

Protection Services for 16- and 17-Year-Olds

Information for Youth

April 2018

Introducing a New Service for 16- and 17- Year-Olds

On January 1st, 2018 Ontario increased the age of protection to include all children under the age of 18 years. If you are 16 or 17 years old, and believe you might be in need of protection, a new service has been developed for you.

You may need protection services if you are experiencing physical abuse, sexual abuse, emotional abuse, neglect and/or abandonment, or if you are at risk of any of these things. If you have left home because of concerns about safety or risk of harm at home, or if you are homeless, you may be eligible for services from a children's aid society (society). If you feel like you may be in need of protection but you are not sure about whether you might be eligible, you can contact the society in your area. You can find your local society in your local telephone listings or, where available, by dialing 411. In some communities, societies are known as "family and children's services", "child and family services", or a "child and family services agency".

You can also find information about all of Ontario's societies at:

<http://www.children.gov.on.ca/htdocs/English/childrensaidd/index.aspx>.

Increasing the age of protection means that you may be eligible to enter into a new Voluntary Youth Services Agreement (VYSA) if you:

- are aged 16 or 17;
- cannot be adequately protected at home or in your current living situation;
- have no other safe options with family, friends or other member of your community or extended family; and
- need an out-of-home placement.

If you enter a VYSA, you will work with a society to develop a Voluntary Youth Services (VYS) Plan. Part of that plan will be to make sure you have a housing option that is safe and appropriate. The plan will also identify your goals and the supports that will help you meet your needs and work toward your goals.

How can working with a society help you?

Societies provide protection services to youth to help keep them safe and provide support to their families.

Societies begin their work when they receive a request or referral for service. The request may come from someone in the community who is concerned about your safety. You may also make a request on your own behalf. You may be concerned about the impact upon your relationship with your family if you are the one making the report. However, as the referral source, you may ask to remain anonymous.

Societies will then consider the information and may begin an investigation. The society will want to hear from you about your experiences and concerns to help them assess whether you are in need of protection and, if so, what services are appropriate for you. The society may have to talk with your family about the information you provide in your interview. They can protect your identity as the referral source.

Services available for 16- and 17-year-olds include:

- Where appropriate, societies will work with you and your family (or if you aren't living with your family, in your current living situation) to improve things at home. This may include referring you and/or your family to community services and programs that can help.
- If you are not safe at home or have left home because you were unsafe, there may be a member of your family or someone close to you who is willing to help. If you can be cared for by members of your family, community or friends, this is called **Kinship Service**.
- If you are a First Nation, Inuk, or Métis youth who needs an out of home placement, a placement can be arranged for your care according to the custom of your band or First Nation, Métis, or Inuit community. This is called **Customary Care**.
- If you are in need of protection, and you cannot be adequately protected at home or in your current living situation, and there are no safe options with family or friends, you may enter into an agreement with a society for services and supports, including a housing option that is safe and appropriate. This is called a **Voluntary Youth Services Agreement (VYSA)**.

A society will work with you on an option that best meets your immediate safety needs and work with you to explore placement options (e.g., longer term options with kin or community) that may take some time to work out.

What can you expect when working with a society?

If you are 16- or 17-years old and you are in need of protection, a society will support you to make decisions that help to minimize the risk to your safety and promote your best interests, protection and well-being.

You should expect to be involved in all important decisions that concern you. This includes:

- the plan for your safety;
- your living arrangement;
- your interests regarding education or employment;
- medical care; and
- any programs that will support you in your transition to adulthood.

When you receive services from a society, you should expect support in identifying and developing relationships that you feel are important and beneficial to you, and that you want to last throughout your life. Services will focus on helping you stay connected to your family – whatever that means to you – and to your community and culture. You should have access to services and supports that respect your culture, as well as access to programs that help you develop personally.

What is a Voluntary Youth Services Agreement (VYSA)?

You can enter an agreement with a society where you reside to receive services and supports, subject to the following eligibility criteria, which are all required:

- the society has determined that you are or may be in need of protection;
- the society has determined that you cannot be adequately protected through any other means such as being cared for by a family member or someone in your community; and
- you want to enter into the agreement.

When you enter a VYSA, you are eligible for a number of supports which may include living arrangements, financial and social supports. The society will work with you to develop a Voluntary Youth Services (VYS) Plan that will outline the different supports available to you.

Prior to entering a VYSA, societies will:

- ensure you meet eligibility requirements;
- inform you of the voluntary nature of the agreement in a manner that you can understand;
- make a referral to the Office of the Children’s Lawyer to provide you with an opportunity to receive legal advice about the options available to you; and
- provide you with an opportunity to consult with an advocate or trusted adult prior to signing the agreement and/or have these persons attend planning meetings with you.

If you are a First Nation, Inuk, or Métis youth, the society will provide notice to your First Nation band, or First Nation, Métis, or Inuit community, that the society is preparing to enter an agreement with you so that services are provided to you in a manner that respects and helps preserve your cultural identity and supports you to remain connected to your community, heritage and traditions.

Voluntary Youth Service Plan (VYS Plan)

Every youth who enters a VYSA will have a VYS Plan. This is a plan developed by you and the society that will outline the different supports available to you. It will also document your strengths, needs and goals. It also includes the activities, and assigned roles and responsibilities of you and the society to build on your strengths and respond to your needs and goals. Within 30 days of entering a VYSA, the society worker will work with you to develop a VYS Plan.

Potential Living Arrangements

The society will work with you to develop a plan and find a living arrangement that will best meet your needs, is informed by your wishes, and is appropriate to your development and readiness for independence.

Terminating a VYSA

A VYSA is a voluntary agreement and you can end the agreement (i.e., terminate) at any time.

Prior to terminating a VYSA, it is a good idea for you to try to address any concerns you have through the complaints process, or to talk with the Office of the Children’s Lawyer (OCL) about your concerns. It may be possible to address any concerns you have while you continue to receive the supports you need.

Where a VYSA has been terminated, you and the society may enter into a new VYSA at any time in the future as long as you meet the eligibility requirements.

What happens when you turn 18?

If you have a VYSA in place with a society on your 18th birthday, you are eligible for the Continued Care and Support for Youth (CCSY) program. CCSY provides eligible youth with financial and non-financial supports (e.g. service from a society worker) from age 18 until your 21st birthday. Talk to your society worker about the range of supports that may be available to you.

Where can I get support?

Services are also available to help you participate in decisions that impact you. These include services from the Office of the Children’s Lawyer and the Ontario Child Advocate (OCA)¹, and Alternative Dispute Resolution and complaint processes.

The Office of the Children’s Lawyer

If a society determines that you are in need of protection and an out-of-home placement is being considered, the society is required to make a referral on your behalf to the OCL. You will have the opportunity to consult with an OCL lawyer, who may provide advice to you about the options that are available, as well as legal representation if you are entering a VYSA. There is no charge to you for this service.

The OCL has lawyers across Ontario who represent children and youth in child protection cases in court. The OCL lawyer’s role is to independently represent the views and interests of youth. The lawyer provides information to youth about the legal process, gives legal advice about the options that are available, and advocates for youth in court and other processes, such as in Alternative Dispute Resolution, complaints processes about services received from a society, and also provides lawyers for parents who are under 18 years old.

The OCL has a role to support you if you are considering a VYSA, or if you are considering ending the VYSA. If you, or the society, are considering terminating the VYSA, the OCL will also be notified so they can provide you with legal advice.

You can contact the OCL by calling (416) 314-8000 or at: <http://www.ontario.ca/ccnw>.

The Ontario Child Advocate (OCA)

The OCA provides an independent voice for children and youth across the province receiving services in Ontario’s child welfare system. OCA has the authority to receive and respond to complaints, conduct

¹ Formally the Provincial Advocate for Children and Youth (PACY) under the *Provincial Advocate for Children and Youth Act*, 2007.

reviews, represent the views and preferences of children and youth, make reports and provide recommendations.

Prior to entering or terminating a VYSA, or at any time you request, you will be given an opportunity to consult with an advocate and/or another trusted adult and/or to have a support person attend a meeting with you. The society will make all reasonable efforts to include support persons in a planning meeting, where appropriate.

You can contact OCA by calling 1-800-263-2841 or at: <http://provincialadvocate.on.ca>.

Alternative Dispute Resolution (ADR)

If you are working with a society, the society is required to inform you about options to resolve any issue related to the plan for you, including access to Alternative Dispute Resolution (ADR).

ADR is an approach to resolving disagreements between you and a society. This approach encourages the involvement and support of the family and extended family, where appropriate, and your community, in planning and decision-making for children and youth. ADR focuses on bringing the right people together to work out the best plan for you. For example, if you disagree with the society about the type of placement that is best for you, ADR may bring the right people together to explore options and develop a plan.

Aboriginal Approaches to ADR, which have been established by First Nations communities or Indigenous organizations, are also available.

You can discuss ADR with your society worker or the OCL if you think it will help or to obtain more information.

If You Have a Complaint...

Societies are required to inform you about options to resolve any issue related to the plan for your care, in a manner that you can understand. This includes information about the complaints process and providing you with written information about the complaints process. If you want to make a complaint, you can:

- Contact the society directly. All societies must have a complaint review process. You can learn more about this process at: <http://www.children.gov.on.ca/htdocs/English/childrensaid/societies/ocascomplaint.aspx#CAS>.
- Contact the Ontario Child Advocate at 1-800-263-2841 or (416) 325-5669 or visit: <http://provincialadvocate.on.ca>.
- Contact the Child and Family Services Review Board. This independent body can review some complaints or society decisions. The board can be reached at 1-888-728-8823 or (416) 327-4673 or through its website: <http://www.cfsrb.ca/>.

The society will provide you with written materials about the complaints processes available to you.

For more information on any of the items noted above, please contact Lori Bennett, Manager (A), Child Welfare Secretariat at Lori.Bennett@ontario.ca or refer to the Ministry of Children and Youth's website: <http://www.children.gov.on.ca/htdocs/English/professionals/childwelfare/societies/index.aspx>.