



Ontario's Child Welfare System

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This CWRP Information Sheet provides an overview of the child welfare service delivery system in Ontario. The summary is based on the authors' synthesis of information collected from publicly available documents, including information presented in the previous version of this Information Sheet (Wegner-Lohin, Kyte & Trocmé, 2014).

Background

Children's Aid Societies in Ontario have the exclusive mandate under the Child, Youth and Family Services Act (CYFSA) to protect children who have been or are at risk of being abused and/or neglected by their caregivers, to provide for their care and supervision where necessary and to place children for adoption (CFYSA, 2017). A total of 38 Children's Aid Societies and 13 Indigenous Child and Family Wellbeing Agencies (ICFWBA) are specifically designated by the Minister of Children, Community and Social Services to investigate child abuse and neglect and take the necessary steps to care for children and youth in need of protection. Three Children's Aid Societies specifically serve religious communities. Children's Aid Societies are independent legal entities (corporations run by Boards of Directors) or Indian Bands (that operate under the Indian Act) and are accountable to the communities they serve. In addition to the CYFSA, the Ontario Child Welfare Eligibility Spectrum and Child Protection Standards guide child protection workers at each phase of service delivery.

The Government of Ontario and the Government of Canada have a cost-sharing agreement for funding certain social services to First Nations children and families living on reserve. For more information on First Nations child welfare in Ontario, see the information sheet "[First Nations Child Welfare in Ontario](#)" (Kozlowski et al., 2011).

The current structure of the Ontario child welfare system has been through a series of changes over the last decade. While Children's Aid Societies continue to provide services to children and families, several agencies have been amalgamated (from 46 to 38), the range of available services has expanded, and the Ontario Child Welfare Eligibility Spectrum has been revised. Revisions to the *Eligibility Spectrum 2016* included directives such as "Continued Care and Support for Youth" (CCSY) and the "Building Families and Supporting Youth to Be Successful

Act, 2011”, new scales such as “Child Fatality”, and modifications to existing scales related to child sexual exploitation and children experiencing violence in the home. The most recent revisions to the Eligibility Spectrum in 2019 were largely administrative and were made to align the tool with the CYFSA (2017). In 2018, the CYFSA replaced the Child and Family Services Act and in 2020 the [Child welfare redesign](#) strategy was introduced, which is built on five strategic pillars that focus on:

1. Community-based prevention services to enhance family wellbeing
2. Improving the quality of residential care
3. Increasing youth supports
4. Developing stable lifelong connections for children and youth
5. Improving accountability and sustainability (Government of Ontario, 2021).

Child in Need of Protection

Child protection services are provided to children and youth ages 0-17 years. The Voluntary Youth Services Agreement (VYSA) came into effect in April 2018 and outlines the provision of child protection services to eligible youth, where appropriate, until their 18th birthday. Also, youth ages 18-20 (inclusive) may be eligible for CCSY provisions to help them meet their goals as they transition to adulthood.

In order for a child to be found in need of protection, evidence of harm is not required. Children can be deemed as being in need of protection when there is a significant risk of harm to the child.

[Section 74\(2\)](#) of the Child, Youth and Family Services Act considers that a child is in need of protection where:

- The child has suffered or is at risk of suffering physical harm, inflicted by the person having charge of the child or caused by or resulting from that person’s
 - Failure to adequately care for, provide for, supervise, or protect the child, or
 - Pattern of neglect in caring for, providing, or supervising or protecting the child;
- The child has been sexually abused or sexually exploited or is at risk of being sexually abused or sexually exploited, by the person having charge of the child or by another person where the person having charge of the child knows or should know of the possibility of sexual abuse or sexual exploitation and fails to protect the child;
- The child requires medical treatment to cure, prevent, or alleviate physical harm or suffering and the person having charge of the child does not provide the treatment or access to the treatment or refuses or is unavailable to consent to the treatment;
- The child has suffered emotional harm resulting from the actions, failure to act, or pattern of neglect on the part of the person having charge of the child;
- The child has suffered emotional harm or is at risk of suffering emotional harm, or suffers from a mental, emotional or developmental condition that, if not remedied, could

seriously impair the child's development, and the child's parent or guardian does not provide, or refuses or is unavailable or unable to consent to services or treatment to remedy or alleviate the harm

- The child has been abandoned, the child's parent has died or is unavailable to exercise his or her custodial rights over the child and has not made adequate provision for the child's care and custody, or the child is in a residential placement and the parent refuses or is unable or unwilling to resume the child's care and custody;
- The child is less than twelve years old and has killed or seriously injured another person or caused serious damage to another person's property, services or treatment are necessary to prevent a recurrence and the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, those services or treatment;
- The child's parent is unable to care for the child and the child is brought before the court with the parent's consent and, where the child is twelve years of age or older, with the child's consent.

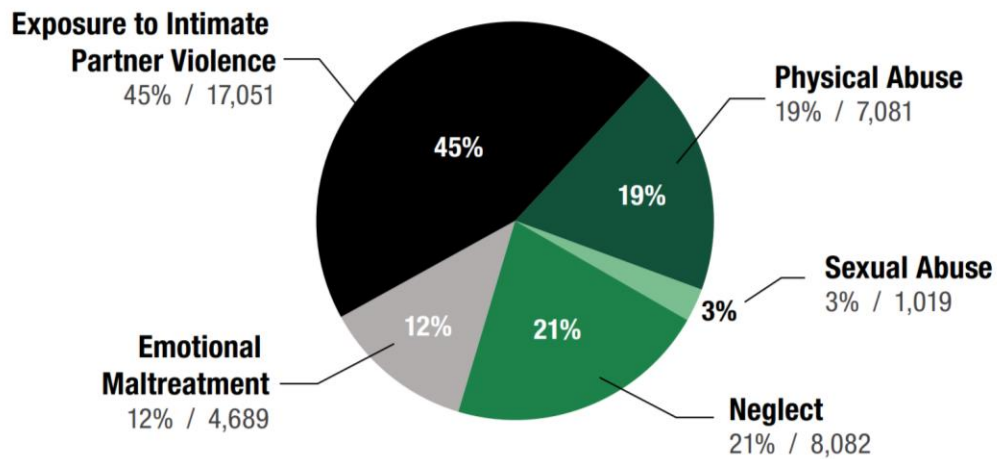
Service Delivery

When child abuse or neglect is suspected, the information is reported to the local Children's Aid Society. Each report of a child protection concern is assessed by a child protection worker based on the Child Protection Standards in Ontario and the Eligibility Spectrum. In cases where there are reasonable and probable grounds that a child may be in need of protection, an investigation is initiated using either a "traditional approach" (focused on ascertaining facts and collecting evidence in a legally defensible manner) or a "customized approach" (more flexible, individualized approach used in less severe cases).

In 2018, Children's Aid Societies across Ontario conducted a total of 148,536 maltreatment-related investigations (a rate of 62.89 per 1,000 children) (Fallon et al., 2020). At the conclusion of the investigation, concerns are deemed as being verified (substantiated), not verified (not substantiated) or inconclusive.

The 2018 Ontario Incidence Study of Reported Child Abuse and Neglect (OIS-2018) describes the primary forms of reported maltreatment for children investigated by child welfare services. Figure 5 presents the incidence of substantiated maltreatment in Ontario, based on the primary maltreatment category. The OIS-2018 uses maltreatment categories designed for application across all provinces and territories; therefore, the maltreatment categories in Figure 5 do not directly correspond to the protection categories outlined in the Child, Youth and Family Services Act. As shown in Figure 5, findings from the OIS-2018 indicate that the primary category for substantiated maltreatment in Ontario is highest for exposure to intimate partner violence (45%), followed by neglect, physical abuse, emotional maltreatment, and sexual abuse (Fallon et al., 2020).

FIGURE 5: Primary Category of Substantiated Child Maltreatment in Ontario in 2018



*Source : OIS-2018 (Fallon et al., 2020)

If the child is still deemed as being in need of protection at the conclusion of the investigation, the family will continue to receive services either voluntarily or on a court-mandated basis. The Child, Youth and Family Services Act requires that decisions related to protection services consider the best interests of the child and that the least disruptive alternatives are preferred. Table 3-6A indicates that in 2018, 97% of cases where a Children's Aid Society became involved the child remained at home with their family (Fallon et al., 2020).

TABLE 3-6A: Placement in Child Maltreatment Investigations in Ontario in 1998 and 2003, and in Child Maltreatment Investigations and Risk of Future Maltreatment Investigations in Ontario in 2008, 2013, and 2018

Placement Status	1998			2003			2008			2013			2018		
	#	Rate per 1,000 children	%	#	Rate per 1,000 children	%	#	Rate per 1,000 children	%	#	Rate per 1,000 children	%	#	Rate per 1,000 children	%
Child Remained at Home	58,611	24.86	91%	121,109	50.66	95%	121,436	50.98	94%	121,020	51.51	97%	144,351	61.12ns	97%
Child with Relative (Not a Formal Child Welfare Placement)	2,779	1.18	4%	2,748	1.15	2%	3,616	1.52	3%	1,874	0.80	1%	2,488	1.05ns	2%
Foster Care (Includes Foster and Kinship Care)	2,416	1.02	4%	3,023	1.26	2%	3,004	1.26	2%	2,105	0.90	2%	1,523	0.64ns	1%
Group Home/ Residential Secure Treatment	824	0.35	1%	1,074	0.45	1%	692	0.29	1%	282	0.12	0.23%	174	0.07ns	0%
Total Investigations	64,630	27.42	100%	127,955	53.52	100%	128,748	54.05	100%	125,281	53.32	100%	148,536	62.89ns	100%

Ontario Incidence Study of Reported Child Abuse and Neglect 2018

Based on a sample of 3,047 investigations in 1998, 7,164 investigations in 2003, 7,471 investigations in 2008, 5,265 investigations in 2013, and 7,115 investigations in 2018.

Rate and percentage columns may not add to totals due to rounding.

ns Difference between 2013 and 2018 incidence rate is not statistically significant.

***Source :** OIS-2018 (Fallon et al., 2020)

In cases when there is significant risk that a child will be maltreated if they remain in the family home, the child will be placed with another caregiver and may be in the care of the Children’s Aid Society or a family or community member. The OIS-2018 reports that children are most likely to be placed in out-of-home care for investigations with neglect as the primary form of substantiated maltreatment (Smith, Van Wert, Ma & Fallon, 2012). As shown in Table 3-6A, in 2018, most children who required out-of-home care at the time of investigation were placed in an informal arrangement with a relative (2%), followed by foster care and kinship care (1%) (Fallon et al., 2020)

Additional information about child welfare services in Ontario is available on the Ministry of Children, Community and Social Services website, the Ontario Association of Children’s Aid Societies website, as well as the Canadian Child Welfare Research Portal.

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