

CIRCULAR

Date: November 22, 2012

CIRCULAR NUMBER: EIA # 2012-62 **Alternate Program(s):**

Community Social Service Supervisors/Program Managers

Subject: Child and Family Services Apprehensions and Re-Unifications – EIA Benefit Eligibility

Reference: *The EIA Regulation* – Sections 9(1) and 9(4)
EIA Manual – Section 6.1.4 - Determining Categorical Eligibility
 Section 6.5.3 - Deferring Employment Expectations
 Section 6.7.10 - Changes in Family Size
 Section 6.10.2 - Discontinuing, Reducing, Suspending or
 Increasing Income Assistance
 Section 6.14.1 - Confidentiality (Access to Information) – Third
 Party Access to Files
 Section 19.1.1 - Rental Guidelines
EIA Directive 03-33 - Excess Rent – Unexpected Circumstances

Type: Policy Procedure Rate Information Only

Replaces: N/A

Effective Date: Immediately

The following describes how a family's EIA budget should be adjusted when a child is apprehended by CFS, or is in the process of being returned to their parental home through a reunification plan.

EIA participants are required to inform staff of any changes in circumstances that may influence the household's overall EIA eligibility and/or monthly benefit amounts, such as a change in family composition resulting from a CFS apprehension, or planned re-unification.

When a participant advises EIA staff of a child's apprehension and/or pending re-unification, it is critical that the participant provides information regarding the date of the apprehension and the name of the CFS agency staff involved so that EIA staff may contact CFS to confirm that a Re-unification Plan supporting the return of the child to the parental home at a later date has been developed, or is under development. If CFS or another source informs EIA of the apprehension or plans for reunification, staff should make contact with the participant to confirm the information and discuss the impact on the household's EIA benefit eligibility. As a last resort, EIA staff may place a hold on the next month's benefit payment until contact is made by the participant.

Note: Regardless of the following scenarios, upon apprehension of a child(ren) and with the approval of the EIA Director, shelter amounts at the higher guideline rate (or previously approved excess rate) may be

provided for a period of three months to allow the parent opportunity to focus on CFS Re-unification Plan activities, or to seek more affordable accommodations.

1. When CFS apprehends the child and indicates no Re-Unification Plan has been developed:

- The child taken into care should be removed from the household budget in SAMIN as of the next benefit month as CFS is responsible for meeting the child's basic needs (e.g. food, clothing, etc.) until the child is returned to the participant/parent.
- In order to minimize the financial impact of an apprehension on the parent who advises of the child's apprehension, no overpayment should be assessed for the most recent month's benefits that have already been issued.
- However, in scenarios where the parent has failed to advise EIA of the child's apprehension, overpayment recoveries may be considered for the apprehended child's portion of any basic assistance benefits released for any previous month(s).
- The participant's shelter benefit may remain at the higher guideline rate (or at an excess rate previously approved by the EIA Director) for a period of three months to help maintain stable accommodations while the parent(s) is developing the Re-Unification Plan with CFS. Recovery of the child's portion of previously released monthly shelter amounts are not to be considered. However, these shelter months are to be included in the calculation of the three month excess shelter approval period while awaiting the Re-Unification plan/decision from CFS.
- The EIA Director may approve an extension of the higher shelter schedule rate (or previously approved excess rate) for additional months only where CFS provides information that a Re-Unification Plan is underway and a return date for the child' to the parental home has been identified. The reason for the extension must be case noted in SAMIN. In this scenario, it is important that EIA staff maintain contact with CFS regarding any updates to the Re-Unification Plan development/child(ren)'s return date.

2. When the CFS Re-Unification Plan includes overnight stays in the parental home:

- EIA shelter allowances are not to be reduced in cases where the child has been formally taken into care by CFS, but supports have been put in place to allow the child to remain/have overnight visits within the family home while under CFS supervision.
- While the child is to be removed from the EIA budget while in the custody of CFS, prorated EIA amounts for food, clothing and personal needs for the days the child is scheduled to be in the parental home (according to the Re-Unification Plan) are to be provided to the parent.
- For a participant living in subsidized housing, EIA staff should also advise the participant to contact the housing co-ordinator about the CFS involvement. Manitoba Housing also has a working agreement with CFS, providing a re-unification plan is in place, to allow the participant to remain in his/her current accommodation for a period of time to address the re-unification plan conditions.
- Where child re-unification is pending with a participant who has previously lost EIA benefits when a child was taken into care, or where a child has never been a part of the household budget due to being in CFS care prior to EIA enrolment, EIA may approve shelter amounts at the higher schedule level (or previously approved excess rate) for a period of three months prior to the re-unification date (as identified in the CFS Re-Unification Plan) to allow the parent to secure more appropriate accommodations. The higher shelter amount may be extended by the EIA Director for additional months in exceptional circumstances and only where a definitive return date has been provided by CFS. The reason for the extension must be case noted in SAMIN.

3. When the period for excess shelter approval has expired (i.e. after maximum of 6 months) and the child has not returned to the parental home:

- EIA case category and shelter benefit levels should be changed to reflect the household's new composition.
- As above, it is important that staff maintain contact with CFS and the participant prior to this expiry date to ensure that the participant is able to provide appropriate moving notice to the landlord so as not to lose a security deposit (where applicable).

- Where the participant is eligible, supports for the cost of a move to an alternate accommodation and/or a security deposit may also be provided.

If employment expectations apply, they may be waived for the parent for a specified period of time to support CFS re-unification plan activities.