Using Formal Customary Care: Step by Step

**Child in Need of Place of Safety**

- Begin identification of alternative caregivers
- Confirm First Nation (FN) affiliation (if no – use usual procedures)
- Notify representative of the FN (Band Rep):
  - Child’s FN and CAS in the same jurisdiction
    - Notification within 24 hours
    - Consultation within 5 days
  - Children’s FN and CAS in different jurisdiction
    - Notification within 5 days
    - Consultation within 30 days
- Secure interim placement
- Establish children’s interim legal status
  - Temporary Care Agreement (TCA) immediately or
  - File protection application within 5 days
- CAS, FN and parent share case details
- Identify extended family composition (on/off reserve)
- Identify potential caregivers
- Confirm FN capacity for Formal Customary Care (FCC)
- Confirm next steps:
  - Approval of alternative caregiver (safety assessment)
  - Establish child’s legal status pending Band Council Resolution (BCR) and FCC Agreement:
    - Terminate TCA, or
    - Withdraw protection application
- Approved by FN and CAS
- If child is moved from interim placement:
  - CAS or FN Family Support Worker conducts Place of Safety Assessment
  - Place of safety is exempt from licensing standards if duration is expected to be less than 60 days
- Pursuant to terms and conditions set out in FCC Agreement

Note: The flow chart does not replace Ontario child protection standards and steps in the child protection investigation process. The flow chart assumes that a child protection investigation has occurred or will occur and the child requires placement in a place of safety.