

Quality Standards Framework Regulations Implementation Bulletin #10: Case Management Requirements for Children's Aid Societies

MARCH 8, 2023

In follow up to the March 1, 2023 email, this is the tenth of the weekly communications that will be sent by the Ministry of Children, Community and Social Services (ministry) to out of home care¹ service providers and placing agencies on the new and updated [Quality Standards Framework](#) related regulations, which come into effect on July 1, 2023.

The weekly bulletins will cover the 10 regulatory topics with the intent to help familiarize licensees and placing agencies with the new and updated requirements, and answer questions about how they can start preparing for implementation.

1. Who do the new/updated case management requirements apply to?

The new/updated case management requirements apply to children's aid societies (societies) only

2. Overview of New/Updated Requirements:

Note that the information that follows does not constitute legal advice. It provides general information about the regulatory amendments under the CYFSA. If you require assistance with respect to the interpretation of the regulatory requirements and their potential application in specific circumstances, you should seek legal advice.

The new/updated case management requirements for societies apply in respect of children in court-ordered care or voluntary care agreements, where the society has care and custody of the child. They will not apply where the child is not in society care (e.g., Voluntary Youth Service Agreements; kinship service). Some of the regulations only apply to children who are in the extended care of the society while others apply to children in the care of the society.

¹ Although the term **residential** is a legal term under the CYFSA and its regulations, the ministry is using the term "out-of-home care" instead of "residential" care to acknowledge the traumatic history of the Residential School system in Canada. We recognize the importance of choosing different languages, especially, since the term may be triggering to some.

The new/updated requirements for societies include greater specificity about a society's responsibility for implementing case management activities for children in society care, including directing and monitoring the course of services regardless of the type of residence in which the child is placed.

This includes new or updated requirements in the following areas:

- Identity and other documents
 - First Nations, Inuit, or Métis (FNIM) membership documentation and Secure Certificates of Indian Status
- Social History
- Medical, Dental and Vision Care and Psychological/Psychiatric assessments and treatments
- Unlicensed settings
- Visits and enhanced involvement in plans of care
- Continuity following placement
- Education, continuity, and initial enrolment
- Transfers between settings and discharge from society care

3. How do the new case management requirements enhance quality of care?

The new/updated case management requirements for societies in relation to children in their care and custody enhance quality of care by:

- improving the quality of services and care received by children in care;
- improving oversight of out of home care placements; and,
- increasing accountability for societies when they place a child in an out-of-home care placement.

4. Where can I find the regulations?

The new/updated case management requirements for societies can be found on E-Laws at the following links:

Topic	Regulation
Identity and other documents	O. Reg. 156/18, s. 48.1 ; s. 48.2 ; s. 48.3 ; s. 48.5 ; s. 48.6 ; s. 48.7 ; s. 48.8 ; s. 48.9 ; s. 48.10 ; and, s. 48.11
Identity and other documents - FNIM membership documentation and Secure Certificates of Indian Status	O. Reg. 156/18, s. 48.4
Social History	O. Reg. 156/18, s. 48.12
Medical, Dental and Vision Examinations and Treatments	O. Reg. 156/18, s. 49

Unlicensed settings	O. Reg. 156/18, s. 50.1
Visits and enhanced involvement in plans of care	O. Reg. 156/18, s. 51 and s. 51.1
Continuity following placement	O. Reg. 156/18, s. 51.3
Education, continuity, and initial enrolment	O. Reg. 156/18, s. 51.4
Transfers between settings and discharge from society care	O. Reg. 156/18, s.51.2 and s. 51.5

5. What are the new/updated case management requirements for societies?

Identity documents

- Upon admission to care, societies must make reasonable efforts to obtain original versions of the child’s health card and health insurance coverage, birth registration and certificate, social insurance number and citizenship documentation from the child’s parent/caregiver.
- If the child is First Nations, the society must make reasonable efforts to obtain a child’s membership documents issued by their First Nation or their FNIM community, including applying for membership documents if they are eligible. The society must apply for a Secure Certificate of Indian Status if a child is eligible and the society is unable to obtain the document.
- If the child is not a Canadian citizen, the society must make reasonable efforts to obtain documents that indicate the child’s place of birth, citizenship and immigration status in Canada from the child’s parent/caregiver. The society must also determine whether further inquiries to obtain documents and take steps with respect to immigration status are in the child’s best interests.
- For children in extended society care, societies are required to:
 - Apply for a passport (or renew a passport if expired), if the child is a Canadian citizen; and
 - Support the child who is 16 and older, and if it is in their best interests, to obtain a driver’s license or apply for an Ontario Photo Card.

Social History

- A society is required to initiate a social history for a child within 30 days after the child is admitted into its care and update it at least once every 12 months following the child’s admission to care.
- The social history must contain the following information:
 - 1) Identifying information, including name and age
 - 2) Identity characteristics²

² [Section 2 of O. Reg. 156/18](#) states “In this Regulation, a reference to a child’s identity characteristics means a reference to the child’s race, ancestry, place of origin, colour, ethnic

- 3) Family history
- 4) Birth history
- 5) Developmental history
- 6) Health history
- 7) Educational and academic history
- 8) History of court involvement
- 9) Experiences of separation
- 10) History of trauma, if any
- 11) Aptitudes and abilities

Medical, Dental and Vision Care and Psychological and Psychiatric Treatments

- Societies must ensure that a child in care receives any additional examinations that are recommended by a medical/dental professional.
- Societies must ensure that each child in care is given a vision examination at admission, where eligible and annually and receive corrective lenses, where prescribed.
- Societies must ensure that a child receives psychological and psychiatric assessments or treatment where the society believes that the assessment and/or treatment is necessary in the circumstances.
- Societies may defer compliance with timeframe requirements when services are unavailable, or it would not be in the child's best interests.
- A decision to defer compliance must have supervisory approval, and the society must document the rationale for deferral and the plan to receive the service as soon as possible.

Unlicensed settings

- If a society places a child in an unlicensed setting, societies must complete a pre-placement assessment, safety assessment, safety plan (if applicable) and plan of care.
- If a society is apprised of a child in society care living in an unlicensed placement and the society did not place the child there, societies may depart from the pre-placement assessment requirements with supervisory approval and document why the society was not apprised and how the child's needs will be met in the placement.

Visits and enhanced involvement in plans of care

- Societies must participate in the development and review of the plans of care led by another licensee.
- Societies must provide the licensee with all required information to support development of the plan and make recommendations about services, support and treatment to be provided to the child and document information and recommendations provided and request a copy of the plan of care to keep in the child's file.

origin, citizenship, family diversity, disability, creed, sex, sexual orientation, gender identity, gender expression or cultural or linguistic needs.”

- Societies must take steps to secure any services, supports or treatments outlined in the plan of care that are not provided or secured by the licensee will need to be secured by the society in the specified timeframe. If it is not secured within the specified timeframe, the society must document their efforts to secure the services, treatments or supports for the child.
- During visits to the child, societies must assess whether a child's needs are being met as outlined in their most recent plan of care, if any, based on discussions with the child and observations of their behaviour.
- On the same date as the visit with the child or no more than 7 days after, the society must meet with the child's caregiver(s) to support an assessment of whether the child's needs are being met and the child is making progress toward their goals.
- Societies must document their assessment, identify any needs that are not being met and determine if changes are required to the child's most recent plan of care.

Continuity following placement

- When a society places a child in an out of home care placement, societies must determine whether it is feasible and in the child's best interests to continue to attend the same educational programs; health services; cultural, spiritual, social extracurricular and recreational programs; and maintain regular contact with individuals important to the child. The society shall document this decision and provide a written explanation if it is determined that it was not feasible or in the child's best interests. If it is feasible and in the child's best interests, the society shall take reasonable steps to provide that continuity for the child.

Education, continuity and initial enrolment

- There are new requirements for societies to register a child in their care in school or an alternative educational program. If the society cannot enroll a child in their care upon their admission into out of home care and/or following a change in schools or an alternative educational program, they must document the reason for the delay and their ongoing efforts to enroll the child every 30 days.
- Societies shall ensure that when a child cannot stay in their current school or education program, that a student should remain in their original school, when possible, without interruption to school attendance during the transition process.

Transfers between settings and discharge from society

- Societies must transfer a child's belongings from one residence to another in a respectful manner (e.g., no garbage bags).
- Societies must provide specified information about the child's needs and circumstances to the licensee or person taking charge of the child.
- Information to be provided at transfers between settings includes the child's most recent plan of care and safety plan (if any), copies of any identity documents, and health insurance information.
- At discharge from society care, the society must provide the person who will be assuming care and custody of the child with the child's most recent plan of care and safety plan (if any), the child's most recent social history, any reports or

assessments of the child, original copies of the child's identity and membership documents, and security information associated with identity documents, and the child's personal effects (e.g., lifebook, artwork, keepsakes, mementos) to the person assuming care and custody of the child.

- For children discharged from care (excluding aging out of care), societies must host a meeting with (a) the person assuming care and custody of the child, (b) the child (if they want to attend), (c) other individuals who were invited to the child's most recent plan of care unless the child does not want them to attend and the society agrees it is not in the child's best interest for them to attend, and (d) in the case of an FNIM child, a representative chosen by their bands/communities, unless the child does not wish for them to attend and the society agrees it is not in the child's best interest for them to attend.
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6. What resources will be available to me in future to support implementation of the new requirements?

In the coming months, the following will be available to societies to support understanding and compliance with the new/updated case management requirements:

- A guidance document covering the new requirements, the purpose of the new requirements, indicators used by the ministry to assess compliance, and implementation guidance (Winter 2023).
 - Updates to the Child Protection Information Network.
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7. Who should I be sharing this information with?

Information regarding the new/updated case management requirements should be shared with societies. Societies should share this information with staff.

8. Who can I contact if I have questions about the new case management requirements?

If you require assistance with respect to the interpretation of the legislation and its potential application in specific circumstances, you should seek legal advice.

You may also contact your program supervisor for more information as you implement the new requirements. Any additional questions pertaining to future activities to support operationalization of the new regulations can be directed to qualitystandardsframework@ontario.ca.

9. What's next?

Stay tuned! The next Quality Standards Framework Regulations Implementation Bulletin topic on **education** will be released on March 15.