

Date of Issue	October 2015
Original Date of Issue	October 2015
Subject	SOCIAL WORKERS (PERMISSION/INFORMED CONSENT)
References	<u>Education Act</u> <u>Child and Family Services Act (CFSA)</u> <u>Personal Health and Information Protection Act (PHIPA)</u> <u>Ontario Mental Health Act (OMHA)</u> <u>PPM 149, Protocol for Partnerships with External Agencies for Provision of Services by Regulated Health Professionals</u> <u>Open Minds, Healthy Minds: Ontario's Comprehensive Mental Health and Addictions Strategy</u> APM A8550 - Protocol for Collaborative Agreements with External Agencies or Individual Practitioners in the Areas of Regulated Health Professionals and Paraprofessionals and Regulated Social Service Professional and Paraprofessionals
Contact	Student Services – Mental Health

1. Purpose

The Simcoe County District School Board (SCDSB) is committed to supporting the mental health and well-being of all students. The Simcoe Path, the Mental Health and Addictions Multi-Year Plan, as well as [Open Minds, Healthy Minds: Ontario's Comprehensive Mental Health and Addictions Strategy](#), outlines the need to provide relevant, purposeful learning, while supporting high achievement, well-being and learning for life. Consistent with those goals, the SCDSB provides social work consultations and counselling services in concert with its community partners to address social, emotional and mental health concerns to support student success and well-being at school. Principles that govern this coordination and collaboration include a commitment to providing appropriate support services to students in a timely fashion by reducing barriers to access.

This administrative procedures memorandum is meant to ensure consistency in schools with respect to the age-of-consent for school based social work services regardless of the provider. It is recognized that there continues to be some differences with regards to the referral process as well as documentation of services offered between board employed social workers and other non-board employed Community Mental Health Support Workers (CMHSW).

2. Definition

2.1 Registered Social Workers belong the Ontario College of Social Workers and Social Service Workers regulatory body, and provide a variety of mental health related services, including assessment, diagnosis, evaluation, interventions and strategies to assist individuals and groups achieve positive psychosocial and social functioning.

3. Practice Guidelines**3.1 Simcoe County District School Board Social Workers**

3.1.1 The SCDSB's registered social workers provide consultative and counselling support to students up to the age of 21. Board employed social workers operate under the legislative guidelines of the [Education Act](#), [Child and Family Services Act \(CFSA\)](#), [the Personal Health and Information Protection Act \(PHIPA\)](#) as well as the [Ontario Mental Health Act \(OMHA\)](#).

3.2 Community Mental Health Support Workers (CMHSW)

3.2.1 Support services may also be available in schools through a variety of CMHSW. CMHSW (social workers/child and youth workers) provide support to students in schools under the guidelines of [PPM 149, Protocol for Partnerships with External Agencies for Provision of Services by Regulated Health Professionals](#), Administrative Procedure Memorandum (APM) A8550, Protocol for Collaborative Agreements with External Agencies or Individual Practitioners in the Areas of Regulated Health Professionals and Paraprofessionals and Regulated Social Service Professional and Paraprofessionals, the *CFSA* and the *PHIPA*. These agencies follow the age-of-consent requirements as set out in the *CFSA* which provides for a student 12 years-of-age and older to consent for services, providing the counsellor advises the student of the desirability of involving their parent/guardian in the service.

3.2.2 CMHSW are required to follow the same legislative requirements with regards to student/parent/guardian consent. Unless specifically directed not to, a brief summary of service will be completed by the CMHSW and shared with the school's administration at the end of service. Information will not be placed in the OSR and will remain stored in a confidential and secure location for the remainder of the school year and one additional year. A CMHSW may only share additional information with school staff with the consent of the student/parent/guardian/caregiver. Additionally, CMHSW are required to adhere to expectations set out in APM A8550, Protocol for Collaborative Agreements with External Agencies or Individual Practitioners in the Areas of Regulated Health Professionals and Paraprofessionals and Regulated Social Service Professional and Paraprofessionals.

4. Consent for SCDSB Social Work Service Guidelines (CFSA, R.S.O. 1990, c. C.11)**4.1 Students Under the Age of 12 Years**

4.1.1 The parent/guardian shall consent to social work services for students under the age of 12.

4.2 Students 12 Years of Age and Older

4.2.1 A capable student age 12 and older may consent on their own behalf. While it is best practice to involve the parent/guardian in the discussion, the student's wishes will prevail.

4.3 Discontinuation of Social Work Service

4.3.1 Consent may be withdrawn at any time in writing, in which case the services and any authorized sharing of information shall cease.

5. Access to SCDSB Social Work Services

- 5.1 When considering social work service for a student, school staff must seek verbal consent for service as per consent guidelines in sections 4.1 and 4.2.
- 5.2 If the parent/guardian and/or student 12 years of age or older is in support of the request for social work service, the school staff is required to submit the request through the special education online request process.
- 5.3 The request for social work service is considered by social work staff.
- 5.4 For approved requests, the assigned SCDSB social worker will initiate service by;
 - 5.4.1 Contacting students 12 years of age and older directly to seek written, informed consent. The assigned social worker will also seek consent to inform the student's parent/guardian. Students 12 years-of-age and older, and with the "capacity" (*CFSA, R.S.O. 1990, c. C.11*) to provide consent, are able to determine whether they wish to have their parents informed.
 - 5.4.2 Contacting the parent/guardian of students under 12 years of age to seek written, informed consent for service.

6. Parent Involvement

- 6.1 The *CFSA's* guidelines encourage that parents/guardians be informed either prior to the commencement of services and/or throughout the process, however, it is a student's choice whether their parent/guardian is informed if over the age of 12. In the majority of situations, engaging and involving the parent/guardian in the process is a suggested best-practice. However, students 12 years of age and older have the legal right to private, confidential counselling and their decision will be respected.

7. Documentation

- 7.1 Counselling services provided to students require consent; board employed social workers are required to place documentation of consent for service as well as a summary of social work service in the student's Ontario Student Record (OSR).
 - 7.1.1 If the child does not agree to have their parent/guardian informed of their involvement with social work services, neither the written consent to provide service nor a copy of summary of service will be placed in the student's OSR.
 - 7.1.2 The written consent for social work service as well as the written summary of social work service provided will be maintained centrally at the education centre as part of the student's social work record until the student reaches the minimum age of 31 or ten (10) years after the last contact, whichever is greater.
- 7.2 The Social Worker Service Delivery Flowchart is attached as APPENDIX A.

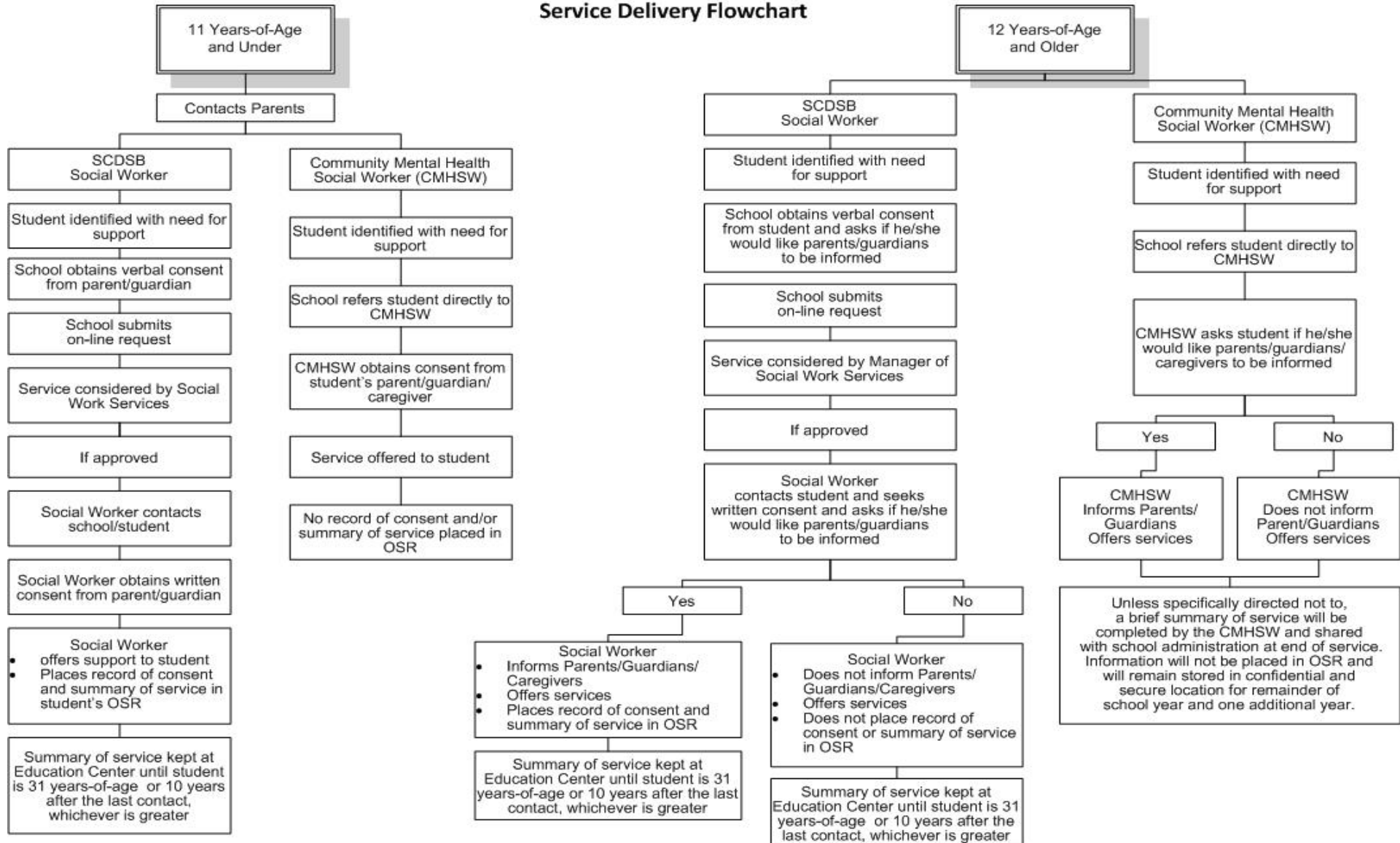
8. Informing Communities

- 8.1 It is important that schools inform their school community, including students, staff, and parents/guardians of the student mental health services offered by SCDSB employed registered social workers and as well as approved community service agencies. It is also important that the school community is aware of the permission/informed consent process in place. In order to support this, schools are asked to inform their school communities at the earliest of convenience, (i.e. newsletters (Sample newsletter insert attached as FORM 1), school council and/or their respective school website). Schools are also expected to provide parents with a copy of the SCDSB's *PHIPA* statement when discussing making a referral for social worker services. As well, students 12 years-of-age and older, who are able to provide their own informed consent, should be given a copy of the SCDSB *PHIPA* written statement. School staff is encouraged to review this statement with the student to ensure understanding. The SCDSB *PHIPA* Written Statement has been posted on the SCDSB's Website at www.scdsb.on.ca (under About Us – Access and Privacy)

First Issued October 2015
Revised

Issued under the authority of the Director of Education

**Social Worker
Service Delivery Flowchart**



SUGGESTED NEWSLETTER INSERT

The Simcoe County District School Board (SCDSB) is committed to supporting the mental health and well-being of all students. Consistent with that goal, the SCDSB provides consultation and counselling services on-site by both SCDSB employed registered social workers as well as approved community service agencies for students in both elementary and secondary schools.

These support services are governed under the guidelines of the *Education Act*, *Child and Family Services Act (CFSA)*, *Personal Health Information Act (PHIPA)*, SCDSB's APM A8550, Protocol for Collaborative Agreements with External Agencies or Individual Practitioners in the Areas of Regulated Health Professionals and Paraprofessionals and Regulated Social Service Professional and Paraprofessionals, as well as the *Ontario Ministry of Education's PPM 149, Protocol for Partnerships and External Agencies for Provision of Services by Regulated Health Professionals*.

Consistent with age-of-consent guidelines as laid out in the *CFSA*, a student 12 years-of-age and older can provide informed consent as to whether he/she wishes parent/guardian/caregiver be informed and involved in the process however, the student's wishes will prevail. As a best practice, SCDSB social workers and community partners are expected to encourage students to involve their parent/guardian/caregiver in the process. For students 11 years-of-age and under, parent/guardian/caregiver informed consent is required prior to any service being provided to a student, regardless of provider.

Personal health information (subject to limitations as set out on the consent form), may only be shared with SCDSB staff who are working directly with the student (i.e. classroom teacher, principal, guidance counsellor, etc.) on a limited 'need to know' basis. The SCDSB collects and uses personal health information only as is reasonably necessary for the purpose of planning and delivery of educational programs and services.

Please contact the school principal if you would like additional information about the services available to support your child. A copy of the SCDSB's *PHIPA Statement* is available on request through the school as well as posted on the SCDSB's website (www.scdsb.on.ca).

If you have any questions, please contact Dawn Franks, SCDSB Manager of Social Work Services at dfranks@scdsb.on.ca (705) 734-6363 ext. 11883.