



Ontario Association of
Children's Aid Societies

LETTER TO THE MINISTER OF CHILDREN, COMMUNITY AND SOCIAL SERVICES

Policy Directive Updates to *Clarify Data Collection and Reporting Requirements*

JUNE 3, 2024

June 3, 2024

Hon. Michael Parsa
Minister of Children, Community and Social Services
7th Floor, 438 University Avenue
Toronto, ON M5G 2K8

RE: Regulation Registry Proposal 24-MCCSS006, Proposed Policy Directive Updates to Clarify Data Collection and Reporting Requirements for Child Welfare Agencies Respecting the New Youth Leaving Care Policy and *Ready, Set, Go* Program

Dear Minister Michael Parsa,

On behalf of the Ontario Association of Children's Aid Societies (OACAS) and our members, I am writing with respect to the [regulation registry proposal 24-MCCSS006](#) that the Ministry of Children, Community and Social Services (MCCSS or the Ministry) posted on April 17, 2024.

OACAS is a provincial membership organization representing 47 of Ontario's 50 mandated children's aid societies and Indigenous Child and Family Well-Being Agencies (child welfare agencies), as well as 2 pre-mandated Indigenous Child and Family Well-Being Agencies. We support members by providing practice tools, educational and training opportunities, as well as communication and advocacy supports to help bring positive change to the Ontario child welfare system and improve outcomes for children, youth, and families.

It is our understanding that the Ministry is proposing amendments that would require child welfare agencies to collect specific information, including personal information, from children and youth participating in RSG and report that information to the Ministry. If approved, child welfare agencies would also be required to complete Serious Occurrence Reports for youth (18 to 22 years old) participating in the RSG program, and for a young person who had died and participated in the RSG program at any time 12 months prior to their death. By making these amendments, the intent is to clarify data collection and reporting requirements, as well as support service planning, informing continuous improvement efforts, and monitor whether the RSG program is operating as designed and achieving intended outcomes.

OACAS and our members welcome efforts to bring clarity and appreciate the importance of evidence-based policy and program development. As MCCSS undertakes this work, there are key considerations we would like to bring to your attention.

1: Data Collection and Meaningful, Informed Consent

Under the *Child, Youth, and Family Services Act, 2017* (CYFSA), the Ministry is granted significant powers to collect personal information and use the information gathered for a range of purposes. As the Ministry considers clarifying data collection and reporting requirements associated with RSG, we remind MCCSS of the importance of safeguarding the privacy of children and young adults participating in the program and meaningful, informed consent.

Children and young adults who receive services from a child welfare agency are some of the most vulnerable in the province. While some services are not mandatory, such as RSG, young people may feel like they must disclose personal information to access support, services, and programming that would promote their overall health and well-being. This is an incredibly difficult position, and one of heightened vulnerability. It is important to keep in mind that Indigenous, Black, racialized and 2SLGBTQ+ children and youth, who are overrepresented in the child welfare system, are even more vulnerable due to the intersecting systems of power, privilege, and oppression.

Young people between the ages of 18 and 22 *voluntarily* participate in the RSG program. The design and operation of the program, including data collection, retention, and disclosure, should reflect this reality and consistently centre meaningful, informed consent whenever possible.

The changes, as written, propose to only seek consent for a subset of the data (i.e., personal information, other program-related participant information). We recommend that MCCSS deeply embed the collection of meaningful, informed consent in the RSG program and require child welfare agencies to seek consent for *all* the proposed data (i.e., age, case information, education information, workforce participation). It is imperative that MCCSS not only seek informed, meaningful consent but build in young adult's privacy rights and best interests into the program. MCCSS must ensure young adults understand what private information is, why their private information is being sought, how it will be used and who will have access, as well as protective measures available to them.

We call on the Ministry to develop education, training, and guidance documents focused on privacy rights and data collection in relation to RSG. To be clear, guidance documents should include materials specifically designed for young adults to ensure they are informed and truly understand the regulatory requirements. As MCCSS undertakes this work, OACAS urges the Ministry to collaborate with the child welfare sector and children and youth with lived experiences to ensure resources will resonate with young adults participating in the program.

2: Privacy and Serious Occurrence Reporting

OACAS and our members acknowledge the purpose of serious occurrence reporting (SO reporting). We recognize that it ensures service providers manage incidents as they occur and supports the Ministry in monitoring and overseeing organizations in the delivery of services.

As written, the proposed amendments to [Policy Directive CW 003-23](#) would require child welfare agencies to carry out SO reporting for young adults 18 to 22 years old participating in the RSG program. We remind the Ministry that SO reporting categories are broad and lend themselves to the disclosure of deeply personal information and sensitive lived experience(s) that young adults may not wish to disclose. For example, categories (and subcategories within) offer information regarding the conduct/behavior of young adults (i.e., substance use, self-harm, unusual absences, use of information technology, etc.) and services they may be accessing (i.e., health, mental health). The categories of concern for OACAS and our members include serious injury, serious illness, and serious individual action.

We strongly urge MCCSS to carefully consider the categories and cautiously select which would apply to this group of youth and when, relative to their age. We request that MCCSS work with OACAS, members, and youth with lived experience to select the categories. Again, RSG is a program

that young adults between the ages of 18 and 22 *voluntarily* participate in; the Ministry must ensure the program reflects this reality and prioritize safeguarding the privacy of young adults as much as possible.

The Ministry should limit the collection, use, disclosure, and retention of young adult's personal information to that which is strictly necessary to the delivery of the program and centre informed, meaningful consent. Young adults should be informed of SO reporting requirements and what private information is collected through the categories (and subcategories), the rationale, who has access, and how it will be used, as well as protective measures available to them.

We call on the Ministry to develop materials regarding SO reporting and privacy rights in relation to RSG that will support implementation (i.e., education, training, guidance documents). This should include youth-friendly content. We call on MCCSS to work in partnership with OACAS, members, and children and youth with lived experience, so the supporting materials will resonate with direct service staff and young adults.

3: Impact on Service Delivery

On behalf of members, OACAS would like to highlight that the proposed amendments to [Policy Directive CW 003-23](#) could impact service delivery. The proposed changes related to data collection and reporting will come with an increase in administrative tasks and, in turn, increase workload pressures. We remind the Ministry that the proposed regulatory amendments follow a series of significant regulatory and policy changes (i.e., *Quality Standards Framework, Ready, Set, Go*) that have already placed unsustainable workload pressures on direct service staff due to associated administrative tasks. The proposed changes will likely have a compounding effect.

OACAS is deeply concerned that this will undermine the capacity of staff to spend quality time in forming meaningful connections with children, youth, and their caregiver(s) and deliver high-quality supports and services. We urge MCCSS to explore opportunities to minimize the administrative tasks and ways to mitigate the associated workload pressures.

Additionally, it is important to keep in mind that not all child welfare agencies utilize the Child Protection Information Network (CPIN). The increase in administrative tasks and intensity of workload pressures will be acutely felt by these member agencies, who will have to adjust their information management system(s). We urge MCCSS to work closely with such agencies and provide support and resources that will promote information management system readiness.

To ensure a smooth implementation of regulatory requirements, and mitigate the administrative impact and associated workload pressures, we strongly urge the Ministry to work closely with the child welfare sector, as well as young people with lived experience, to develop pertinent resources for direct service staff and young adults participating in the RSG program.

OACAS and our members are encouraged by the province's efforts to help youth better prepare for and transition from care. RSG launched last year, and we know that the Ministry is eager to assess whether it is having the intended impact. We urge the Ministry to fully fund the program beyond three years and allow more time for implementation and careful analysis.

As part of their assessment of RSG, we urge the Ministry to ensure that data collection and SO reporting requirements do not undermine Indigenous data sovereignty. Additionally, we strongly encourage the Ministry to review the First Nations principles of ownership, control, access and possession (e.g., OCAP principles).

Further, when analyzing RSG, we urge MCCSS to review how the program can be refined and better integrate with other policies and programming designed for young people between the ages of 16 and 22. For example, Voluntary Youth Service Agreements and adult developmental services. OACAS and our members would welcome the opportunity to provide comments on policy and program integration and identify opportunities to further refine [Policy Directive CW 003-23](#).

We also urge the Ministry to critically reflect on their definition of success. MCCSS is operationalizing a Eurocentric outcomes measurements framework that does not necessarily equate to positive outcomes or truly resonate with the lived realities of all young people in care or receiving services from a child welfare agency. A one-size-fits-all framework may overlook or misinterpret strengths and signs of overall health and well-being. For example, feelings of belonging, being part of a robust social network that promotes interdependence and meaningful relationships, or continued connections to kin, culture and community.

While RSG is a promising initiative, this program alone cannot transform outcomes for children and youth in care or receiving services from a child welfare agency. To achieve better outcomes for transitional-aged youth, MCCSS must work across ministries and sectors to ensure that every young person has access to strong, robust social infrastructure in their communities that centres culturally relevant services and the social determinants of health. This would ensure young people can access the right care, at the right time, close to home.

OACAS and our members remain committed to the successful implementation of RSG. We are pleased to work with MCCSS to engage the sector, as well as key partners and children, youth, and caregivers with lived experience, to enhance the program and the indicators and outcomes framework. If you have any questions or would like to further discuss, please do not hesitate to reach out. I can be reached at sowoo@oacas.org.

Sincerely,



Solomon Owoo
Interim CEO
OACAS

