

Quality Standards Framework Regulations Implementation Bulletin #4: Pre-Admission/Pre-Placement Assessment & Conditions on Placement

JANUARY 25, 2023

In follow up to the January 18, 2023, email, this is the fourth 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.

Pre-Admission/Pre-Placement Assessment & Conditions on Placement Q&As

1. Who do the new pre-admission/pre-placement assessment and conditions on placement apply to?

The new pre-admission/pre-placement assessment and conditions on placement regulatory requirements apply to children's residence licensees, foster care licensees, staff-model home licensees, and placing agencies. This also captures children's aid societies who hold a foster care licence. These requirements do not apply to licensees operating youth justice facilities (operating a place of temporary detention or a place of secure custody or of open custody).

2. Overview of New Requirements

Please note that the information that follows does not constitute legal advice. It provides general information about the regulatory amendments made to licensing requirements 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.

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" to acknowledge the traumatic history of the Residential School system in Canada. We recognize the importance of choosing different language, especially, since the term may be triggering to some.

On July 1, 2023, licensees and placing agencies will be required to undertake a pre-placement/pre-admission assessment before a child is admitted to a children's residence or staff model home, or placed in a foster home:

- The licensee and placing agency must conduct an assessment to determine whether the immediate needs of the child can be met in the licensed setting by carrying out the steps described in the regulation (for children's residences & staff model homes, refer to s. 86.1; for foster homes, refer to s. 127), and
- Except where the placing agency and the licensee are the same entity/organization, the licensee must collect information about the child from the placing agency or person placing the child.

The regulation also sets out requirements respecting record keeping for the pre-placement/pre-admission assessment, including requirements to ensure that records are dated to reflect when they were prepared.

1. Licensee – Pre-Admission/Pre-Placement Assessment Information:

Licensees are required to conduct an evaluation before a child may be admitted to a children's residence or staff model home or placed in a foster home and prepare a written report of that evaluation. The purpose of the evaluation is to determine whether the child's immediate needs can be met in the licensed setting. The licensee's written report of the evaluation must also indicate any immediate needs of the child that cannot be met if the child were admitted/placed.

The written evaluation to be prepared by the licensee must include the following information:

- **Information the licensee must have collected from the placing agency or person placing the child:**
 - o The child's name, age, and gender,
 - o The objectives of the person placing the child or the placing agency,
 - o Information about the immediate needs of the child that is reasonably necessary for the purposes of performing the assessment, including, as may be necessary, information about any immediate developmental, emotional, social, medical, psychological, and educational needs, and any needs related to any behavioural challenges, or any trauma experienced by the child, as well as any mental health related needs,
 - o If the child is being placed by a society, the basis on which the child is in the society care (e.g., temporary agreement, extended society care, etc.),
 - o Any behaviours of the child that may pose a safety risk to either the child or others and the safety measures that should be implemented to mitigate those risks if the child were admitted/placed,
 - o The circumstances necessitating out of home care for the child, the placement or admission,

- o Any other information that, in the opinion of the person placing the child or placing agency, is relevant to the provision of care to the child.

Optional (if the placing agency or person placing the child has the information at the time of placement) – Personal, family, and social history/assessment of the child, strengths of the child (including information about their personality, aptitudes and abilities), and identity characteristics *of the child*,

Note: If the “optional” information is not available at the time that the pre-placement/pre-admission assessment is conducted and the child is admitted/placed in the licensed setting, the licensee is required by law to collect that “optional” information as soon as possible, but no later than 30 days after the child’s admission/placement.

- **Additional Information (to be compiled by the licensee rather than the placing agency):**
 - o The age, gender, general description of needs and services/supports (including additional staffing required and presence of a safety plan) for any child or adult who already resides at the licensed setting, and an assessment of if those needs might impact the care being provided to the child who might be placed, and
 - o **For Children’s Residences & Staff Model Homes:**
 - Details of training completed by the persons who will be providing direct care to the child,
 - The following information in respect of any resident (child) or adult receiving out of home care in the setting at the time of the proposed placement:
 - Their age and gender, if relevant to the evaluation,
 - A general description of their needs and the services and supports provided to them, including details of any additional staffing required to meet those needs and an indication of whether any of the residents or adults has a safety plan in place,
 - An assessment of how those needs might impact on the care to be provided to the proposed admission.
 - o **For Foster Homes:**
 - Names of the proposed foster parents, the date on which the foster parents were approved to provide foster care and an assessment of whether they have access to the supports and have the training necessary to meet the child’s immediate needs, as described in their foster parent learning plan.
 - The following information in respect of any foster child or adult receiving out of home care in the foster home at the time of the proposed placement:
 - Their age and gender, if relevant to the evaluation

- A general description of their needs and of the services and supports provided to them, including details of any additional staffing required to meet those needs and an indication of whether any of the foster children or adults has a safety plan in place.
- The number of other persons living in the foster home and any information known to the licensee about them that might impact the care to be provided to the child.
- An assessment of how the needs of the foster children or adults residing in the home at the time of the proposed placement may impact on the care to be provided to the proposed placement.
- The number of persons residing in the foster home, other than foster children or adults receiving out of home care and any information known to the licensee about them that may impact on the care to be provided to the child.

This report shall be dated to indicate the date that it was prepared.

2. Licensee Pre-Admission/Pre-Placement Assessment Written Report (to be shared with the placing agency/person placing the child):

Based on the written evaluation (described above), the licensee must prepare a separate written report that sets out their conclusions on whether the child's immediate needs can be met in the licensed setting. This report must be shared with the placing agency or person proposing to place the child *before* a placement/admission decision is made.

This written report must include the following information:

- The licensee's determination of how the child's immediate needs will be met if placed into the licensed setting, including any immediate needs that cannot be met, and
- How those immediate needs that cannot be met in the licensed settings will be otherwise met.

For children's residences & staff model homes, this report must also set out:

1. An indication of any training provided to persons providing direct care to residents that are relevant to the care of the child to be admitted.
2. The number of children and adults receiving out of home care in the licensed setting at the time at which the child will be admitted.
3. The ages, gender and information about the needs of the children and adults described in para. 2 as well as the services and supports required to meet those needs that might impact on the services to be provided to the child to be admitted.

For foster homes, this report must also set out:

1. The name or names of the proposed foster parent(s) and the address of the proposed foster home.
2. The date on which the proposed foster parent(s) were approved to provide foster care.
3. Details of any support services available to and training provided to the proposed foster parent(s) and any training completed by the proposed foster parent(s) that are relevant to the care of the child.
4. The number of foster children and adults receiving out of home care in the proposed foster home at the time at which the child will be placed.
5. The ages, gender and information about the needs of the persons described in para. 4 as well as the services and supports required to meet those needs that might impact on the services to be provided to the child.
6. The total number of persons living in the proposed foster home and any information about those persons that is known to the licensee that is relevant to the care to be provided to the proposed placement.

The licensee is prohibited from providing the placing agency or person placing the child with personal information in this report.

This report must also indicate the date on which it was prepared, **and** the licensee shall record the date that it provides this report to the placing agency or person placing the child.

3. Placing Agency: Pre-Placement/Pre-Admission Assessment

If the child is being placed by a placing agency, the placing agency must:

- Consult with the child on the proposed placement/admission, to the extent possible given their age and maturity,
- Prepare a written report setting out the child's views or the reasons for which it was not possible to consult with the child given their age and maturity,
- Consult, to the extent possible in the circumstances, with any other persons or entities that, in the opinion of the placing agency, would have information relevant to the proposed placement and the determination as to whether the placement will meet the child's immediate needs,
- Prepare a written report setting out the view of the persons or entities consulted above or the reasons for which no person or entity was consulted.

The placing agency must use the following information to assess whether the proposed placement/admission will meet the child's immediate needs:

1. The Licensee's Pre-Admission/Placement Assessment Report (described above).
2. The views of the child, if applicable
3. The views of any person or entity consulted
4. Any other information known to the placing agency about the child.

The placing agency must also prepare a written report setting out its assessment.

Conditions on Placements/Admissions for Placing Agencies:

- A placing agency cannot place a child into a licensed setting unless they have completed all the steps required as part of the pre-placement/pre-admission assessment process described in ss. 86.1 (children's residences & staff model homes) or 127 (foster homes).
- If a placing agency decides to place a child in a licensed setting, they must:
 - o Notify the child of the decision as soon as reasonably possible after the decision has been made but before the child is admitted to the licensed setting,
 - o Make a record of any measure that the licensee determines should be implemented prior to the child's admission to ensure that the immediate needs of all of the residents and adults are met, including any additional services and supports to be provided to the child or other residents and adults, and
 - o Before the child is admitted to the licensed setting, provide the licensee with:
 1. Its pre-placement assessment report (described above and required pursuant to ss. 86.1(4)(e) and 127(4)(e) of O. Reg. 156/18); and,
 2. The record described immediately above.

Conditions on Placements/Admissions for Licensees

A licensee cannot accept a child to be admitted unless they have:

1. Completed all the required steps as part of the pre-placement/pre-admission assessment process described in ss. 86.1 (children's residences & staff model homes) or 127 (foster homes).
 2. If the child engages in behaviours that may pose a risk to the safety of the child or others or if there are risks to the child's safety known to the licensee, conducted a safety assessment as required by regulation and, if required, prepared a safety plan.
 3. ***For Foster Homes:*** *In addition to the above-noted criteria and information related to:*
 - o The foster parents are approved under s. 121 and the results of their last annual assessment under s. 123 indicated that the foster parents remain suitable to provide foster care,
 - o The licensee has disclosed to the foster parent all information known to the licensee about child relevant to their care, including the reports developed as part of the pre-placement assessment, and
 - o The licensee has obtained the agreement of the foster parents and the placing agency.
-

3. How do the new pre-admission/pre-placement assessment and conditions on admission/placement enhance quality of care?

Third party reports and child welfare advocacy groups have called for improvements to pre-placement and pre-admission assessments to keep children and youth safe and support positive outcomes. Enhancing pre-admission/pre-placement assessment requirements is part of the work to embed the [Quality Standards Framework](#), into regulation. Quality Standard 1 of the [Quality Standards Framework](#) speaks to the need for children and young persons to be placed intentionally in the right setting at the right time, based on their needs.

The current requirement is restricted to an assessment of whether the child's "immediate" needs have been met. The ministry has enhanced the existing process for pre-admission/pre-placement planning to increase the planning and information sharing between placing agencies and licensed sites (placements). There have been serious health and safety concerns identified by licensed settings when information sharing between the placing agency and the placement had not occurred or had been incomplete.

The enhancements to the pre-admission and pre-placement assessment requirements ensure placing agencies and licensees consider and document how the needs of the child can be met by the proposed placement, while considering the needs of children and adults already residing in those placements. This will also help reduce the likelihood of harm to children, staff, and foster parents. Children placed in out-of-home care should feel that their placement is safe, inclusive, and accessible.

Placements in out-of-home care settings should be used intentionally based on the needs and identity of the child, which will help prevent placement breakdowns. With careful planning, assessment, screening and methodical placement decisions, children and young persons should only move between out of home care placements when it is necessary. This will contribute to greater stability and a sense of belonging for children in out of home care. Recognizing the inherent trauma of placement movement and reducing the number of disruptions that children face supports a reduction of the unintentional trauma that can be inflicted by the situation.

4. Where can I find the regulations?

The regulations related to the Pre-Placement Assessments and Condition on Placement requirements can be found here: [O. Reg. 156/18, s. 127, s. 128](#)

The regulations related to the Pre-Admission Assessment requirements can be found here: [O. Reg. 156/18, s. 86.1 to 86.2.](#)

5. 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 service providers to support understanding and compliance with the new pre-placement/pre-admission assessment and conditions on placement requirements:

- A guidance document covering the new requirements, purpose for the new requirements, indicators used by the ministry to assess compliance, guidance for placing agencies and best practices for implementation (March 2023).
 - A Pre-Admission/Pre-Placement Assessment Template (March 2023).
 - Training for service providers on the new requirements (spring 2023).
-

6. Who should I be sharing this information with?

Information regarding the new pre-admission/placement assessment and conditions on placement requirements should be shared with all children's residences licensees (except for licensees operating youth justice facilities), staff-model home licensees and foster care licensees. This information should also be shared with placing agencies and persons placing a child or young person, staff and foster parents.

7. Who can I contact if I have questions about the new regulations?

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 regional licensing team 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.

8. What's next?

Stay tuned! The next Quality Standards Framework Regulations Implementation Bulletin topic will be on **safety plans**.