

Parenting & Decision-Making Assessments

NSCSW Guidelines



Table of Contents

Introduction	3
About us	3
Background	3
Guidelines for social workers	4
Part I: Considering the Best Interest of the Child	4
Part II: Knowledge	5
Part III: Clinical Skills Required for Conducting Parenting & Decision-Making Assessments ...	7
Part IV: Clinical Skills Required for the Identification of Coercive Control	8
Part V: Clinical Skills Required in the Development of Culturally Attentive Parenting & Decision-Making Assessments	9
Part VI: Values	10
Part VII: Implementation	11
Part VIII: Ethical Considerations	16
Glossary	18
References & resources	19
Legislation	19
Further reading	19

Introduction

About us

The Nova Scotia College of Social Workers is the regulatory body for social workers in Nova Scotia. Our mandate is to serve and protect Nova Scotians by effectively regulating the profession of social work. We work in solidarity with Nova Scotians to advocate for policies that improve social conditions, challenge injustice and value diversity.

Background

This document outlines specific guidelines for social workers who perform Parenting and Decision-Making Assessments. It is designed to help professionals meet high standards in their practice, and to educate the public on what to expect from these services.

These guidelines work alongside the Code of Ethics and Standards of Practice and must be followed by all social workers. All social workers in Nova Scotia have a responsibility to uphold the NSCSW's Code of Ethics, Standards of Practice, and the Nova Scotia Social Workers Act and Regulations in every aspect of their work.

The NSCSW acknowledges the historical role of the social work profession in harmful practices such as the genocide of Indigenous peoples, anti-Black racism, and the promotion of eugenics. It also recognizes that many systems today still use oppressive language and policies.

To address these injustices, the NSCSW is committed to restorative justice, reparations, and reconciliation. It strongly emphasizes eliminating biases and advancing anti-oppressive, trauma-informed, anti-colonial, and anti-racist approaches in social work.

Given the profession's colonial and racist history, ethical practice must actively pursue anti-racist and anti-colonial methods. These guidelines play a critical role in fostering a more equitable, inclusive, and compassionate approach to social work in Nova Scotia.

Guidelines for social workers

Part I: Considering the Best Interest of the Child

1.1 Assessment

Social workers conducting Parenting and Decision-Making Assessments must always place the best interest of the child at the forefront of the assessment. All recommendations or intervention plans, whether they be regarding parenting or contact orders, must hold the best interests of the child as their primary concern. The child's physical, emotional, psychological and spiritual safety, security, and well-being should be given utmost importance when considering any factors related to the child's circumstances.

In determining the child's best interests, social workers must develop a bio-psycho-social-spiritual assessment and analysis that encapsulates the following:

- The child's age, stage of development, and need for stability;
- The nature and strength of the child's relationships with each parent/guardian, siblings, grandparents, and other significant individuals;
- Each parent/guardian's willingness to encourage and maintain the child's relationship with the other spouse;
- Each parent's racial and cultural background and literacy;
- The history of the child's care;
- The child's views and preferences, taking into consideration their age and maturity, as well as the impact that resource differences between parents may have on their preferences;
- The child's cultural, linguistic, religious, and spiritual upbringing and heritage;
- Any plans for the child's care;
- The ability and willingness of each person to care for and meet the child's needs;
- The ability and willingness of each person to communicate and cooperate with one another on matters affecting the child;
- Any violence and its impact on the child;
- The child's intersectional identities and psychological safety
- Any civil or criminal proceedings that are relevant to the child's safety and well-being;
- Social work values, particularly self-determination.

1.2 Violence

When assessing the impact of violence, the following must be considered:

- The nature, severity and frequency of the violence
- Whether there is a pattern of coercive and controlling behaviour
- Whether the violence is directed towards the child or if the child is indirectly exposed to it.
- The physical, emotional, and psychological harm or risk of harm to the child.
- Any compromise to the safety of the child or other family members.
- Whether the violence or threats of violence causes fear for the safety of the child, pets, or other family members.
- Any successfully engaged/completed, professionally documented steps taken by the person engaging in the violence to prevent further incidents and improve their ability to care for the child.

1.3 Past Conduct

The past conduct of any person should only be considered if it is relevant to their parenting time, decision-making responsibility, or contact with the child under a contact order. This may include police or criminal court involvement, regardless of whether or not charges were laid or restraining or protective orders were issued, as research supports that many initial efforts of survivors may be withdrawn.

1.4 Parenting Time

The principle that a child should spend as much time with each parent/guardian as is consistent with the child's best interests should be upheld. Recommendations for the allocation of parenting time should be grounded in the principle that a child should spend as much time with each parent/caregiver as is feasible within the child's best interests.

Part II: Knowledge

2.1 Education and Training

Social workers involved in Parenting and Decision-Making Assessments must hold a Master of Social Work and maintain up-to-date, evidence-based education and training in the following areas:

- Impact of separation and divorce on families and children;
- Dynamics of high conflict families;
- Impact of conflict on children;
- Family systems theory (including knowledge of step, blended, and extended families);
- Child development theory;

- Attachment theory;
- Violence and its impact on family members, particularly children;
- Impact of intersectional identities (e.g. gender, sexuality, culture, religion, ability, socioeconomic factors);
- Interview techniques and approaches appropriate for children, youth, and adults;
- Culturally safe interview techniques and approaches;
- Trauma and violence-informed interview techniques and approaches;
- The justice system as it relates to family law;
- The historical and current biases and harms of the justice system on marginalized communities;
- Conflict resolution and/or mediation skills.

2.2 Cultural Safety and Significance of Race and Culture

Social workers must maintain cultural attentiveness when working with Black Nova Scotians, Indigenous peoples, and other diverse communities, understanding and addressing the significance that race and culture have on family systems and dynamics. This requires being knowledgeable about the historical and ongoing systemic oppression faced by these groups, as well as recognizing and addressing racialized trauma to acknowledge and respect the unique cultural backgrounds and lived experiences of all clients.

2.3 Intersectionality

Social workers must be knowledgeable about the theory of intersectionality as relates to family structure and dynamics. This includes understanding the complex interplay between race, gender, sexuality, and other social identities.

2.4 Afrocentric and Indigenous Approaches

Social workers must demonstrate knowledge and proficiency in using Afrocentric and Indigenous approaches that are culturally relevant when providing service to Indigenous and Black Nova Scotians. This involves recognizing and utilizing diverse cultural ways of knowing in assessments and interventions. Every effort must be made to have the assessment completed by (or in collaboration with) an individual of the child/family's ethnicity, culture, belief, and primary language. In the event that this is not possible, the social worker must make arrangements for culturally relevant supports to be in place for the assessment, such as an interpreter or an Elder.

2.5 Knowledge of Disabilities

Social workers conducting parenting and decision-making assessments for families with children and adults with disabilities need a comprehensive understanding of disability-related issues, including the specific needs and challenges faced by individuals with disabilities. They must be knowledgeable about relevant legal frameworks, such as disability rights and child protection laws, as well as the availability

of community resources and support services. Additionally, they should be skilled in assessing the impact of disabilities on parenting capacity and family dynamics, while maintaining a strengths-based approach that recognizes the abilities and potential of parents with disabilities. Cultural competence and sensitivity are also essential to ensure fair and equitable assessments.

2.6 Understanding the Law

Social workers must demonstrate knowledge and understanding of applicable legislation and policy:

- a. [Parenting and Support Act](#)¹
- b. [Children and Family Services Act](#)²
- c. [Divorce Act](#)³
- d. [Domestic Violence Intervention Act](#)⁴
- e. [The Convention on the Rights of the Child](#)⁵
- f. [Child and Family Wellbeing \(CFW\) Practice Framework: Building Success for Children, Youth and Families](#)⁶

2.7 Understanding Coercive Control

Develop a comprehensive understanding of coercive control as a pattern of behaviour that seeks to establish power and control over another person or animal through manipulation, intimidation, threats, and emotional abuse.

Part III: Clinical Skills Required for Conducting Parenting & Decision-Making Assessments

To effectively conduct Parenting & Decision-Making Assessments, social workers must demonstrate the following skills to ensure a thorough and anti-oppressive evaluation:

3.1 Empathy and Active Listening

Develop the ability to empathize with all parties involved and actively listen to their concerns, experiences, and perspectives. This skill helps establish trust and rapport, enabling a more comprehensive, trauma and violence-informed assessment.

¹ <https://nslegislature.ca/sites/default/files/legc/statutes/parenting%20and%20support.pdf>

² <https://nslegislature.ca/sites/default/files/legc/statutes/children%20and%20family%20services.pdf>

³ <https://laws-lois.justice.gc.ca/eng/acts/d-3.4/fulltext.html>

⁴ <https://nslegislature.ca/sites/default/files/legc/statutes/domestic%20violence%20intervention.pdf>

⁵ <https://www.unicef.ca/en/policy-advocacy-for-children/about-the-convention-on-the-rights-of-the-child>

⁶ https://youtu.be/Invk_FOJtng

3.2 Cultural Attentiveness

Develop the skills to acknowledge and value that diverse backgrounds, values, and beliefs of the families being assessed. This requires recognizing the impact that inequity, race, and culture have on their experiences. Through practicing cultural attentiveness professionals can approach evaluations with sensitivity, aiming to reduce misunderstandings and address potential biases related to cultural or racial differences. This thoughtful approach encourages empathy, open-mindedness, and a genuine appreciation for each family's unique strengths and perspectives

3.3 Communication

Possess strong verbal and written communication skills to effectively convey information, facilitate discussions, and ensure all parties understand the assessment process and its outcomes.

3.4 Critical Thinking & Analytical Skills

Apply critical thinking and analytical skills to evaluate complex family dynamics, identify risk factors and make informed decisions based on the best interests of the child.

3.5 Conflict Resolution

Utilize conflict resolution techniques to help manage disagreements or tensions that may arise during the assessment process, fostering/working to maintain a safe and respectful environment for all parties.

3.6 Observation & Assessment

Observe and assess the interactions between parents and children, as well as the relationships among family and relevant community members, to gain a comprehensive understanding of the family system.

3.7 Documentation & Record-Keeping

Maintain accurate and organized records of interviews, observations, and assessments to support your findings and recommendations in accordance with NSCSW documentation guidelines. Proper documentation also ensures transparency and accountability in the decision-making process.

Part IV: Clinical Skills Required for the Identification of Coercive Control

4.1 Recognizing the Signs

Identify the signs of coercive control, which may include isolation from friends and family, excessive monitoring of an individual's activities, controlling access to finances, making constant demands, humiliation or belittlement, and using children or threatening to harm animals as a means of control.

4.2 Assessing Relationships

Evaluate relationship dynamics for potential coercive control by considering the balance of power, the presence of fear, and the degree of control exerted by one person over another.

4.3 Communication with Individuals

Employ empathetic listening and communication skills to engage with individuals who may be experiencing coercive control in a trauma and violence-informed, non-judgmental and supportive manner, while respecting their autonomy and decision-making abilities.

4.4 Safety Planning and Resource Referral

Assist those experiencing coercive control in developing personalized safety plans and connect them with appropriate resources, such as shelters, support groups, legal services, and mental health professionals. Intervention plans (e.g. resource counselling, safety planning, education) should reflect the parent/caregiver's stage of change.

Part V: Clinical Skills Required in the Development of Culturally Attentive Parenting & Decision-Making Assessments

5.1 Recognizing the Impact of Systemic Racism and Colonization

Identify the effect of poverty, systemic racism, and marginalization on any past interactions with the legal system either parent/caregiver may have had

5.2 Assessing Racial and Cultural Literacy

Racial and cultural literacy refers to an individual's understanding of race, culture, and their intersection with identity and heritage. It involves the ability to recognize and respect the diverse backgrounds, traditions, and experiences that shape a person's worldview. When assessing parents' racial and cultural literacy, it is vital to evaluate their awareness and sensitivity to their child's identity and heritage. This includes understanding how a child's racial and cultural experiences influence their self-perception and overall development.

5.3 Assessing Relationships

Develop assessment structure (collateral sources, observation, interviews) based on the cultural background of the family and their culture's definition and practices regarding family and community. Ensure appropriate community supports (e.g. Elders) form the foundation of the assessment process.

5.4 Understanding Cultural Diversity in Parenting Practice

Gain an understanding of how parenting philosophies differ across cultures. This involves recognizing and appreciating the diverse values, traditions, and approaches that shape parenting practices in various cultural contexts.

5.5 Recognize Cultural Bias in Testing

If a social worker is going to draw upon assessments/standardized testing in their report, they must ensure the tools used are culturally appropriate

5.6 Trauma Informed Approach

Understand the unique contribution of a trauma-informed lens and approach in the development of culturally competent assessments

Part VI: Values

6.1 Social Justice

Advocate for equitable treatment and opportunities for all families, regardless of their intersectional identities. Promote policies and practices that address systemic barriers and empower marginalized groups.

6.2 Human Rights

Respect and uphold the fundamental rights and freedoms of all individuals involved in the assessment process, including the rights of children and parents to safety, dignity, and participation in decisions affecting their lives.

6.3 Respect for Diversity

Appreciate and embrace the diverse backgrounds, beliefs, and family structures of the clients you serve. Cultivate cultural safety, humility and sensitivity to ensure that your assessments are informed by an understanding of each family's unique context and needs.

6.4 Empathy & Compassion

Demonstrate genuine care and concern for the well-being of all parties involved in the assessment process. Approach each case with empathy and compassion, fostering a safe and supportive environment for open communication.

6.5 Integrity & Professionalism

Uphold high ethical standards, including honesty, confidentiality, and accountability. Maintain professional boundaries and conduct yourself with integrity, ensuring that your actions are guided by the best interests of the child and the principles, values, and ethics of social work practice.

6.6 Collaboration

Work collaboratively with other professionals, such as legal representatives, healthcare providers, and community organizations, to coordinate resources and support for families involved in parenting and decision-making disputes

6.7 Person & Family-Centered Approach

Respect the autonomy and decision-making abilities of children and parents and involve them in the assessment process as much as possible. Balance the needs, preferences, and goals of children and parents where practicable. However, the duty to protect the best interests and safety of the child must ultimately remain at the forefront.

6.8 Continuing Education & Self-Reflection

Social Workers completing Parenting and Decision-Making Assessments must demonstrate relevant professional development that reflects current research and best practices in the area.

6.9 Advocacy & Education

Promote awareness and understanding of the complexities involved in Parenting and Decision-Making Assessments, advocating for changes in policy and practice that better support the needs of diverse families. Educate clients, professionals, and the public on the importance of considering the rights of all parties involved, and the priority of the best interests of the child.

Part VII: Implementation

7.1 Interviews & Observations

Social workers completing Parenting and Decision-Making Assessments must complete an age-appropriate interview with the child independently, as well as with relevant individuals involved in their care, such as teachers, therapists, health care providers, and Department of Community Services. Interviews must address the following:

- Each parent/caregiver's perspective on the issues at hand and their views regarding a proposed parenting plan;
- The parents' abilities and willingness to cooperate with one another;
- The parents' capacity to focus on and address the child's biopsychosocial and spiritual needs;
- Family members' personal histories, the history of their relationship to the child and one another, and the parents' past experiences in raising children;
- Investigating concerns such as violence, mental health issues, and addictions;
- The child's history;
- Each parent/caregiver's willingness to encourage and support the child's relationship with the other parent/caregiver and significant individuals in the child's life;
- Identify whether the family has had any involvement with Child & Family Wellbeing Opportunities and Social Development (OSD). If there has been OSD involvement, the social worker completing the Parenting and Decision-Making Assessment will obtain consent from the family to have their OSD file released, and this information must be integrated into the assessment as appropriate;
- Whether the child and/or family has already been interviewed numerous times in the past. If this is the case, the social worker's assessment must address whether or not any changes to family dynamics, circumstances, and behaviour have occurred.

7.2 Child's Views and Preferences

Social workers completing Parenting and Decision-Making Assessments must develop an understanding of the views and preferences of the child. A Parenting and Decision-Making Assessment should involve interviews and/or observations of all children at the center of the evaluation. The objectives of these interviews are to gauge the child's maturity, interests, values, and unique needs, establish the child's relationship with each parent/caregiver and other significant individuals (e.g., step-parents, siblings, grandparents, other extended family members or community members), evaluate the child's emotional, social, and academic well-being, determine the extent of the child's involvement in conflicts and the impact on them, and comprehend the child's views and preferences when appropriate.

7.3 Child at Centre of Assessment

All children being assessed should be interviewed and/or observed, taking into consideration their age and language skills. The assessment should not proceed if the social worker has not met the child(ren) in question. Typically, children should have an interview separate from their parents in a private setting, in addition to any joint interviews. Interviews can occur in the social worker's office, the parent's home, or a neutral location like a school, restaurant, or outdoors.

7.4 Balanced Approach

It is essential to maintain a balanced approach regarding who brings the child to the interview or in whose home the interview takes place. Social workers may opt to interview siblings together but should allocate individual interview and/or observation time for each child. The social worker's clinical judgment should guide the number of interviews, their setting, and the participants. If an imbalance exists, the social worker must be prepared to justify it in their report.

7.5 Confidentiality

Social workers must inform the child of the limits of confidentiality. If the child relays information during the assessment that meets the threshold of the social worker's Duty to Report, then the social worker must contact OSD as soon as possible. The social worker will consult OSD guidelines to determine the method for reporting, as well as the content required when reporting.

7.6 Joint Interviews

In addition to individual interviews with the child/children, Parenting and Decision-Making Assessments typically involve a joint interview or observation (sometimes called an observational visit) with each parent/caregiver and any child at the center of the assessment. The purpose of these interviews includes, but is not limited to, observing the interaction between each parent/caregiver and the child, and examining the relationship between the child and significant others who may be acting in a parenting role, such as siblings, grandparents, or step-parents. A social worker may choose not to see a child with a parent/caregiver in exceptional circumstances, such as if the social worker identifies concerns about the child's emotional well-being or safety.

7.7 Significant Others

Social workers who conduct Parenting and Decision-Making Assessments should understand the importance of gathering information from a variety of sources for a comprehensive examination of relevant issues. Collateral information is essential for a full understanding of the child and family dynamics. Gathering collateral from extended family and community members and observing their interactions with the child is of particular importance when assessing families from cultural backgrounds that are more communal in nature. This data, gathered from relevant external sources, can significantly enhance the reliability and cultural competence of the assessment.

7.8 Collateral Interviews

Collateral information can be collected from professionals such as doctors, teachers, therapists, child and family well-being and social service workers, probation officers, or law enforcement personnel. The social worker uses their clinical judgment to determine which collateral sources to contact, provided that the parents have signed the necessary consent forms for the release of information. Participants must also be informed about the limits of confidentiality prior to engaging in the assessment process.

Collateral interviews can be conducted in person or via electronic services, at the discretion of the social worker. By collecting information from multiple sources and respecting confidentiality boundaries, social workers can ensure a thorough and reliable Parenting and Decision-Making Assessment process.

Judges appreciate collateral interviews by the assessor, as a well-summarized report could potentially eliminate the need for these individuals to testify in court. However, it's important to note that information provided by third parties is technically "hearsay". If the assessment overly relies on third-party information, the entire report could be invalidated unless that person testifies, or if they alter their story upon cross-examination. This concern is somewhat mitigated if the collateral is a professional due to the business records exemption to the hearsay rule.

Social workers should exercise caution when gathering and relying on collateral information. A balanced approach is recommended, avoiding confusion between the "quality" and "quantity" of collateral information. Cases in which one parent/caregiver presents numerous collateral reports from family and friends, while the other parent/caregiver has one or two, may unduly influence the assessor. It's crucial to avoid being swayed by repeated narratives without substantial evidentiary basis.

If professional collaterals are involved, the report should clearly state the reason and provide a precise account of what was said, as courts tend to rely more on this type of information. This balanced approach ensures that the assessment process is fair, thorough, and accurate.

7.9 Objective Tests

In some cases, objective testing can be beneficial for gaining a more comprehensive understanding of a parent's psychological and social functioning, and how these factors may impact their parenting abilities. The use of objective tests and measurements is not exclusive to any specific profession; however, it is the professional's responsibility to ensure they have the necessary advanced training, education, and experience to demonstrate competency in administering these tests. If needed, the

social worker may refer the psychological testing portion of the assessment to a qualified individual who will conduct the testing and interpret the results, which can then be incorporated into the social worker's overall assessment.

It is important to purchase tests from reputable vendors and be aware that eligibility to buy tests depends on one's training, education, and experience. Many tests necessitate advanced graduate-level training in testing and measurement. The intended purpose of the objective test should also be taken in to account.

It is crucial to acknowledge that testing occurs within the broader context of a Parenting and Decision-Making Assessment. As such, test results must be interpreted cautiously and considered as hypotheses to be further examined and integrated with the findings of the professional's comprehensive assessment. Inferences regarding the child's best interests concerning a parenting arrangement must not be based solely on test results.

If a test is used to help provide a provisional assessment of disorders, social workers should exercise extreme caution when interpreting and communicating the results, as diagnosis falls outside the social work scope of practice.

7.10 Home Visits

A home visit can offer valuable insights pertinent to the assessment, and its arrangement lies within the social worker's clinical judgment. If a home visit is deemed necessary and safe, both parent/caregivers' homes should be visited to ensure fairness in the evaluation process. In rare instances, such as in the event of an identified safety concern, a social worker may choose to visit only one home. If such a decision is made, a clear and justifiable rationale must be provided in the final report.

7.11 Report Writing

A comprehensive report should be clearly written and should reflect the assessor's clinical opinions rather than predominantly relaying collateral opinions. As Parenting and Decision-Making assessments are often situated within a high-conflict family context, social workers must strive to produce a balanced and respectful report. The report should use neutral and clinical language, clearly demonstrating the methods used to arrive at conclusions and specific recommendations. The assessor's professionalism and willingness to interpret and analyze the collected data throughout the assessment process should be evident.

The written report must include:

- the assessor's qualifications;
- referral sources;
- rationale for and scope of the assessment;
- sources of information;
- details about the assessment process, such as the number of participants in each interview, interview dates, locations, and durations;

- personal, family, and relationship histories, current and desired parenting/caregiving arrangements, assessments of each child and parent/caregiver (including strengths), and where applicable, the impact of race and culture on the family;
- issues of concern and their resolution;
- factors impacting the child's safety and/or the parent's caregiving abilities (e.g. violence, substance use health, and mental health) and how they have been addressed;
- Whether there are any current and/or historical allegations of child abuse/maltreatment;
- techniques and approaches used by the assessor;
- assessments of relationships among parents, children, and other individuals involved in the child's life ;
- all areas of agreement between the parents;
- Any recommendations for parenting agreements the social worker may have, as well as the clinical reasoning behind the recommendations.

7.12 Report Distribution

The social worker will distribute the report according to the initial agreement made with the referral source.

7.13 Court Preparation

Social workers completing Parenting and Decision-Making Assessments (Assessors) need to be aware that their report will likely become part of the court file. They may be subpoenaed to provide testimony in court, and they should only testify when subpoenaed.

Assessors might also be invited to take part in a settlement conference.

When participating in legal hearings, assessors are expected to thoroughly review their report, be well-informed about its contents, and be prepared to fully discuss their findings and recommendations.

7.14 Settlement Conferences

Settlement conferences differ from trials in that the assessor attends by invitation, not under subpoena. This situation can pose challenges for the assessor as discussions at a settlement conference may not be admissible at trial, potentially affecting the assessor's objectivity or ability to testify later. Furthermore, the assessor might be asked questions outside of the formal court process, leading to confusion about the admissibility of their responses at trial.

Settlement conferences often involve "caucus" sessions where the judge meets with parties separately. In such situations, if the assessor communicates something that isn't heard by the other side, there is a risk of the entire assessment being dismissed due to perceived bias.

While attendance at these conferences can help parties avoid a trial, it is important to note that they are not legally equivalent to a trial. Assessors should participate in a settlement conference only with the

agreement of all parties involved, or if ordered by the court after advising the court of any disagreements among the parties regarding the assessor's participation. This approach will highlight potential issues, allowing the judge to put appropriate protective measures in place.

Part VIII: Ethical Considerations

8.1 Scope of Practice

Social workers should only make recommendations within the context of a formal assessment. They should avoid making recommendations outside of their personal scope of practice, such as giving legal advice or mediating for clients.

8.2 Role Clarity

Social workers acting as a therapist to a parent, child, or any related party should, when requested by an Assessor and with appropriate consent, provide factual information based on their observations. They should refrain from making parenting and decision-making recommendations. They must maintain clear boundaries between their roles as therapists and assessors.

8.3 Impartiality

Assessments must involve both parents/guardians, unless there are safety concerns that indicate otherwise. If both parent/guardians are not equitably represented in the final report, the social worker must be prepared to justify this. Social workers must not draw conclusions about individuals they have not interviewed, nor should they base recommendations solely on legal documents or another professional's assessment.

8.4 Disclosure of Prior Relationships

Social workers should disclose any prior relationships with parents, children, or lawyers involved in the case. If a potential conflict of interest exists, the social worker must obtain written informed consent from the relevant parties as soon as the conflict is identified.

8.5 Confidentiality Limitations

Social workers must inform participants about the limits of confidentiality and obtain written consent for assessment. They should be prepared to turn over notes and testify if subpoenaed; information collected during the assessment process may become part of a court file and public record if an agreement is not reached and the case does not go to trial.

8.6 Appropriate Referrals

Social workers must recommend that clients obtain a lawyer when necessary and refer them to local family Court services when applicable. Social workers should not attempt mediation or assessments with clients referred for different issues, unless specifically ordered by the Court.

8.7 Professional Competence

Social workers may only perform mediation or parenting assessments if they have received specific training or certification. They must maintain competence in their area of practice and adhere to ethical standards.

8.8 Avoid Predicting Court Outcomes

Social workers should avoid predicting the outcome of a court proceeding, as outcomes are uncertain and contingent upon a number of factors. Maintaining neutrality and focusing on providing accurate information is crucial for upholding ethical standards in Parenting and Decision-Making Assessments

Glossary

The [*Parenting and Support Act*](#), the [*Children and Family Services Act*](#), and the [*Divorce Act*](#) have all undergone significant changes to better reflect modern understandings of family dynamics and children's needs. Here are some definitions of the new terms introduced:

- **Parenting Order:** Replacing the term 'custody', a parenting order is a legal document that outlines how parents will care for their children after separation or divorce. It covers aspects like where the child will live, who they'll spend time with, and who will make important decisions about their life.
- **Parenting Time:** This term replaces what was previously known as 'access'. Parenting time refers to the time a child spends with each parent. The aim is to ensure that the child has a meaningful relationship with both parents, as long as it is safe *and* in the child's best interest.
- **Decision-Making Responsibilities:** This term replaces 'legal custody' and refers to the responsibility of making significant decisions about the child's welfare, education, health care, and other important areas. This responsibility can be shared between both parents and held by one parent/caregiver only, depending on what is determined to be in the best interest of the child.
- **Contact Time:** This is a new concept introduced in the legislation, allowing for significant people in a child's life (like grandparents, step-parents (common-law or married), or others) to have legally recognized time with the child, if deemed to be in the best interests of the child.

These legislative changes emphasize the best interests of the child and recognize that every child's situation is unique, and decisions should be made accordingly. They also place a great emphasis on the need to consider family violence, with specific provisions in place to protect children from harm. The inclusion of contact orders for significant people in a child's life acknowledges the wide network of relationships that contribute to a child's upbringing and emotional wellbeing.

References & resources

Legislation

[*Social Workers Act*](#), S.N.S. 2015, c.52

[*Parenting and Support Act*](#), S.N.S. 2021, c.15

[*Children and Family Services Act*](#), S.N.S. 2021, c.1

[*Domestic Violence Intervention Act*](#), S.N.S. 2015, c.44

[*Divorce Act*](#), R.S.C., 1985, c. 3 (2nd Supp.)

Further reading

[*The Convention on the Rights of the Child*](#)

[*Child and Family Wellbeing \(CFW\) Practice Framework: Building Success for Children, Youth and Families*](#)