

Child Protection Act R.S.P.E.I. 1988, Cap. C-5.1	Program	Children in Care	
	Subject	Death of a Child in the Legal Custody and Guardianship of the Director of Child Protection	Policy # 2.8
Effective Date: August 12, 2013		Authorized by: Carol Anne Duffy	
Revised Date:		Deputy Minister	

1.0 PURPOSE

1.1 The Director of Child Protection, as the legal guardian for all children in care, is responsible for compliance with applicable provincial statutes. In the event a child in the legal custody and guardianship of the Director of Child Protection dies, the Director of Child Protection will ensure a timely and sensitive response respecting cultural, religious and family considerations.

2.0 POLICY STATEMENT

2.1 The Director of Child Protection will be notified immediately of the death of a child in care.

2.2 Upon receipt of notification of a child in care's death, the Director of Child Protection will notify the:

- Parent(s) of the child who had custody and guardianship of the child prior to the child coming into the legal custody and guardianship of the Director of Child Protection (if not already aware) unless the parent(s) whereabouts are unknown or the parent(s) have otherwise indicated;
- Chief Coroner of PEI or the representative for the appropriate jurisdictional statute;
- Designated representative of the band if the child was an Aboriginal child;
- Provincial Coordinator of Child Protection Services who will notify the Provincial Coordinator of Residential Services or the appropriate Provincial Child Protection Resource Supervisor;
- Designated departmental Risk Manager; and the,
- Director of Child & Family Services.

- 2.3 Upon receipt of notification of the death of a child in care by the Director of Child Protection, the Director of Child & Family Services will notify the:
- Departmental Deputy Minister and Minister; and,
 - Designated departmental Communications Officer.
- 2.4 The Director of Child Protection must notify the Chief Coroner pursuant to the *Prince Edward Island Coroner's Act*, sec 5(1)(j) of the death of any child in care who dies in Prince Edward Island. If a child in care dies outside Prince Edward Island, the Director of Child Protection will adhere to the appropriate jurisdictional statutes.
- 2.5 If an autopsy is ordered, the Director of Child Protection will comply as requested and the Director of Child Protection will request a copy of the autopsy report.
- 2.6 The Director of Child Protection has responsibility for making full funeral and / or memorial service arrangements to include obituary, visitation, cremation or burial with a monument and payment of related expenses for a child in permanent care. Cultural, religious and family considerations are important factors when making arrangements.
- 2.7 Upon notification of the death of a child in permanent care, the Child Protection Social Worker and the Child Protection Supervisor will meet with the Director of Child Protection to discuss and approve reasonable funeral and burial arrangements.
- 2.8 Upon notification of the death of a child in temporary care, the Director of Child Protection will support the child's family in making funeral and/or memorial service arrangements and providing financial assistance as required.
- 2.9 When a child in care is Aboriginal or believed to be Aboriginal and entitled to be registered as a member of a band, the designated representative of the band shall be notified of the child's death.
- 2.10 The Director of Child Protection, in consultation with the Provincial Coordinator of Child Protection Services, the Provincial Coordinator of Residential Services, as appropriate, and the Director of Child & Family Services will assess the level of clinical support required to the family, caregivers, and Child Protection staff. This may include counseling and/or Critical Incident Stress Debriefing.
- 2.11 The Child Protection Social Worker will provide the Director of Child Protection with a preliminary report of the circumstances of the child's death within five (5) business days of the child's death.

2.12 Upon receipt of this preliminary report, the Director of Child Protection will complete a comprehensive review of the child's death and prepare a report to be submitted to the Minister within one hundred and twenty (120) business days.

3.0 REFERENCES

Prince Edward Island Coroner's Act