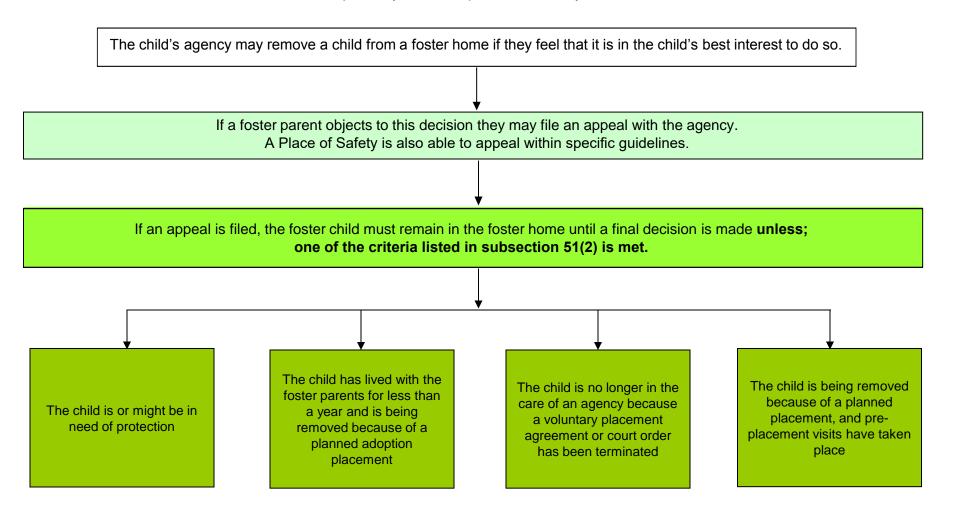
Removal of a Foster Child from a Foster Home as per the Child and Family Services Act c80, section 51 subsections 1 - 3 Flowchart Prepared by the Kinship & Foster Family Network of Manitoba



Appeal Process as per Foster Parent Appeal Regulation 185/2003 of the Child & Family Services Act. Flowchart prepared by the Kinship & Foster Family Network of Manitoba.

AGENCY. Decision is made to remove the child from the Foster Parents.

Within 2 calendar days after informing the foster parents of the decision the agency must provide; the foster parents with written reasons for its decision, a copy of the Appeal Process Regulations, written notice of their right to request the Executive Director (ED) of the agency to review the decision, request a reconsideration by the agency's authority, and then to have an independent appeal.

Within 12 days after receiving the written reasons for the agency decision to remove the foster child, foster parents may object to the decision by filing to the agency ED a written request for the decision to be reviewed.

Within 7 days after receiving the request for a review and before reviewing the decision, the ED must offer the foster parents, in writing, an Alternate Dispute Resolution process (ADR).

The foster parents have **15 days** from the date they recieved the offer an ADR Process to advise the agency in writing whether they agree to the process of the above letter foster parent.

Review by Alternate Dispute Resolution Agency and foster parent resolve the issue. There is no time restriction on this process. If the ADR process is unsuccessful either the foster parents or the agency may notify the ED who must review the decision.

Review by Agency Executive Director

Within **7 days** after being advised that the review by the ED is necessary and after reviewing the information, the ED must give a copy of the decision with reasons to both the foster parents and to the authority for the agency.

AUTHORITY. If unsatisfied with the decision of the ED the foster parent may request the Senior Executive Officer of the Authority to reconsider the matter. The request must be made, in writing, within **7 days** after the foster parents receive the decision of the ED. Within **7 days** after being advised of a request for reconsideration, the E.D. of the Agency must give the senior executive officer of the Authority copies of all pertinent documents. The senior executive officer of the Authority must make a decision and give a written copy to the foster parent within **30 days** after receiving the request for reconsideration.

DIRECTOR. If the foster parent is not satisfied with the decision of the Authority they may file a written notice of appeal to the Director of Child Protection Branch within **14 days** from receiving the authorities decision.

This begins the within e process of the Independent Appeal.

Independent Appeal Process as per Regulation 185/2003 of the Child & Family Services Act, assented Flowchart prepared by the Kinship & Foster Family Network of Manitoba

INDEPENDENT APPEAL. If the foster parents are not satisfied with the decision of the Authority they may file a written notice of appeal with the Director of the Child Protection Branch of the Department of Families, within 14 days of receiving the Authorities decision. The **DIRECTOR**, within **7 days** after receiving the notice of appeal, must give a copy of the notice to the agency and the Authority and request the Minister appoint an adjudicator. The **AUTHORITY** must file following documents Within 7 days after receiving the notice of appeal the with the Director: agency must file the following documents with the director: •the foster parent's request for reconsideration, •the foster parents request for review by the ED, •all records the Authority used to make their •all records on the foster home, Hearing must commence within decision. 15 days after the Minister •all records the ED used to base the agency's decision, •the authority's decision with rational, and appoints the adjudicator. •the decision of the ED and rational for the decision, and •any other records that might be relevant to the •any other records that might be relevant to the appeal appeal. The foster parents or the agency can ask the adjudicator for an extension. The Director must notify the agency and the foster parent, in writing, of the hearing date, time and place, at least 10 days before the day of the hearing. The Adjudicator, must within, 15 days after the end of the hearing, give her/his decision and reasons for the decision in writing to the Foster Parent, the Agency, the Authority, and to the Director. This decision is final.