



<i>Child, Youth and Family Services Act 2023 c.17 R.S.P.E.I. 1988, C-6.01</i>	Division	Child and Family Services	
	Program	Child Protection	
	Policy Name	Grandparent and Alternative Care Provider Program: Child Support Services (Stream Two)	Policy # 3.7
Effective Date: February 28, 2025		Authorized by: Teresa Hennebery	
Revised Date:		Deputy Minister	

1.0 PURPOSE

The Grandparent and Alternative Care Provider (GACP) Program: Child Support Services (Stream Two) is a program that supports permanent placements for children who have been found in need of protection from parental harm and require out-of-home care. In these situations, it has been determined that the child protection concerns are unresolved and reunification with a parent is not possible.

2.0 DEFINITION

- 2.1 **Best Interests of the Child:** the best interests of the particular child in the particular circumstances, taking into consideration all relevant factors, pursuant to s.2 of the *Child, Youth and Family Services Act* (CYFSA 2023).
- 2.2 **Care Provider:** a person who has primary responsibility for providing the day-to-day care of a child, other than the child's parent. When a child is Indigenous refer to the definition as per *An Act respecting First Nations, Inuit and Métis children, youth and families* (2019).
- 2.3 **Child:** a person under 18 years of age.
- 2.4 **Child Protection Social Worker:** the Child Protection Social Worker (CPSW) is delegated, or eligible for delegation, by the Director of Child Protection/Child and Family Services in accordance with ss.10(3) of the CYFSA (2023).



Department of Social Development and Seniors

- 2.5 **Child Support Services (Stream Two):** this GACP program provides financial and social worker support to care provider(s) in situations where a child lives with a care provider due to past child protection concerns with their parent(s) that required a plan for safety to be made by a CPSW. In these situations, there are no open/active Child Protection services being provided to the parent, and reunification is not possible.
- 2.6 **Collaborative Approaches:** an approach the Director may use such as a family group conference, or mediation pursuant to ss.16(2)(3) of the CYFSA (2023).
- 2.7 **Custody:** in relation to a child, the legal authority and responsibility for the day-to-day care of the child as referenced in ss.1(d) of the CYFSA (2023).
- 2.8 **Director:** the Minister shall appoint a Director of Child Protection in accordance with ss.10(1)(4) of the CYFSA (2023). The Director of Child Protection is also the divisional director (Child and Family Services).
- 2.9 **Family Intervention Plan:** a plan of the services and interventions proposed to mitigate the circumstances causing a child to be in need of protection, pursuant to s.4 of the CYFSA (2023).
- 2.10 **GACP Care Provider Agreement:** the agreement developed by the GACP Social Worker with the care provider(s), in which the care provider(s) consents to information sharing including pertinent information regarding the child and agrees to their roles and responsibilities.
- 2.11 **GACP Social Worker:** a Social Worker who is assigned to work within the GACP Program to assess eligibility and approve care provider(s) based on safety and the best interest of the child. The GACP Social Worker is also a CPSW who provides case management for children and care provider(s) in the program.
- 2.12 **Guardianship:** the legal authority and responsibility for making decisions with respect to the child, as defined in the CYFSA (2023).
- 2.13 **Parent:** as defined in s.1(l) of the CYFSA (2023).



Department of Social Development and Seniors

2.14 **Permanent Transfer of Legal Custody and Guardianship of a Child to Other:**
an agreement or order made under s.20 and s.36 of the CYFSA (2023) that permanently transfers legal custody and guardianship of a child to another person who is not a parent of the child. In these cases, the child is not in the legal custody and guardianship of the Director.

3.0 POLICY STATEMENT

3.1 All decisions and actions taken under this policy must take into account the best interests of the child, in accordance with ss.2(1) of the CYFSA (2023).

3.2 To ensure that the best interest of the child is being fulfilled, a child may be placed in permanent custody and guardianship of a person, other than the Director or a parent, by agreement or court order under the CYFSA (2023).

3.3 If a child is Indigenous, staff will adhere to the legislative requirements identified in the Government of Canada's *An Act respecting First Nations, Inuit and Métis children, youth and families* (2019) for the appropriate care and placement of the child. This includes notifying the Designated Band Representative and/or the Indigenous Governing Body of any significant changes or measures taken, in relation to the child.

3.4 If a child is Indigenous all decisions and actions will be taken with respect to the rights outlined in the *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP, 2007).

3.5 In the case of an Indigenous child, all decisions and actions taken with respect to the GACP Program must be in accordance with the Cultural Connection Plan Policy (Policy #2.1) and the Compliance Guide Policy (Policy #2.2).

3.6 All decisions and actions taken with respect to the GACP Program must be documented in accordance with the Documentation Policy (Policy #2.6).

3.7 All relevant standard operating procedures will comply with this policy.



Department of Social Development and Seniors

- 3.8 Care provider(s) who are approved for the GACP Program will receive financial monthly compensation. This payment is for costs associated with providing day-to-day care for the child (e.g. room and board, food, utilities, clothing, household supplies, etc.).
- 3.9 Upon approval by the GACP Supervisor and the Manager of Children's Services, additional funding may be provided to the care provider for optical coverage, medical support, equipment, or specialized services not available through other provincially funded programs for children and youth with diagnosed special needs.
- 3.10 Permanency planning is a priority for all children including those in the GACP Program. This may include a permanent transfer of legal custody and guardianship to a care provider under the CYFSA (2023) or by way of an agreement or order under the *Children's Law Act* (2024).

3.11 Eligibility

A care provider is eligible for the GACP Provider Program: Child Support Services (Stream Two) if:

- the child has been the subject of open and unresolved child protection concerns on Prince Edward Island that required an out-of-home family intervention plan, including GACP Out of Home Care (Stream One) placement;
- the placement is expected to provide long-term safety and stability for the child when the child cannot be adequately protected if they remain in the custody of either of their parents and the circumstances are not likely to change in a reasonable period of time with services or other interventions;
- the care provider has been granted custody/guardianship of the child by a court, including an agreement or order under the *Children's Law Act* (2024), or consent has been given by the parent for the permanent transfer of legal custody/guardianship under the CYFSA (2023);
- the care provider has provided proof of applying for the Canada Child Benefit, or is in receipt of it, for the child;
- the care provider does not have a criminal record that would impact the child's safety or best interests;
- the care provider does not have a Child Protection record with safety concerns that cannot be mitigated;



Department of Social Development and Seniors

- for new applications, the care provider cannot have open Child Protection Services;
- the care provider is willing and able to sign a GACP Agreement;
- the care provider is willing to work cooperatively with the GACP Social Worker and other service providers as required;
- the parent cannot be residing in the care provider's home; and
- the care provider must advise and obtain approval from the GACP Social Worker for any circumstances where the parent is attending the home regularly, including overnight visits.

3.12 A review of the GACP placement occurs six months after the original GACP Agreement is signed, and every six months thereafter. Completion of these reviews is required to receive ongoing funding support.

3.13 Placement reviews may occur more frequently (than the timelines set out in 3.13), as deemed necessary by the GACP Social Worker and in the child's best interests.

3.14 The GACP Program: Childs Support Services (Stream Two) service may close according to any of these circumstances:

- the child turns 18 years of age;
- the child voices concerns relating to the placement;
- the child no longer resides with the care provider;
- the care provider advises that they wish to close the GACP service;
- the child and/or care provider move out of the province;
- the care provider no longer meets the criteria for the GACP;
- the care provider and/or parent(s), if appropriate, no longer abides by the terms of their GACP Agreement(s); or
- the child comes into the legal custody and guardianship of the Director.

4.0 REFERENCES

4.1 *Child, Youth and Family Services Act 2023 c.17 R.S.P.E.I. 1988, C-6.01*

4.2 *Government of Canada: An Act respecting First Nations, Inuit and Métis children, youth and families (2019)*



Department of Social Development and Seniors

- 4.3 *United Nations Declaration on the Rights of Indigenous Peoples (2007)*
- 4.4 *Children's Law Act 2024 c.59 R.S.P.E.I. 1988, C-6.1*
- 4.5 Cultural Connection Plan (Policy #2.1)
- 4.6 Compliance Guide (Policy #2.2)
- 4.7 Documentation Policy (Policy #2.6)
- 4.8 Grandparent and Alternative Care Provider Program: Out of Home Care (Stream One) (Policy #3.6)
- 4.9 Voluntary Agreements of Custody and Guardianship Policy (Policy #3.8)