

Good Governance of Child Care:

What Does it Mean? What does it look like?

COMMUNITY LIVING BRITISH COLUMBIA (CLBC) MODEL

Coalition of Child Care Advocates of BC

Working Documents - For Information Purposes

COMMUNITY LIVING BRITISH COLUMBIA (CLBC) GOVERNANCE MODEL

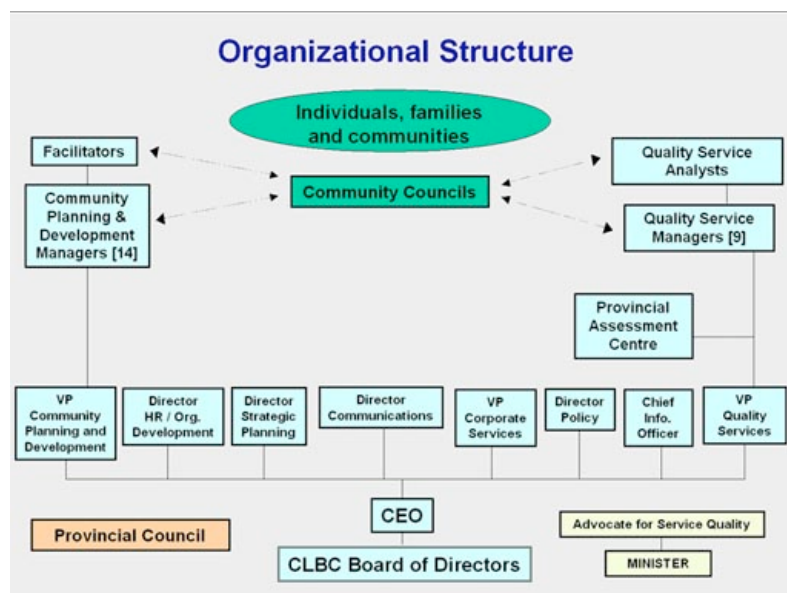
British Columbia

- Population 3.9 million, 2001 and 947,800 sq km
- 85% of the population lives in urban centres (2001).¹
- British Columbia has the largest gap between the average wealth of the richest 10 percent and the poorest 10 percent – suggesting the highest level of inequality in Canada.²
- As of March 31, 2006, CLBC serves more than 18,350 children and adults.³ The BC Association for Community Living advocates for “35,000 British Columbians who have developmental disabilities.”⁴

Brief Model Description⁵:

*** Please note: This model is new; therefore the evaluative literature is limited. The single article that attempts an analysis of this model will be used frequently throughout this analysis: Michael Prince, *New Community Governance Challenges in British Columbia: Plans, Issues and Tensions*. Remarks to the Association of Family Serving Agencies AGM (January, 2002). CLBC themselves have recently announced: “A research team based in the School of Social Work and Family Studies at UBC wants to hear about people’s experiences with Community Living services in BC including what has worked, what has not worked, and what they would like to see in terms of Community Living supports.

- CLBC primarily services adults.
- CLBC responds to the needs of individuals with developmental disabilities and their families by: (a) determining whether they are eligible for CLBC supports, (b) assisting in the development and implementation of ‘personal support plans’ that are tailored to each person’s specific requirements, and (c) as part of that plan, assist individuals and families to access generic community services and activities as well as CLBC funded supports (individualized funding).
- CLBC is a Crown Corporation – an authority established to exercise the power and perform the functions and duties under BC’s *Community Living Authority Act, 2004* (CLAA). As outlined in CLAA section 3(1), *the authority is for all purposes an agent of the government*.
- The CLBC model is rather unique in BC – a Crown corporation that serves as a government agent for social services that has powers equivalent to MCFD in some areas covered by the *Adoption Act*, and the *Child, Family and Community Services Act*.
- A significant feature of this particular model is individualized support and funding i.e., CLBC has recently announced it has asked Vancouver Foundation to manage a \$40 million in one-time grant funding for families of individuals with developmental disabilities and children with special needs. Some globally funded services continue.
- Responsibility for funding decisions, program management and contract administration has been separated from the provision of planning and support to individuals and families. At the field level, the Facilitators have responsibility for the first; the Quality Service Analysts have responsibility for the second. Facilitators will work from the 17 Community Living Centres or be located in up to 23 Satellite Offices in BC.⁶
- The authority is overseen by a board of up to 11 directors *appointed by the minister*.



The Public Policy Context

The broader public policy context in which the governance model operates.

1. Universal	<i>The government takes a universal entitlement approach (as opposed to a targeted or market approach).</i>
→	There are eligibility criteria for access to CLBC services that has been challenged in court which may open up more access to people who need service. Also, CLBC reports significant waitlists.
	<ul style="list-style-type: none"> ▪ Policy, as inherited from the government, outlines eligibility for services to adults as limited to those scoring below an IQ of 70. “Even people who have been receiving extensive support as children and teens lose it all on the day they turn 19 [if they score too high an IQ].”⁷ ▪ “BC Supreme Court Justice Eric Chamberlist found that the legislation establishing Community Living BC says its purpose is to ‘promote equitable access to community living support’ and ‘assist adults with developmental disabilities to achieve maximum independence and live full lives in their communities.’ The arbitrary IQ standard is contrary to the legislation.”⁸ ▪ MCFD maintains that the courts do not have the jurisdiction to create policy – the courts maintain that the legislation as it currently reads does not permit an arbitrary policy cut-off for service and needs to be amended if that is the intent. ▪ CLBC estimates there are 3,150 adults with developmental disabilities on a waitlist for supports and services.⁹

2. Quality	<i>Government is responsible for, and sets high standards for relevant services that are enforced and resourced (i.e. strong public policy framework, ensures workforce and administrators have appropriate education, wages and working conditions).</i>
→	This model has a moderately strong public policy framework and central accountability mechanisms including legislation and regulations, direct reporting to the minister, submission of service plans, capital plans and budget plans, albeit within broad principles of service.
	<ul style="list-style-type: none"> ▪ Although CLBC is not a direct service delivery system, the government has outlined rather broad principles of service that would be highly enforced through required service plans and budget plans, to be put before the minister for approval.¹⁰ These principles are ones that CLBC “must endeavour” to meet in their service plans. These principles are to: promote choice, flexibility and self-determination, both in the range of services and in the manner in which they are delivered; encourage “shared responsibility” amongst families, services providers and community resources; utilize and further develop capacity; promote independence; promote equitable access; and coordinate services. ▪ CLBC must comply with provincial standards prescribed by the minister.
3. Affordable	<i>Parental fees are no more than 20% of revenue.</i>
→	N/A for this type of funding structure: the assumption is that services will not have fees attached and, if they do, will not create a barrier to support required. See next section.
4. Publicly funded	<i>Government provides the majority of funding for relevant services.</i>
☑ ?	<p>The model itself is publicly funded.</p> <p>The Community Living Authority Act encourages “shared responsibility” amongst families, services providers and community resources. It is not clear, at this level of analysis, how much is expected of individuals and families. There is also concern that there is an insufficient level of funding to meet CLBC’s mandate.</p>
	<ul style="list-style-type: none"> ▪ Michael Prince argues that the CLBC model of governance encourages families to contribute to the cost of services for their adult children with developmental disabilities. “This could conceivably include the use of the provincial income tax system to recognize personal contributions for disability-related costs.”¹¹ ▪ The materials reviewed do not speak to expectations of financial contributions from families; however, the legislation encourages “shared responsibility” amongst families, services providers and community resources. Also, anecdotal evidence suggests that families do contribute an enormous amount of financial and in-kind contributions to the support of individuals with developmental challenges. There is no clear indication of what proportion of monetary and in-kind contributions are made by families relative to government contributions.

5. Accessible	<i>There is a space for everyone in a resource that supports their full development.</i>
?	There are some concerns that this model does not provide accessible service to all who need it.
	<ul style="list-style-type: none"> ▪ There continue to be waitlists for services under this model. ▪ Without doing an in-depth evaluation of individualized funding, it is not possible to say whether this model will meet the needs of every person with a developmental disability. However, aside from individualized funding, Michael Prince has pointed out that “the individualized funding approach requires a core of quality services available throughout the province. This, in turn, requires the capacity of caregivers and service providers, the setting of desired outcomes and the monitoring of needs and service delivery. To work most effectively then, individualized funding needs an infrastructure of supports, so that the Minister can ensure there are reasonable access, comprehensiveness and portability across regions in the delivery of services.”¹² It is not clear how CLBC is doing in this area; however, according to the legislation, CLBC will endeavour to utilize and further develop the capacity of individuals, families and community resources. ▪ There are community concerns regarding this type of funding structure and the equality of access: those families who have the capacity and resources will receive service. In other words, those who know how to make the system work for them and can supplement the services with their own resources are more likely to get the support they need under this model.

Community Living BC Governance

1. Clear Mandate	<i>The degree to which the governance model has a clear mandate - there is a clear and formal mandate for the assessment of need, planning, development and delivery of child care or other service (mandate enshrined in legislation with a budget to back it and full accountability).</i>
☑	There is a clear mandate for assessment of need, planning and delivery: CLBC is a Crown Corporation with authority to exercise the power and perform the functions and duties under BC’s Community Living Authority Act, 2004 (CLAA). As outlined in CLAA section 3(1), the authority is for all purposes an agent of the government.
	<ul style="list-style-type: none"> ▪ CLBC must provide for the delivery of community living support in BC identified by the minister and of administrative services. ▪ CLBC’s mandate is to manage the delivery of community living supports and administrative services, including developing policies, setting priorities, and allocating resources in accordance with its service plan, budget plan and capital plan; comply with the minister’s directions in assessing the authority; prepare an annual report, etc.¹³

2. Reflects CCCABC's Values	<i>The degree to which the model promotes CCCABC's values:</i>
	a. Accountable <i>The model promotes accountability to the community through government for ensuring standards/regulations are met and financial reporting is transparent and that the service is responsive to individual needs.</i>
☑	Government ensures that standards/regulations are met through service plans, budget plans, annual reports to the minister and consultation with various ministries.
	<ul style="list-style-type: none"> ▪ The board must submit (and approve 'by resolution') service plans and budget plans, to be put before the minister for approval.¹⁴ ▪ Board meetings must be open to the public. ▪ As mentioned already, the legislation outlines principles the authority “must endeavour” to meet in their service plans. These are principles that: promote choice, flexibility and self-determination, both in the range of services and in the manner in which they are delivered; encourage “shared responsibility” amongst families, services providers and community resources; utilize and further develop capacity; promote independence; promote equitable access; and coordinate services. ▪ Michael Prince argues that one of the issues with this model is that, with CLBC playing so many different roles, the result could be “role overload and possibly real or perceived conflicts of interest.”¹⁵ However, this conflict of interest could not be any greater than that faced by any public service as most government ministries and services involve everything from policy direction to service complaints.
2. Reflects CCCABC's Values	b. Coordinated <i>The model promotes coordination and integration of service (avoids overlap, duplication and ensures efficiency of available resources).</i>
?	The funding to adults with developmental disabilities will be primarily delivered by CLBC suggesting that it will be well coordinated; however, services appear to be demand driven and the literature does not indicate a central coordinating body with a clear mandate to do so.
	<ul style="list-style-type: none"> ▪ The legislation outlines principles the authority “must endeavour” to meet in their service plans, which includes the coordination of services. ▪ Prince argues that coordination, for example, establishing a “mutual process and then working towards a set of highly valued goals, objectives and outcomes,” will be vital in managing tensions and conflicts that may tempt government to return to a centralized model.¹⁶

2. Reflects CCCABC's Values	c. <i>Equitable</i> <i>The model promotes equitable access across regions.</i>
→	The legislation outlines principles the authority “must endeavour” to meet in their service plans which includes promoting equitable access, and ensuring the provincial advisory committee is comprised of one member from each of the 9 regions that it may assist in regional coordination. No further information is given.
2. Reflects CCCABC's Values	d. <i>Inclusive and responsive to diversity</i> <i>The model provides those who require additional supports and those who come from different backgrounds with the services they need to support their full development.</i>
→	The intent of this model, being a model servicing children and adults who require additional supports, is inclusive. The resources reviewed do not address issues of diversity nor do they speak to methods to ensure equity across groups, one of concern being socio-economic groups.
	<ul style="list-style-type: none"> ▪ See 2.c. and 2.e.i
2. Reflects CCCABC's Values	e. <i>Community-control</i> <i>The model promotes democratic community control, meaning it will:</i>
	i. Be participatory , with children, parents, caregivers, and community members at large involved,
☑	The governing board must be comprised of a majority who are adults with developmental disabilities and families, or people with a significant connection to children and/or adults with developmental disabilities, including family members and two directors must be individuals with a developmental disability. ¹⁷ Also, the community councils may include community members at large. There is no mention of children's role in governance. The literature is quite silent on the issue of diversity, only to say that there must be one aboriginal member on the provincial advisory committee.
	<p>Advisory committee</p> <ul style="list-style-type: none"> ▪ The legislation requires that the board establish an advisory committee composed of 5 ‘self advocates’ (a person with developmental disabilities who is eligible to receive services under CLBC) and 5 family members. A member will represent each of the 9 CLBC regions and there will be at least 1 Aboriginal member.¹⁸ Members are selected from a list of people who nominate themselves, or are nominated by another person in the community. The Advisory committee will review applications and make recommendations to the Board. ▪ The purpose of the committee is to provide the CLBC board with information on: satisfaction levels with CLBC's services and recommend improvements; long range issues facing CLBC and recommend solutions.

	<ul style="list-style-type: none"> They will communicate with the board regularly and connect with 'Community Councils' to gather and share information. <p>Community Councils</p> <ul style="list-style-type: none"> Have not been formed yet – still in planning stage. Planning seems to involve the creation of 17 community councils, throughout BC, with approximately 22 satellite offices, that would “create, sustain and nurture the mutual sharing of information, action, decision-making and accountability between CLBC management and community, towards the collective vision.”¹⁹ The board wants it to reflect a shared decision making model with “less authority than a governance body...but more authority and influence than an advisory committee.” Membership will involve a majority of self-advocates, families, friends or support network members, and the rest are service providers (25%) and other supportive and interested community members or local business people. It will have direct relationships with the local area manager, the board and the advisory committee.²⁰
2. Reflects CCCABC's Values	<p><i>e. Community-control</i></p> <p>ii. Reflect a high level of community ownership,</p>
→	The model does seem to reflect a high level of community ownership – the impetus behind the formation of CLBC started with Community Living advocacy groups.
2. Reflects CCCABC's Values	<p><i>e. Community-control</i></p> <p>iii. Be delivered through non-profit or public organizations,</p>
?	<p>CLBC is a non-profit crown corporation.</p> <p>However, the literature is silent on whether the 'services' that CLBC are encouraged to coordinate are non-profit, and there is no clear mandate for CLBC to encourage non-profit services.</p>
2. Reflects CCCABC's Values	<p><i>e. Community-control</i></p> <p>iv. Allow for political autonomy,</p>
?	Although CLBC has a clear mandate set out in legislation as a Crown Corporation, it is clear that extensive powers remain with the government.
	<p><u>On the upside</u></p> <ul style="list-style-type: none"> CLBC is a Crown Corporation – an authority established to exercise the power and perform the functions and duties under BC's <i>Community Living Authority Act, 2004</i> (CLAA). As outlined in CLAA section 3(1), <i>the authority is for all purposes an agent of the government.</i> <p><u>However, significant authority remains with government</u></p>

	<p>The CLBC Board directors are <i>appointed by the minister</i>. This Board must:</p> <ul style="list-style-type: none"> ▪ submit (and approve ‘by resolution’) service plans and budget plans, to be put before the minister for approval, ▪ comply with Provincial standards prescribed by the minister, ▪ comply with the minister’s directions in assessing the authority; prepare an annual report, and ▪ submit (and approve ‘by resolution’) service plans and budget plans, to be put before the minister for approval. <p>In addition, the authority must, wherever reasonable and appropriate, consult and collaborate with the minister:</p> <ul style="list-style-type: none"> ▪ The minister may appoint a representative to carry out the minister’s duties – the authority must give the minister’s representative full access to facilities, records, assistance or information needed to carry out the representative’s duties ▪ The minister may appoint a special advisor to the authority that the authority must pay for ▪ The provincial government may at any time take over the authority and dissolve the board. <p>Michael Prince argues that one of the potential benefits for the BC government to shift governance and delivery to this model is to shift politically hot issues of child protection and apprehension to regional boards.²¹ Prince does not provide any additional information to support this suggestion.²² Prince also draws on the Alberta experience to argue that “community boards should act as advocates for parents/guardians and recipients rather than as the voice of government.”²³</p>
2. Reflects CCCABC’s Values	<p><i>e. Community-control</i></p> <p>v. Be of a size/scale that allows a direct relationship between users and caregivers,</p>
?	N/A
	<ul style="list-style-type: none"> ▪ The CLBC model is one of direct funding, therefore, on the surface, the relationship between users and ‘caregivers’ is very direct (one-on-one); however, the individual ‘Facilitators’ are removed from the ‘service delivery’ role, providing a ‘buffer’ between the ‘users’ and the service delivery.
2. Reflects CCCABC’s Values	<p><i>e. Community-control</i></p> <p>vi. Have the infrastructure (administrative support, etc.) to support community involvement,</p>
?	<p>It is difficult to assess whether CLBC has the infrastructure it needs to support community involvement but some level of community involvement is legislated and the model appears to be relatively well resourced.</p>

	<ul style="list-style-type: none"> Michael Prince argues that one of the potential benefits for the BC government to shift governance and delivery to this model is to reduce ministry administrative and personnel costs by about 20 percent over three years.²⁴ This indicates a certain amount of offloading to the community.
2. Reflects CCCABC's Values	<p><i>e. Community-control</i></p> <p>vii. Allow service delivery to be decentralized, and it will,</p>
<input checked="" type="checkbox"/>	<p>This model is intended to be highly decentralized – down to each person and family receiving individualized funding so they can arrange their own support in their community (see 'Accessible' under Public Policy context for caution).</p>
2. Reflects CCCABC's Values	<p><i>e. Community-control</i></p> <p>viii. Build on the strengths that currently exist in the community and province (probably using a community development model).</p>
<input checked="" type="checkbox"/>	<p>The model drew on the expertise and the resources already available in the Community Living advocacy sector.</p>
	<ul style="list-style-type: none"> According to the legislation, CLBC will endeavour to utilize and further develop the capacity of individuals, families and community resources.

Concerns, Issues, Questions

Given that this model is so new and that it is fairly unique in the BC system, evaluative literature is not yet available. Interviews may be necessary to understand some of the preliminary critiques of this model.

1. Are there critics of this model?
2. Are there potential users who cannot access this system or its methods of governance?
3. Are there service providers that do not feel included in this system?
4. What kind of powers will the community councils really have? The Advisory board?
5. Will CLBC continue to be able to play an advocacy role?
6. Is CLBC adequately resourced to meet the service needs of its clients? There is some community concern that, even though this is the model which field advocates had supported, there is an increasing mandate to include services to children and youth, coupled with a decreasing budget for client services, creating an offloading effect.

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- ¹ Statistics Canada, Population urban and rural, by province and territory (British Columbia), at: www40.statcan.ca/01/cst01/demo62k.htm.
- ² Canadian Centre for Policy Alternatives, Behind the Numbers: BC home to greatest wealth gap in Canada. November 28, 2001. At: www.policyalternatives.ca/documents/BC_Office_Pubs/btn_bcwealthgap.pdf.
- ³ Community Living of British Columbia, *Fact Sheet*, www.communitylivingbc.ca/news_and_events/fact_sheet.htm.
- ⁴ BCACL, *BCACL is a recognized provincial advocate*, www.bcacl.org/index.cfm?act=main&call=b8932068.
- ⁵ This is not a child care model but we will examine it for its adaptability to child care.
- ⁶ CLBC, *Community Living British Columbia Service Plan – 2006/2007 to 2008/2009* (Community Living British Columbia, 2006) 10. At: www.communitylivingbc.ca/pdfs/CLBCServicePlan_2006-09.pdf.
- ⁷ Vancouver Sun, Monday July 17, 2006 Vancouver Edition, Paul Wilcocks: *BC Liberals' battle to deny services wrong and wasteful*, A7.
- ⁸ Ibid.
- ⁹ BCACL, *A PROVINCE WHERE EVERYONE BELONGS: The need for a Strategic Investment in Community Living in British Columbia. Submission to the Select Standing Committee on Finance and Government Services BC*, September 2006. At: www.bcacl.org/documents/Budget_brief_-_Sept_29.doc.
- ¹⁰ *Community Living Authority Act* (British Columbia), 2004.
- ¹¹ M. Prince, *New Community Governance Challenges in British Columbia: Plans, Issues and Tensions. Remarks to the Association of Family Serving Agencies AGM* (January, 2002), 3.
- ¹² Prince, *New Community Governance Challenges*, 7.
- ¹³ *Community Living Authority Act* (British Columbia), 2004.
- ¹⁴ *Community Living Authority Act* (British Columbia), 2004.
- ¹⁵ Prince, *New Community Governance Challenges*, 4.
- ¹⁶ Prince, *New Community Governance Challenges*, 5.
- ¹⁷ *Community Living Authority Act* (British Columbia), 2004.
- ¹⁸ CLBC, *Guidelines for the Advisory Committee to CLBC's Board of Directors*, posted June 19, 2006, at: www.communitylivingbc.ca/pdfs/CLBC_AdvisoryCommittee_jun06.pdf.
- ¹⁹ CLBC, *Making Community Councils Work – A CLBC Position Paper, November 2005*. At: www.communitylivingbc.ca/pdfs/community-council-position-paper_final2.pdf.
- ²⁰ CLBC, *Making Community Councils Work*, and; CLBC, *Community Councils: Summary Report of Board Approved Recommendations (2006)*, at: www.communitylivingbc.ca/pdfs/CommunityCouncils_Summary_28Feb06.pdf.
- ²¹ Prince, *New Community Governance Challenges*, 4.
- ²² See CLBC website (including the temporary Memorandum of Understanding between CLBC and MCFD): www.communitylivingbc.ca/transformation.htm.
- ²³ Quote from Michael Prince, *From Policy to Practice: Community Governance and Persons with Developmental Disabilities*, available at www.pdd.org, in: Prince, *New Community Governance Challenges*, 7.
- ²⁴ Prince, *New Community Governance Challenges*, 4.