

# **ONTARIO PERMANENCY FUNDING POLICY**

## **GUIDELINES**

**January 26, 2007**

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# Ontario Permanency Funding Policy Guidelines Index

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## Introduction

The Child Welfare Transformation (2005) document provided a strategic plan for the provision of child welfare services that would maintain the focus on child safety while enhancing permanency options for children receiving services from children's aid societies in Ontario. A key component of the Child Welfare Transformation is the Pillars of Permanence that include:

- Admission Prevention
- Kinship Service
- Kinship Care
- Customary Care
- Legal Custody
- Foster Care
- Adoption
- Youth Leaving Care

The Pillars of Permanence have been designed as a service continuum with a range of alternatives, and are intended to enable children's aid societies to select a plan that is best suited for each child. The objective is for societies to continually work with the child's family and extended family or community towards establishing a stable, safe and permanent home for the child. It is anticipated that members of a child's family, extended family or community may require financial assistance and service supports in order to support this goal.

The Ontario Permanency Funding Policy Guidelines provide a framework for the provision of financial assistance, for the purposes of facilitating admission prevention, kinship service, place of safety<sup>1</sup>, customary care, legal custody<sup>2</sup> and adoption options. The guidelines reflect the principles that financial assistance should be based on the unique needs of the child and/or the family's ability to meet those needs.

Financial assistance that will be provided where children are in the care of a children's aid society (kinship care, foster care) and to Crown wards leaving care is not included in this policy. Societies will continue to follow financial policy directions currently in place for these types of care. For clarification a kinship care family approved as a kinship foster home will be eligible for foster care per diem rates.

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<sup>1</sup> Place of safety – in relation to section 37(5) of the *Child and Family Services Act*.

<sup>2</sup> Legal custody - in relation to section 65.2 of the *Child and Family Services Act*.

## Format and Language of the Policy

Each permanency option addressed in this policy includes the following seven components:

- *Eligibility*: outlines the circumstances in which a family may be eligible for financial assistance from a children's aid society.
- *Community Support*: outlines types of community supports which may be available to the family providing care and must be considered prior to the provision of financial assistance by a children's aid society.
- *Financial Assistance*: outlines the type of financial assistance which a children's aid society may provide to the family providing care.
- *Decision-Making Criteria*: summarizes considerations for decision-making around the provision of financial assistance.
- *Rationale*: articulates the intent of providing financial assistance.
- *Accountability*: outlines the ministry's expectations of children's aid societies with respect to the provision of financial assistance, including ensuring appropriate documentation is maintained and that eligibility and decision-making criteria are met.
- *Record Keeping*: stipulates the ministry's requirements for record keeping with respect to financial assistance.

<b>ADMISSION PREVENTION</b>	
<b>Eligibility</b>	<p>A child residing with their family in the community is determined by the society to be in need of protection and is at risk of being admitted to care. The child is not in care. Financial assistance could reduce the risk to the immediate health and safety of the child and could prevent admission to care.</p> <p>Family is receiving protection services either on a voluntary basis or through a Supervision Order.</p>
<b>Community Support</b>	<p>Availability of assistance from extended family members, community services, private or government programs must be considered.</p> <p>Societies and OW/ODSP offices are encouraged to develop protocols to facilitate the coordination of financial support payments between programs.</p>
<b>Financial Assistance</b>	<p>Episodic/emergency support may be provided to cover items not immediately available from social assistance or other government/community programs such as urgent unforeseen overnight accommodation, payment to address urgent child safety related home repairs (window/door safety locks, broken windows repair), child car safety seat, transportation to child support services (e.g. counseling), and other short term needs to address immediate health and safety concerns for the child.</p> <p>Case work and service supports are provided as required.</p>
<b>Decision Making Criteria</b>	<p>In determining the assistance to be provided, societies should consider:</p> <ul style="list-style-type: none"> <li>• what is the minimum support required to prevent the child's admission to care?</li> <li>• what is the family's financial ability to contribute to the cost of the required intervention?</li> <li>• are there members of the extended family or community who could provide some or all of the assistance to address the urgent need?</li> <li>• are there other private, or government programs that could provide the emergency assistance to address the urgent need?</li> <li>• has financial assistance been provided in the past to prevent an admission to care?</li> <li>• that they are required to provide financial assistance within their current funding envelope.</li> </ul>
<b>Rationale</b>	<p>Research indicates that early intervention to reduce urgent risk situations can better position parents to address the issues causing their child to be in need of protection and ultimately enable children to remain out of care on that occasion as well as possibly in future.</p>
<b>Accountability</b>	<p>Eligibility criteria have been met.</p> <p>Decision making criteria have been applied.</p> <p>Societies should make direct payments to service providers whenever possible. Receipts from families receiving direct financial assistance are required. If receipts are not provided, explanatory notes must be made to file. As well, where societies are providing financial assistance, they must be prepared to provide documentation to the family for purposes of social assistance upon request.</p> <p>Each society will be required to track and manage financial assistance provided in relation to admission prevention.</p>
<b>Record keeping</b>	<p>Family files will require documentation through a case note and recording regarding provision of the assistance and how this relates to preventing the admission of the child to care.</p> <p>Provision of financial assistance on a frequent basis should trigger the assessment of parent's ability to meet the ongoing needs of the child.</p>

<b>KINSHIP SERVICE</b>	
<b>Eligibility</b>	<p>A child is determined by the society to be in need of protection and is placed with a kin or community caregiver. The child's safety will be protected and an admission to care will be prevented if the child resides with kin or a community member.</p> <p>The caregiver requires financial assistance to meet the extraordinary costs of integrating the child into their family. The child is not in the care of the society and will remain with kin or community member until safety issues have been addressed either to allow the child's return to their parent(s) or protection concerns have been addressed and a permanency plan is established.</p> <p>The child has been placed with kin or a community member either on a supervision order (no longer than 12 months), on the consent of the child's family, or during the application process for legal custody (<i>CFSA 57.1</i>).</p>
<b>Community Support</b>	<p>Availability of assistance from extended family members, community services, private or government programs must be considered. Child/family may be eligible for other community supports such as subsidized day care, recreation programs, day camps, etc.</p> <p>Kin/community member may be eligible for Temporary Care Assistance through Ontario Works that may include prescription drugs, dental and vision care, back-to-school allowance and winter clothing allowance.</p>
<b>Financial Assistance</b>	<p>Episodic/emergency financial assistance may be provided to stabilize the kinship placement and prevent an admission to care. The assistance would cover items that would not be immediately available from social assistance or other government programs such as start up costs (e.g. furniture/mattress), payments for accommodations to the home to meet the needs of the child (e.g. window/door safety locks), transportation to child support service (e.g. counseling), caretaker relief, and other short term needs to address health and safety concerns for the child.</p> <p>Case work and service supports are provided as required.</p>
<b>Decision Making Criteria</b>	<p>In determining the assistance to be provided, societies should consider:</p> <ul style="list-style-type: none"> <li>• what minimum supports are required to prevent the child's admission to care?</li> <li>• what is the kin caregiver's financial ability to contribute to the cost of meeting the child's needs of the required intervention?</li> <li>• are there members of the extended family or community who could provide the assistance?</li> <li>• are there other private or government programs that could provide the assistance to address the need?</li> <li>• has financial assistance been provided in the past to prevent an admission to care?</li> <li>• that they are required to provide financial assistance within their current funding envelope.</li> </ul>
<b>Rationale</b>	<p>The provision of financial support has been identified as a key factor in achieving the goal of preventing a child's admission to care by facilitating and stabilizing a kin placement.</p>
<b>Accountability</b>	<p>Eligibility criteria have been met.</p> <p>Decision making criteria have been applied.</p> <p>Determination that the provision of financial assistance has prevented an admission to the society's care.</p> <p>New kinship service standards have been applied.</p> <p>Societies should make direct payments to service providers whenever possible.</p> <p>Receipts from kin caregivers receiving direct financial assistance are required. If receipts are not provided, explanatory notes must be made to file. As well, where societies are providing financial assistance, they must be prepared to provide documentation to the family for purposes of social assistance upon request.</p> <p>Each society will be required to track and manage funds in relation to kinship service.</p>
<b>Record keeping</b>	<p>Family files will require documentation through a case note and recording regarding provision of the financial assistance and how this relates to preventing the admission of the child to care.</p>

	KINSHIP CARE Place of Safety under <i>Child and Family Services Act (CFSA)</i> subsection 37(5)
Eligibility	A child is determined by the society to be in need of protection and has been admitted to the society's care. The child has been placed with kin caregiver in accordance with the "Place of Safety Prior to Placement" regulation. The society is satisfied that the person is willing and able to provide a place of safety until safety issues have been addressed to allow the child's return to the child's parent(s) or protection concerns have been addressed and a permanency plan has been established. Financial support is required by the kin caregiver to meet the child's identified needs.
Community Support	Available assistance from extended family, community services, private or government programs must be considered. In addition to the protection court order (e.g. interim care and custody, society wardship) the court may make a support order requiring parents to contribute to the costs of the child while in the care of the society.
Financial Assistance	Societies will provide financial assistance to support the needs of the child in kin caregiver homes until the child returns to their parent(s) or a permanency plan has been established. Payments are not to exceed the regular foster care rate (approximately \$900 per month).  Financial support will be provided to stabilize the kinship placement and to meet a child's basic needs (food, clothing, medical and dental, school supplies, recreation) and other items such as start up costs (e.g. furniture/mattress), payments for accommodations to the home to meet the needs of the child (e.g. window/door safety locks), transportation to child support service (e.g. counseling), babysitting, day care, caretaker relief and other short term needs to address health and safety concerns for the child.
Decision Making Criteria	In determining the assistance to be provided, societies should consider: <ul style="list-style-type: none"> <li>• assessment of the child's needs</li> <li>• supports required by the family to meet the child's needs and health and safety concerns</li> <li>• other assistance available from extended family members, community services, private or government programs</li> </ul>
Rationale	The child is in society's care and the society is required to provide care for children assigned or committed to its care. The family providing a place of safety is exempt from foster care licensing standards for 60 days, and therefore the rate of support may be less than the regular foster rate during this period. If the family is approved as a foster home, the foster care per diem rates apply.
Accountability	Child is in the care of a CAS and placed with a kin caregiver who has been assessed as willing and able to offer a place of safety. Financial assistance provided will not exceed foster care rates. Eligibility criteria have been met. Decision making criteria have been applied. Receipts for direct financial assistance for costs to family in accommodating the child and child's safety needs are required. If receipts are not provided, explanatory notes must be made to file. Each society will be required to track and manage funds for kinship care.
Record keeping	As child is in society care, a child's file has/will be created. Visits to the home are required in accordance with Ontario Regulation 206/00. All costs provided to the kin caregiver and to the child must be documented in the kinship file.

<b>CUSTOMARY CARE</b>	
<b>Eligibility</b>	<p>Customary care is defined for the purposes of Part X in the <i>Child and Family Services Act</i> as “the care and supervision of an Indian or native child by a person who is not the child’s parent according to the custom of the child’s band or native community. R.S.O. 1990, c. C.11, s.208.</p> <p>An Indian child is an “Indian” as defined in the <i>Indian Act</i>. A native child is a “native person” as defined in the <i>Child and Family Services Act</i>.</p> <p>Where a society determines that an Indian or native child is in need of protection, removal of the child from the parents/caregiver is required and there is a customary care declaration by the band of either parent, the society will grant a subsidy to the person caring for the child. The home must meet foster care licensing regulations and standards.</p> <p>The child is supervised by a children’s aid society pursuant to the band declaration.</p> <p>There must be a customary care agreement in place.</p>
<b>Community Support</b>	Availability of assistance from extended family members should be considered.
<b>Financial Assistance</b>	<p>A children’s aid society will grant a subsidy for formal customary care only.</p> <p>A customary caregiver providing formal customary care will be paid at regular, specialized or treatment foster care rates in accordance with the child’s needs. The caregiver will be entitled to the same reimbursements, training and support systems as foster parents.</p>
<b>Decision Making Criteria</b>	<p>The society has made a determination that the child is in need of protection and cannot remain with the parent/caregiver due to protection concerns.</p> <p>There is a customary care declaration by the band of either parent.</p> <p>The child is supervised by a children’s aid society pursuant to the band declaration.</p> <p>A customary care agreement is in place.</p> <p>Financial assistance will not exceed foster care rates.</p> <p>The customary caregiver requires assistance in providing for a child’s basic needs and to address the health and safety concerns for the child.</p>
<b>Rationale</b>	<p>Customary care is recognized as a culturally appropriate placement option for Indian or native children. A number of Aboriginal children’s aid societies have developed good working models of customary care for protection cases within the current legislative regulations and standards of the <i>Child and Family Services Act</i>.</p> <p>These models recognize that children must be kept safe, secure and raised in an environment that is conducive to learning and supporting their growth to become healthy, productive adults.</p> <p>The Child Welfare Secretariat supports the continued use of customary care as a child protection placement option for Indian and native children.</p>
<b>Accountability</b>	<p>Band declaration.</p> <p>Customary care agreement.</p> <p>Children are supervised by the children’s aid society and foster care standards apply.</p> <p>Eligibility criteria have been met.</p> <p>Decision making criteria have been applied.</p>
<b>Record keeping</b>	<p>Customary care child file is created.</p> <p>Children in care standards and recording requirements apply.</p> <p>Customary care home file is created.</p> <p>Foster care standards and recording requirements apply.</p>

LEGAL CUSTODY	
Eligibility	Family has obtained legal custody of a child under the <i>CFSA</i> section 65.2.
Community Support	Availability of assistance from extended family members, community services, private or government programs must be considered. Societies and OW/ODSP offices are encouraged to develop protocols to facilitate the coordination of financial support payments between programs (e.g., families requiring assistance for children with special needs from societies would only receive Assistance for Children with Severe Disabilities (ACSD) if societies are unable to provide funding to cover these special expenses).
Financial Assistance	Episodic and/or ongoing financial assistance may be provided to: <ul style="list-style-type: none"> <li>assist families where the placement of the child is based on continuity of care, to be with a sibling or relative, or cultural/religious compatibility and/or where family could not offer a permanency plan in absence of financial support,</li> <li>assist with the specific costs or with cost sharing that provides for a child's special services. This would include but not be limited to medical and related costs not covered by OHIP, orthodontic and corrective dental treatment, home renovations to accommodate a child's disability, wheelchairs, crutches, braces or prostheses, therapy including occupational, speech and hearing, remedial education, day care, and transportation that are not covered by private or government programs.</li> </ul> Societies may allocate subsidy payments up to regular, specialized or treatment foster care rates in accordance with the child's needs and family's ability to meet those needs. Case work and service supports are provided as required.
Decision Making Criteria	In determining the financial assistance to be provided, societies should consider: <ul style="list-style-type: none"> <li>identification of need based on either child's special needs, need for continuity of care, sibling or relative placement, cultural or religious needs,</li> <li>family's financial ability to meet the needs of the child,</li> <li>availability of community resources,</li> <li>family's eligibility for supports through a private or government program,</li> <li>that they are required to provide financial assistance within their current funding envelope.</li> </ul>
Rationale	To address the special challenges for families who make a permanent commitment to care for a child by legal custody ( <i>CFSA</i> 65.2), the provision of subsidies and support has been identified as a key factor in achieving the goal of permanency through legal custody in other jurisdictions and in research.
Accountability	Approval is required by a local director or designate. In considering this request a local director or designate will require: <ul style="list-style-type: none"> <li>eligibility criteria have been met,</li> <li>decision making criteria have been applied,</li> <li>permanency agreement including a synopsis of child's needs and reason for subsidy has been developed,</li> <li>statement of family's financial situation,</li> <li>estimate of assistance required,</li> <li>statement regarding availability of other supports or programs,</li> <li>recommendation by worker and supervisor.</li> </ul> The local director or designate will conduct an annual review. In conducting the annual review the local director or designate will consider the following information: <ul style="list-style-type: none"> <li>confirmation that child resides in the home,</li> <li>updated financial statement,</li> <li>review of eligibility and decision making criteria,</li> <li>recommendation to extend, amend or terminate.</li> </ul> Each society will be required to track and manage funds for legal custody ( <i>CFSA</i> 65.2). Where societies are providing financial assistance, they must be prepared to provide documentation to the family for purposes of social assistance upon request.
Record keeping	A separate file is required. Copies of permanency agreements will be placed in the custodial parent post-placement file. File will contain separate documentation for each child in the family for whom family is receiving assistance. This will include: documentation supporting the application, permanency funding agreement, annual review documentation, requests, invoices, and ongoing documentation in relation to services provided.

	ADOPTION
<b>Eligibility</b>	<p>Child is a Crown ward or the child's parents consent to the child's adoption through a CAS and at the time assistance is provided the child is either:</p> <ul style="list-style-type: none"> <li>• in care and on adoption probation until adoption is finalized or,</li> <li>• out of care as the adoption has been finalized.</li> </ul>
<b>Community Support</b>	<p>Availability of assistance from extended family members, community services, private or government programs must be considered.</p>
<b>Financial Assistance</b>	<p>Episodic and/or ongoing financial assistance may be provided to:</p> <ul style="list-style-type: none"> <li>• assist with the specific costs or with cost sharing that provides for a child's special services. This would include but not be limited to medical and related costs, orthodontic and corrective dental treatment, home renovations to accommodate a child's disability, wheelchairs, crutches, braces or prostheses, therapy including occupational, speech and hearing, remedial education, day care and transportation that are not covered by private or government programs,</li> <li>• assist families where the placement of the child is based on continuity of care, to be with a sibling or relative, or cultural/religious compatibility and/or where family could not offer a permanency plan in absence of financial support.</li> </ul> <p>Societies may allocate subsidy payments up to regular, specialized or treatment foster care rates in accordance with the child's needs and the family's ability to meet those needs. Case work and service supports are provided as required.</p>
<b>Decision Making Criteria</b>	<p>In determining the assistance to be provided, societies should consider:</p> <ul style="list-style-type: none"> <li>• identification of need based on either child's special needs, need for continuity of care, sibling or relative placement, cultural or religious needs,</li> <li>• family's financial ability to meet the needs of the child,</li> <li>• availability of community and other resources,</li> <li>• family's eligibility for supports through a private or government program,</li> <li>• that they are required to provide financial assistance within their current funding envelope.</li> </ul>
<b>Rationale</b>	<p>To address the special challenges for families who make a permanent commitment to care for a child by legal adoption through a children's aid society. The provision of subsidies and support has been identified in research and jurisdictional review as a key factor in achieving the goal of permanency through adoption.</p>
<b>Accountability</b>	<p>Approval is required from the local director or designate. In considering this request the local director or designate will require:</p> <ul style="list-style-type: none"> <li>• eligibility criteria have been met,</li> <li>• decision making criteria have been applied,</li> <li>• permanency agreement including a synopsis of child's needs and reason for subsidy has been developed,</li> <li>• statement of family's financial situation,</li> <li>• estimate of assistance required,</li> <li>• statement regarding availability of other supports or programs,</li> <li>• recommendation by worker and supervisor.</li> </ul> <p>The local director or designate will conduct an annual review. In conducting the annual review the local director or designate will consider the following information:</p> <ul style="list-style-type: none"> <li>• confirmation that the child resides in the home,</li> <li>• updated financial statement,</li> <li>• review of eligibility and decision making criteria,</li> <li>• recommendation to extend, amend or terminate.</li> </ul> <p>Each society will be required to track and manage funds for adoption subsidies. Where societies are providing financial assistance, they must be prepared to provide documentation to the family for purposes of social assistance upon request.</p>
<b>Record keeping</b>	<p>A separate subsidy file is required. Copies of permanency funding agreements to be placed in child's file and adoptive family file. The subsidy file will contain separate documentation for each child in the family for whom family is receiving assistance. This will include; documentation supporting the application, permanency agreement, annual review documentation, requests, invoices, ongoing documentation in relation to services provided.</p>