously, my background as a criminal lawyer, I have some incredible concerns about that type of process.

* (20:00)

I'm wondering if you can explain what is the criminal risk assessment, who's doing it and are they still being done, or is that practice, you know, been retired?

Mr. Chairperson: So we—it's 8 o'clock. We need to interrupt the proceedings here.

Is it the wish to continue for a longer period of time?

Mr. Shannon Martin (McPhillips): I'd move for leave to allow the deputy minister to answer the question.

Mr. Chairperson: Okay, is there leave to allow the deputy to answer the question of—then we'll put the question after that?

An Honourable Member: Agreed.

Mr. Chairperson: Agreed? [*Agreed*]

Okay, so.

Ms. Dubik: So criminal risk assessment is, I'm advised, is only done in a place of safety, and it's really done when you can't and don't have time to get a criminal record check. It's typically done by law enforcement and—but there are times where we have a risk assessment unit that may be called on and has retired police officers that would undertake that work on behalf.

Mr. Chairperson: Hearing no further questions or comments, I'll now put the question on the report.

Auditor General's report titled Management of Foster Homes, dated November 2019—pass.

The hour being 8:02 and a half, what is the will of the committee?

Some Honourable Members: Rise.

Mr. Chairperson: Committee rise.

COMMITTEE ROSE AT: 8:03 p.m.

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