



**Submission to the Ministry of Children, Community
and Social Services regarding Proposed Policy
Directive Updates to Clarify Data Collection
and Reporting Requirements for Children's Aid Societies
Respecting the New Youth Leaving Care Policy
and “Ready, Set, Go” Program**

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Overview

The Ministry of Children, Community and Social Services has requested comments on a regulatory proposal related to amendments to *Policy Directive: CW 003-23 — Preparing Youth for Successful Transition from the Care of Children’s Aid Societies*.¹ The proposed amendments would clarify data collection and reporting requirements for children’s aid societies respecting the new Youth Leaving Care policy and the “Ready, Set, Go” program.

The government has also introduced a number of legislative amendments in the recently introduced Bill 188, *Supporting Children’s Futures Act, 2024*. In May 2024, my Office provided six proposals to the Standing Committee on Social Policy highlighting concerns that I had previously brought to the attention of the Ministry of Children, Community and Social Services that remained unaddressed.

I commend the government’s efforts to strengthen the Ministry’s oversight of children’s aid societies with respect to the care and support they provide to youth between the ages of 18 and 22. I have prepared this submission to share my Office’s observations and expertise in this area, and I am confident that this will assist the Ministry in its efforts to further promote oversight and accountability for vulnerable youth.

The Ombudsman’s jurisdiction and role in improving services to children and youth

The Ombudsman is appointed under the *Ombudsman Act*² as an independent and impartial Officer of the Ontario Legislature. In this role, the Ombudsman has the authority to review and formally investigate the administrative conduct of more than 1,000 public sector organizations, including provincial government organizations, municipal sector entities, school boards, and publicly funded universities. Since 2019, the Ombudsman’s mandate also includes reviewing complaints about children’s aid societies, residential licensees, and secure treatment facilities that provide services to children and youth under the *Child, Youth and Family Services Act, 2017*, as well as complaints about the provision of French language services under the *French Language Services Act*. When problems are identified, the Ombudsman can make recommendations to resolve an issue, improve processes, and strengthen governance and accountability.

The Ombudsman continues certain functions of the former Office of the Provincial Advocate for Children and Youth. Specifically, the Ombudsman’s Office was given the authority to investigate “any matter” concerning services to a child provided by a children’s aid society or

¹ Ministry of Children, Community and Social Services, “Proposed Policy Directive Updates to Clarify Data Collection and Reporting Requirements for Children’s Aid Societies Respecting the New Youth Leaving Care Policy and Ready, Set, Go Program”, *Ontario’s Regulatory Registry* (17 April 2024), online: <<https://www.ontariocanada.com/registry/view.do?postingId=47174&language=en>>.

² RSO 1990, c O.6,

a licensed residential service provider. Ontario Regulation 80/19 also provides that my Office is responsible for receiving and reviewing reports related to the death or serious bodily harm of a child who has received services under the *CYFSA*, a function formerly performed by the Provincial Advocate for Children and Youth.

Since then, the Ombudsman's Office has provided assistance to children, youth and families in more than 7,700 cases about young people in care or receiving services from children's aid societies, and nearly 1,000 cases about youth justice centres. In addition to assisting thousands of children with issues related to child protection, our Office also provides outreach and services to children in provincial and demonstration schools, and oversees a wide range of services provided for children in the social services, health and education sectors.

Many of these cases are dealt with by a unit at my Office with specialized expertise in dealing with issues affecting children and youth. The function of the Children and Youth Unit is to promote and protect the rights of children and youth in care by:

- Handling complaints from young people, families and the public
- Conducting investigations when necessary
- Monitoring and administering the Death and Serious Bodily Harm reporting system
- Meeting with young people in care to tell them about their rights
- Giving presentations to service providers with obligations to children and families under the *CYFSA*
- Developing communication materials and giving presentations to community groups and professionals who help young people
- Providing advice and recommendations to government

We have also created four specialized teams – the Indigenous Circle; the Black Children, Youth and Families Table; the 2SLGBTQIA+ Outreach Group; and the Provincial and Demonstration Schools Outreach Group – to lead presentations and outreach to children, youth and families who are members of these groups.

Our goal is to improve the experiences of young people and families receiving child protection services in Ontario by ensuring they are treated fairly.

Reporting requirements for youth 18 to 22 years old

Currently, young people 18 years of age and older (up to age 23) may receive continued care and support from a children's aid society as part of the newly introduced "Ready, Set, Go" program. This program is designed to assist young people who are leaving the care of a children's aid society and transitioning to adulthood.

The Ministry is proposing to amend *Policy Directive: CW 003-23 — Preparing Youth for Successful Transition from the Care of Children's Aid Societies* to clarify data collection and reporting requirements for children's aid societies respecting the new Youth Leaving Care policy and the "Ready, Set, Go" program. One of the proposed amendments would require societies to complete and submit Serious Occurrence Reports for incidents affecting youth currently participating in the "Ready, Set, Go" program, and for a youth who participated in the program within the 12 months preceding their death.

I welcome the Ministry's proposal to expand Serious Occurrence reporting requirements to include youth between the ages of 18 and 22. This change would strengthen the Ministry's oversight of children's aid societies with respect to the care and support they provide to older youth as they transition to adulthood.

However, this proposal would not require societies to submit Death and Serious Bodily Harm reports to my Office for youth aged 18 to 22 who are participating in the "Ready, Set, Go" program. At present, children's aid societies and licensed residential service providers are only required to notify the Ombudsman's Office when they become aware of the death of or serious bodily harm to a child or young person up to 18 years old who has received services from a society within the past 12 months.³

Many children's aid societies voluntarily provide my Office with Death and Serious Bodily Harm reports for youth aged 18 to 22 who are participating in the "Ready, Set, Go" program. In the past year, my Office received a total of 149 reports about the death of a child or young person. Of those reports, 27 concerned the death of a youth aged 18 years old or over, including 10 who died of a drug overdose and three by suicide. My Office's Children and Youth Unit has a dedicated team that reviews all Death and Serious Bodily Harm reports weekly to identify potential systemic issues and cases that require follow-up.

Unfortunately, one children's aid society has explicitly refused to voluntarily provide my Office with Death and Serious Bodily Harm reports for youth aged 18 and older who are participating in the "Ready, Set, Go" program. Not having access to these reports prevents my Office from being able to identify systemic issues and cases for follow-up with respect to the services this society provides to vulnerable youth.

To further enhance oversight mechanisms for these vulnerable young adults, I encourage the Ministry to also require societies to submit Death and Serious Bodily Harm reports to my

³ s 1 of Ontario Regulation 80/19 under the *Ombudsman Act*.

Office when they become aware of a death or serious bodily harm involving youth who participate in the “Ready, Set, Go” program, and for youth who die within 12 months of their participation. This would further enhance the Ministry’s efforts to promote oversight and accountability in the delivery of services under the CYFSA.

Proposal 1

Policy Directive: CW 003-23 — Preparing Youth for Successful Transition from the Care of Children’s Aid Societies should be amended to require that a children’s aid society inform the Ontario Ombudsman in writing and without unreasonable delay if the society learns of the death of or serious bodily harm to a youth who is participating in the “Ready, Set, Go” program, and for a youth who participated in the program within the 12 months preceding their death.


Proposal 2

Ontario Regulation 80/19 under the *Ombudsman Act* should be amended to require that a children’s aid society inform the Ontario Ombudsman in writing and without unreasonable delay if the society learns of the death of or serious bodily harm to a youth who is participating in the “Ready, Set, Go” program, and for a youth who participated in the program within the 12 months preceding their death.

Conclusion

I commend the government’s ongoing commitment to strengthen the Ministry’s oversight of children’s aid societies respecting the care and support they provide to youth between the ages of 18 and 22. I have made two proposals in this submission, based on my Office’s extensive experience in this area, to further enhance these improvements and to increase oversight for vulnerable youth in the province.

I appreciate the Ministry’s consideration of my proposal, and my staff would be pleased to provide more information and answer any questions.



Paul Dubé
Ombudsman of Ontario

Ce mémoire est aussi disponible en français