

Quality Standards Framework Regulations Implementation Bulletin #12: Other Minor Enhancements

MARCH 22, 2023

In follow up to the March 15, 2023 email, this is the twelfth and last of the weekly communications that will be sent by the Ministry of Children, Community and Social Services (ministry) to out of home care^[OBS]¹ 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 have covered 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.

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 *Child, Youth and Family Services Act, 2017 (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. Overview of New Requirements:

The “other” enhanced requirements represent smaller changes to regulations that touch on a few different topics.

As of July 1, 2023, the following requirements are in effect under O. Reg. 156/18:

- **Water Temperature:** The rules on water temperature in children’s residences and staff model homes are amended to require that water in the residence/ home must be capable of reaching a temperature of at least 40 degrees Celsius (i.e., the minimum hot water temperature). The rule that the maximum hot water temperature shall not exceed 49 degrees Celsius is maintained.
 - **Note:** This requirement only applies to licensed children’s residences (including those that operate as a place of temporary detention, or secure custody or of open custody) and staff model homes.

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.

- **Policies and Procedures:** The rules on policies and procedures are amended to require all licensees to ensure that their policies and procedures comply with requirements set out in the CYFSA and its regulations, and that persons to whom the policies and procedures apply comply with the policies and procedures, including all persons providing direct care and supervision to children and young persons on behalf of the licensee (including foster parents).
 - **Note:** These requirements apply to licensed children’s residences including children’s residences that operate as a place of temporary detention, or secure custody or of open custody, staff model homes and licensed foster care, including children’s aid societies who hold a foster care licence.
- **Training on Policies and Procedures:** The rules for training on policies and procedures are amended to require that each person employed to work in the children’s residence or staff model home, foster parents and any persons assigned to supervise and support foster parents will receive training on the residence or home’s policies and procedures within 30 days after commencing their employment and/or before a child is placed in their home, will review the policies and procedures at least once every 12 months, reviews them any time they are revised, before the revisions take effect, and that the licensee keeps a record of the training which includes a signature of the person who received the training.
 - **Note:** These requirements apply to licensed children’s residences, including those that operate as a place of temporary detention, or secure custody or of open custody, staff model homes and licensed foster care, including children’s aid societies who hold a foster care licence.
- **Some Annual Timelines Changed to Once Every 12 Months:** In several places in O. Reg. 156/18, regulations have been amended to change “annual” timeline requirements to once every 12 months, for clarity. The following requirements have been amended:
 - Training on policy and procedures: Each person employed to work in a children’s residence or staff model home, and all foster parents and persons assigned to supervise and support foster parents must review the residence or home’s policies and procedures at least once every 12 months.
 - Foster care service agreement reviews: the review must be completed at least once every 12 months and as otherwise requested by a foster parent.
- **Approval of Foster Parents - Assessments:** The rules on the approval of foster parents are amended to require that after completing the activities required as part of the initial foster parent approval process, the licensee shall ensure that the completed written assessment developed as part of the initial approval of foster parents is signed by the proposed foster parent or parents.
 - **Note:** These requirements apply to licensed foster care, including children’s aid societies who hold a foster care licence.
- **Annual Review of Foster Home - Assessments:** The rules have been amended to require the licensee or person designated by the licensee to ensure

that the completed written assessment developed as part of the annual review of a foster home is signed by the foster parent or parents.

- **Note:** These requirements apply to licensed foster care, including children's aid societies who hold a foster care licence.
- **Timing of assessment of resident or child's health:** Clarify rules in regulation requiring an "annual assessment" of the resident or child's general health, vision, hearing and oral health to instead require that the assessment must be completed once every 13 months.
 - **Note:** These requirements apply to licensed children's residences including children's residences that operate as a place of temporary detention, or secure custody or of open custody, staff model homes and licensed foster care, including and children's aid societies who hold a foster care licence.

As of July 1, 2023, the following requirements are in effect under O. Reg. 155/18

- **Timing regarding right to be informed:** The rules on when licensees have to inform children and young persons of their rights, complaints process(es), review procedures, their responsibilities and the day to day rules in out of home care have been amended to require licensees to inform children and young persons of the information set out under [section 9 of the Act](#) at during their admission, and then at the following intervals:
 - 30 days after placement,
 - 90 days after placement, and
 - 180 days after placement and every 180 days thereafter.
 - **Note:** These requirements apply to licensed children's residences including children's residences that operate as a place of temporary detention, or secure custody or of open custody, staff model homes and licensed foster care, including and children's aid societies who hold a foster care licence.
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2. Where can I find the regulations?

O. Reg. 156/18 regulations can be found here:

- [Water Temperature - Section 97, para. 9](#)
- Policies and Procedures for [Children's Residences - Section 82\(3\) & \(4\) and Foster Care - Section 119\(6\) & \(7\)](#)
- Training on Policies and Procedures - [Section 83 and Section 120](#)
- Some Annual Timelines Changed to Once Every 12 Months: Training on Policies and Procedures - [Section 83 and Section 120](#), Foster Care Service Agreement Review – [Section 131\(3\)](#)
- Approval of Foster Parents - Assessments – [Section 121\(10\)](#)
- Annual Review of Foster Home - Assessments – [Section 123\(6\)](#)

- Timing of Assessments of Resident’s General Health, Vision, Hearing and Oral Health - [Children’s Residences - Section 82\(1\)\(g\) and Foster Care – Section 119\(2\)\(k\)\(iii\)](#)

O. Reg. 155/18 regulations can be found here:

- Timing Regarding Right to be Informed – [Section 9](#)
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3. 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 other enhancement 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).
 - Information webinars for service providers on the new requirements (Spring 2023).
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4. Who should I be sharing this information with?

Information regarding the “other” enhanced requirements should be shared with all out of home care licensees for children and young persons, including children’s residences licensees, staff-model home licensees and foster care licensees. This information should also be shared with placing agencies, front-line staff members and foster parents.

5. 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.

6. What's next?

The implementation tools and resources, including the bulletins released weekly since January 2023, are part of the ministry's commitment to support the delivery of licensed out of home care services that are high quality, appropriate and safe, to provide better outcomes and supports for children and young persons in need. These tools and resources will be made available on the ministry's [SOR-RL training platform](#).

Thank you to everyone who has taken the time to read through the bulletins and for your dedication to improving the lives and experiences of children and young persons who require out of home care across the province.