



Ontario Association of
Children's Aid Societies

Achieving a Better Balance

Response from OACAS Member Agencies to

Accountability Discussion Paper:

Finding the Right Balance

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ACHIEVING A BETTER BALANCE

Response from OACAS Member Agencies to *Accountability Discussion Paper: Finding the Right Balance*

INTRODUCTION

In response to a request from the office of the Child Welfare Secretariat at the Ministry of Children and Youth Services, the Ontario Association of Children's Aid Societies (OACAS) has compiled and coordinated the responses received from member agencies to the Ministry's Accountability Discussion Paper: *Finding the Right Balance*.

The OACAS, on behalf of its members, remains committed to a strong provincial regulatory framework, as indicated in the report prepared by OACAS in 1996 in response to the Ministry's Red Tape Commission. That report, requested by the Ministry, proposed a new approach to regulating Children's Services in Ontario.

The fact that a large number of member agencies responded to the Accountability Discussion Paper: *Finding the Right Balance* is clearly indicative that the issue of accountability and finding the right balance in the accountability relationship between the ministry and the child welfare agencies is one of major importance. Members have taken this opportunity to collaborate with the Ministry to develop a framework that will address the accountability issues that bear on the two parties in providing quality service to the children and families of this province.

Child welfare agencies are committed to achieving a regulatory framework that reflects their accountability to the children and families they serve, to the public and to the Ministry and that articulates the Ministry's accountability to properly resource the mandate stated in the *Child and Family Services Act*. As stated in the document prepared in response to the Red Tape Commission, child welfare agencies were seeking, and continue to seek a framework that will ensure coordination, reduce fragmentation, and make the most efficient and effective use of resources. Member agencies are looking for accountability mechanisms that move beyond the measurement of compliance and place more emphasis on outcomes and quality assurance.

The Ministry's goal to achieve a more streamlined and rationalized accountability relationship is clearly one that is shared by Ontario's child welfare agencies. Also evident in the feedback received from OACAS member agencies on the current accountability mechanisms is the recognition not only of the need to be accountable, but also the need for changes in the review mechanisms. Agencies have provided detailed feedback on each type of review, as well as some

recommendations and conclusions. All welcomed the opportunity to contribute to 'finding the right balance' in the accountability relationship

OACAS and its members welcome the opportunity to continue to contribute to the development of an accountability framework designed to best serve the children and families of this province both from a service and a funding standpoint with an emphasis on quality assurance and the measurement of outcomes.

BOARD CONSULTATION WITH THE SECRETARIAT ON ACCOUNTABILITY

Members of the Secretariat met with the Board of Directors of OACAS on November 2, 2004. Members of the Board chose not to discuss the review mechanisms in detail but preferred to have a broader discussion about the accountability relationship between the Ministry and the Boards of Directors of Children's Aid Societies.

The Board lauded the Secretariat's statement that their intention is to move from the current regime of compliance-driven reviews toward a system of reviews that measure quality of service provision and outcomes. The introduction of review mechanisms that ensure a high quality of service and management of agencies and optimal outcomes for children and families is strongly supported by the Board of Directors of OACAS.

Integrated Framework

The Board addressed the need to develop a *framework* for accountability that is coherent, integrated and meaningful. There is no need for the Ministry to focus on ensuring compliance at the case level but there is a need for the Ministry to ensure the integrity of the child welfare system as a whole. Emphasizing compliance mechanisms implies a lack of trust on the part of the Ministry. This is damaging to the relationship with the Ministry which is seen to be a partner within the child welfare system. Both partners in the system need to be mutually accountable. This means that as well as its role in the management of the system the Ministry has a responsibility to fund agencies so that they can meet mandated requirements for service delivery.

Outcomes

The Board stated its belief that measuring outcomes is essential to achieving the desired degree of management of the system, and urged the development of an outcomes measurement framework. The National Outcomes Matrix is a good starting point. The Board also reminded the Secretariat that OACAS has developed a Quality Assurance Framework for Children's Aid Societies which is in wide use across the province; in effect the field is ahead of the Ministry in its use of Quality

Assurance. The Ministry needs to resource the use of Quality Assurance initiatives in agencies by allocating funding for staff to manage this vital function.

Service and Management Plan

Local boards view the agency Service and Management Plans as the most important documents in the relationship between agencies and the Ministry as they articulate what the agency intends to achieve and how it intends to do so. To date there has been little apparent effort given to reviewing, approving and funding these plans. This represents a major disconnect in the business planning process. There is a requirement for the Ministry to use these documents to consider and approve or not approve the service delivery plans of agencies. It appears that the Ministry uses these plans primarily to track budget and funding issues and to monitor administration and infrastructure costs. It is unhelpful when the Ministry uses these plans to compare agencies with one another and agencies often feel that these “business plans” are used against them. It would be helpful if the Ministry analyzed the return on investment of its funds in terms of effective service delivery based on outcome measurement and management of costs on the part of the agencies taking into account local and regional factors that impact on agency operations.

The annual Service Plan is a mechanism by which incremental changes toward “better practice” could be recognized and reviewed. This is also a place where outcome data could be reported to the Ministry and this would strengthen service planning. Currently there is no approval process for the Service Plan, and no response to it from the Ministry. Service Plans could be a major accountability mechanism if the Ministry used them not only to approve funding but to comment on the service delivery strategies of the agencies. If the data from the Service Plans were rolled-up it would provide an excellent picture of the status of agencies and provide the Ministry the opportunity to analyze trends across the province. Aggregate Provincial data from the reviews including Child Death Reviews and serious occurrences reviews would provide baseline data for Quality Assurance developmental work.

Accreditation and Quality Assurance

The Board recommended that the Ministry consider replacing many of the current reviews (which are often seen as punitive or based on suspicion of impropriety) with an Accreditation and Quality Assurance process, as these forms of review lead to a system of continuous improvement. They saw that Accreditation and the Ministry review process could work together to create a more positive approach to oversight and quality improvement.

They discussed the concept of using an independent third party review process to mitigate any perception of conflict of interest in having OACAS accrediting Children’s Aid Societies. The Board felt that they would want to retain the OACAS Accreditation standards even if some other body conducted the

Accreditation reviews as they would not want to see the quality of the standards diminished. They indicated that Accreditation would have to become mandatory if it were to replace a number of reviews.

The Child Abuse Registry

The OACAS Board recommended that the Ministry dismantle the Child Abuse Register. It is not used consistently because the information it provides is not reliable. Better and more useful information is available from the Fast Track System.

Single Information System

The Board recommended the development of the Single Information System which they see as fundamental to reducing redundancy and making information available in usable form.

Client Complaints

Finally, the issues of client complaints and the need for system-wide standardization in how complaints are handled were addressed. There is little consistency in the methods by which individual agencies and Ministry Regional Offices handle complaints from clients. There is, therefore, not surprisingly, considerable variation in the responses provided to clients. There needs to be a way to screen out vexatious complaints that are made because clients do not agree with decisions made at the agency level. There are concerns that on occasion the complaints procedure is underway at the same time as a judicial process and that there is the possibility for negative outcomes in this situation. While the legislation indicates, if somewhat unclearly, how the Children's Aid Society is to proceed when a client complains, there are no guidelines for how the program supervisor in the Regional Office is to respond. There needs to be more clarity around the definition of "complaint" and who can access the complaints process. If client feedback were built into a Quality Assurance process there would be less need for a client complaints procedure.

Recommendations

- Both partners in the system need to be mutually accountable. This means that as well as its role in the management of the system the Ministry has a responsibility to fund agencies so that they can meet mandated requirements for service delivery.
- The development of an outcomes measurement framework based on the National Outcomes Matrix is recommended.
- When reviewing the Service and Management Plans, the Ministry should approve or disapprove of the Service Delivery Plans of agencies.
- Many of the current reviews should be replaced with an Accreditation and Quality Assurance process as these forms of review lead to continuous improvement.

- If Accreditation is going to replace many of the reviews, it should become mandatory and consideration should be given to the use of an independent third party reviewer.
- Dismantle the Child Abuse Registry as the information is not useful or reliable.
- Develop a Single Information System which is fundamental to reducing redundancy and making information available in useable form.
- Standardize the content and procedures for handling client complaints.

FEEDBACK FROM CHILDREN'S AID SOCIETIES

The Ministry's goal, as expressed by the Secretariat, to achieve a more streamlined and rationalized accountability relationship is clearly one shared by Ontario's child welfare agencies. Also evident in the feedback from the twenty nine agencies that commented on the current accountability mechanisms is their belief in the need for this type of evaluation and the need for changes. Agencies have provided detailed feedback on each type of review, as well as some recommendations and conclusions. All welcomed the opportunity to contribute to 'finding the right balance' in the accountability relationship.

PART A: ACCOUNTABILITY MECHANISMS SPECIFIC TO CHILD WELFARE

Operational Review

Although respondents believe that it is important for the Ministry and Boards to ensure that CASs are operating in a responsible manner, agencies question whether the Operational Review (OR) is properly fulfilling this objective. There is a lack of clarity and understanding of the purpose of the OR, or of what circumstances might prompt an OR. Agencies believe that criteria and Terms of Reference should be developed and communicated to the field, and that benchmarks for operational excellence against which performance is to be measured need to be articulated.

Agencies also believe that that these reviews need to be performed by a dedicated Ministry unit of credible reviewers with current expertise to ensure consistency. Conducting Operational Reviews on an *ad hoc* basis using *ad hoc* teams means that the criteria for the reviews may be inconsistent and subjective according to the reviewers selected for the OR. Agencies find ORs to be very labour intensive, stressful and expensive, and believe that they should be used only in exceptional circumstances where there is a reasonable concern of fraud, poor service standards, illegal practices or other significant shortcomings in an agency's operations.

Another concern is the lack of transparency in the OR process. Issues or information arising from these reviews should be communicated to the field to help with best practices. The sharing of this information can help the field assess their own policies and procedures and make improvements where necessary.

Operational Reviews do not focus on child welfare outcomes. The need to link reviews to outcomes is a recurring theme in the feedback from members on current accountability mechanisms.

Crown Ward Review

While this is a labour intensive review, it is seen as relevant; the relevance, however, is not solely to the delivery of services to Crown Wards, but to all children served by a Society. A suggestion for improving this review is to expand it to include not only all children in care, but also to integrate children's services and foster care. For example, a comprehensive review could be conducted cyclically that ensures every child is reviewed on a predetermined schedule, e.g. every three years, with more frequent reviews of high risk children, or if an agency achieves poor results on any given review. At a minimum, most respondent agencies indicated that conducting Crown Ward Reviews in their current form every other year as opposed to annually would be more reasonable and a better use of resources.

The most notable criticism of this review is that it is heavily weighted on compliance standards and does not reflect best practice or measurable outcomes of services. The focus should be on how well the child is doing in care – not on documentation collection. CASs noted the Looking After Children Program as a better measure of outcomes.

Again, the field asks for more provincial feedback of data collected during these reviews with respect to best practices and effectiveness of service delivery. Little information or its analysis is shared by the Ministry and there is a lack of clarity and consensus about expectations.

One other important comment made by many respondents is that the approach taken by reviewers is inconsistent. Results seem to vary depending on who is conducting the review. The documentation system needs to be improved and the field stresses that reviewers **need to read case notes**, as they contain important information that does not appear anywhere else in the file.

Child Death Review

There is agreement that CASs should be accountable for explaining circumstances surrounding the death of a child but the current protocol is seen as overly complex and confusing. There needs to be clarification of purpose, roles and responsibilities. There needs to be a mechanism to report the death of a child who was recently receiving service or shortly after service has been terminated. Twelve months is too long a timeframe to be able to link service offered or not offered to the death of the child. Agencies completing the child death report often perceive an assumption on the part of the Ministry that there is a link between the death of the child and the work of the agency. Whether or not this is the case, the perception becomes the reality and any steps taken to reduce the potential for such a perception will provide positive results.

Respondents emphasize the need for a stronger focus on prevention factors which should be distributed to the field. They request that the Ministry prepare an annual

report breaking down information according to categories, or at the very least, findings and recommendations arising from Child Death Reviews.

Many agencies saw the potential to streamline the Child Death Review process by dovetailing it with the activities of the Paediatric Death Review Committee.

Change of Placement Review

While the intent of this review is positive and aims to provide caregivers with more of a voice in the placement process, it can become a protracted and negative process where the focus can shift to the perceived rights of adults as opposed to the best interests of the child. The 10 day notice period provided for removing a child could be used as a period of opportunity for the dissenting foster parent to pre-condition the child to resist the change. Were such to occur where the Society and foster parent are in conflict, the child's emotional well-being could be compromised and the 10 day notice period could actually place the child at additional risk. There is a lack of clarity about the ability of foster parents to access the complaint procedure.

A major concern is that there are no specific timelines for the completion of the Change of Placement Review. Such a lack of direction could delay permanent placement of the child while the review process takes place.

Most of the feedback from the field stated that the Change of Placement Review is irrelevant in the light of other avenues available to foster families to hold agencies accountable, most notably the Complaint Review process. CASs use due process in deciding to remove a child from a foster home and if the foster parents disagree there is already a mechanism in place to consider and deal with their concerns. Most agencies believe that the Complaints Review Process sufficiently deals with client issues, making the Change of Placement Review redundant.

Complaint Review

CASs have a responsibility to respond to complaints and clients need to be able to voice their concerns. There is a need for a means for "clearing the air" between clients and CASs and the Complaint Review process may help prevent costly litigation and can identify practices that require improvement. However, the field believes this review should be amended so that **only clients** can access the complaints process – the Act is currently worded to enable any person to initiate it. There also should be limitations on when it can be used, particularly when the subject of the client's complaint is directly related to CFSA court proceedings or other civil proceedings. Identification of specific criteria for initiating a complaint process would be beneficial as well.

Most view the Complaints Review as falling within the purview of CASs and CAS Boards. Were the process to be standardized, complainants would not have

multiple points of entry to the agency, as is frequently the case when clients complain to both the Ministry and local CAS at the same time. Such a situation can create confusion and delays. Complaints should be related to due diligence in relation to agency processes and vexatious and frivolous complaints should be filtered out. The matter should be referred to the Ministry only after a client has been through all stages of the complaint process at lower jurisdictional levels (CAS staff, CAS Board, Ministry regional Office) and remains dissatisfied.

CASs request that letters received by the Ministry alleging complaints be sent to the agency identified in the complaint.

Child Abuse Review Team

The majority of agency feedback states that the Child Abuse Review Team is no longer relevant as Societies use existing judicial processes. ORAM, OACAS training, current practices and community case coordination models make CART redundant. Its mandate is too narrowly focused, not reflective of the scope or complexity of work being carried out and with the shortage or lack of availability of doctors, it is almost impossible to comply with medical practitioner involvement. Most high-risk or complex CAS cases are before the court and subject to protection applications. This is the preferred mechanism for handling such cases.

Agencies consider the Child Abuse Review Team as an advisory mechanism, not an accountability mechanism, which does not need to be legislated. While respondents propose CART be removed from the CFSA, they encourage the establishment of committees related to service needs in the community.

Child Abuse Register

The resounding response from agencies regarding the Child Abuse Register is that it should be discontinued and removed. Most agree that it is not necessary or helpful given the establishment of the Fast Track System, which allows province-wide checks for any protection concerns at the point of investigation.

Little statistical research or information about child abuse has been provided through the Child Abuse Registry and the CAR focus on verified cases of child abuse is seen as of minor relevance given the Child Mortality Task Force finding that neglect rather than abuse is the greatest contributor to vulnerability.

A consistent criticism is the low standard for registration making the value of the contents of the Register questionable. CAS staff have been dissatisfied with the documentation requirements and unresponsive call-back time in respect of requests for information from the Registry and see no value in retaining it.

Rights Review

The Rights Review is generally seen as supporting the need to ensure the rights of children in care are protected. It helps empower youth and gives them the ability to advocate on their own behalf. While these positive features of the review are supported, there are other mechanisms in place that already address these issues making the Rights Review redundant. The Child and Family Service Advocacy Office fulfils the role associated with the Rights Review. The agency Complaint Process is another avenue for dealing with operational issues such as the possible concerns of children in care that their rights have been violated.

Adoption Placement Review

The field concurs that the Adoption Placement Review should be included in the client Complaint Review process, which falls within the purview of CASs.

Agencies also commented that the APR does not benefit children waiting to be adopted due to Crown Ward litigation. The length of time to conduct the review is a concern. If this review is to be maintained, it needs to be streamlined both to produce timely outcomes for children and to reduce costs. It is viewed as ambiguous and open-ended, absent of clear parameters on eligibility and duration.

Service and Financial Data Review

The Service and Financial Data Review is seen as consistent with the role of the Ministry but agencies would prefer more of a partnership approach. It is a useful accountability mechanism as it directly links funding with specific categories and activities but it needs to be modified to incorporate the revised funding framework and child welfare outcomes. Agencies point out that the Service and Financial Data Review focuses only on selected services funded by the funding framework, includes other services that are not directly funded and misses the largest service area where most costs are incurred – days of care and boarding rates. Implementation of a Single Information System is needed in order to accurately and efficiently capture this information.

Agencies state that the determination of the relevance of Service and Financial Data Reviews will depend on changes that need to be made to the funding process. Will the data reviewed drive the changes to the Funding Framework or will changes continue to be based on available funds, currently non-benchmarked items or other data?

Agencies ask the Ministry to consider what impact the results of reviews may have on agencies or financial allocations to those agencies. There is a wide-spread perception that agencies found to have high data integrity are treated no differently in the financial sense than agencies where data is poor. Further, there is concern that these audits are not about better service delivery to children and families but are more about controlling expenditures that cannot be controlled and are

therefore efforts to “second-guess” agencies’ judgment. Agencies are not aware of serious compliance problems on the part of CASs that require that these reviews be conducted on an annual basis. Since ORAM and the Funding Framework have been in place for over five years, many agencies have corrected difficulties that were identified in previous reviews. Therefore, these reviews should be reserved for those agencies where data has shown to be unreliable or disputed, or when some other factor warrants them.

Another suggestion is to conduct the Service and Financial Data Review once every three years in keeping with a multi-year funding approach and on an as-warranted basis in other years. At the very least, agencies that have achieved a certain level of compliance should not be reviewed annually.

The Service and Financial Data Review is viewed as not serving its financial purpose. Despite efforts to interpret data and distribute funds there remains inconsistency which impacts the field’s collective capacity to provide good services to children and families.

Service Management Plan

The information in Service Management Plans is needed by CASs and the Ministry to monitor and analyze data across the system, to help identify what costs are controllable and which are systemic, and to assist in planning. Planning is an essential agency function but planning should take into account not only the Ministry concerns and funding parameters, but also how the agency will respond to changing community needs and issues. The Service Management Plan process needs to be linked to planned outcomes for clients and should address a longer business cycle than one fiscal year. One suggestion is a three year, or multi-year, Service Management Plan submitted to the Ministry. Quarterly reviews would then target achievement of the agency’s three year service management plan as well as options for mid-course correction.

Another important issue is the need for consistency across regions in terms of what is expected in the development of SMPs. SMPs should have common data elements that are not region- or size- dependent so agencies are able to examine province-wide how well they are doing in achieving desired outcomes.

The Ministry is seen as often offering negative financial messages where an agency forecasts a deficit in its Service Management Plan and does not suggest panaceas for cost containment such as reducing staff or mileage rates. Agencies aim to do the best for children and families but they are in the invidious situation of trying to provide the best quality child welfare services in the most cost efficient manner, while remaining compliant with legislation and regulations and meeting other Ministry expectations.

Some agencies recommend that

- the Ministry recognize uncontrollable expenditures through mitigation
- amend the Funding Framework, attend to inequities (e.g. residential blended rates)
- move toward global budgeting to permit more flexibility, and
- commit to multi-year funding plans to stabilize the system.

PART B: ACCOUNTABILITY MECHANISMS THAT APPLY TO CHILD WELFARE AND OTHER SERVICES UNDER THE CFSA

Serious Occurrence Reporting and Review

The Serious Occurrence Reporting and Review process is viewed as necessary and appropriate in consideration of both the Ministry and Society roles. Timely reporting of serious occurrences is integral to care and protection of children in care but the current mechanism is not efficiently managed, lacks clear definitions and criteria and is inconsistent.

Agencies suggest that the definition of a serious occurrence and the necessity for filing a report need to be revisited and revised. The current guidelines are too broad and result in over-reporting of normally-occurring childhood incidents. The danger in such over-reporting is that when a truly serious matter arises (high-risk) it could go unnoticed as just another occurrence. Categories should be reviewed for contemporary relevance and criteria for completing a serious occurrence report need to be clarified.

Besides a lack of consistency in the definition of what constitutes a serious occurrence, there is also inconsistency regarding how much data and follow-up is required by the Ministry. For example, agencies are sometimes asked to provide detailed follow-up on situations with minimal risk and no follow-up on situations of high risk.

It was also suggested that the Ministry use the Office of Child and Family Service Advocacy to assemble, analyze and publish an annual report on Serious Occurrences for public information, planning, training and best practice development.

Residential Placement Advisory Committee

This mechanism is infrequently used – there are few programs with 10 or more beds that are accessed. It is redundant given the range of other accountability mechanisms serving similar objectives. It overlaps with the Child and Family Services Review Board, Office of Child and Family Advocacy Office, Client Complaints and the Residential Services Review.

Agencies are concerned about what they perceive as a lack of transparency surrounding the accountability relationships of Outside Paid Resources to the Ministry. CASs are not privy to the licensing results of OPRs and are therefore denied information that might be valuable in reaching decisions about child placements. In particular, given the costs and risks incurred when a CAS places a child outside its own system, they would like to see a more comprehensive, fully disclosed OPR review process so that agencies know where children might be best placed.

Child and Family Services Review Board

The Child and Family Services Review Board is considered irrelevant and redundant. The Complaints Review Process is an appropriate mechanism for attending to decisions or recommendations that fall under this section.

Licensing

There were a number of issues identified by respondents regarding Licensing. A significant concern was the licensing of OPRs. The Ministry is reluctant to comment on the appropriateness of individual OPRs when they are considered as placement sites and OPR information is generally not shared with CASs that are placing children. Agencies must rely on licensing reports which do not focus on programs being offered or the quality of services to be expected. Outcome of child protection investigations in OPRs is not well coordinated with licensing standards. The Ministry needs to give placing agencies and parents access to information about the status of the license for all residential programs, public and private, and of any conditions attached to those licenses. Furthermore, licensing regulations should be strengthened to ensure that private operators who look after children provide quality service. Currently, anyone can establish a residence so long as basic prerequisites such as those related to health and safety are met.

There is also a lack of clarity in licensing standards. A distinction between mandatory and preferred standards is suggested with 100% compliance required in respect of mandatory standards and 80% with preferred standards. The current generic standards do not adequately discriminate among the various levels of service required by children. It is quite possible for an OPR to achieve a rating of “full compliance” without providing what would be deemed a high quality of care. Currently, licensing requirements feature a strong focus on liability issues as opposed to what makes good sense for children.

One suggestion for making licensing more “outcome based” is the adoption of licensing standards based on the PRIDE system. PRIDE features a competency-based assessment system that could potentially be developed as a data collection system that clearly examines outcomes of the Society’s Foster Care service activities.

A suggestion to streamline this mechanism is to integrate the accountability for standards compliance and quality assurance in foster care service delivery with the general CAS-MCYS accountability framework and abolish the licensing review process for CASs, maintaining it only for private operators.

An option for Foster Care licensing would be combining it with the Crown Ward Review, which many recommend should become (see above) more of a Children's Services Review.

There is concern in the field about the competency of licensing officers, who often have limited knowledge of services and function. There are also insufficient numbers of Ministry licensing staff available.

Lastly, as in other mechanisms, more of the data collected in the course of reviews should be analyzed and distributed to the field.

Overall, the licensing mechanism needs to be improved, whether through integration into other accountability mechanisms, or through better definition of standards, so that it translates to higher quality service.

Office of the Child and Family Service Advocacy

Respondents concur that the Office of the Child and Family Service Advocacy should report to the legislature rather than the Ministry to allow it more freedom to express child related concerns that it may uncover. Agencies at times find it difficult to determine if this office is acting as an independent resource to families, having the potential to influence the system and act as a mediator, or merely as an extension of the Ministry. Agencies see a need to streamline the mandate of the OCFSA to ensure it is restricted from interfering in child protection investigations, from rendering opinions in writing prior to informing the CAS of complaints and soliciting feedback, and from becoming involved in situations when other complaint procedures within the Society and Ministry have yet to be exhausted.

There is support for the concept of an independent body helping children and families address systemic issues but the mandate, mission and purpose of the OCFSA remain unclear to CAS staff in general. The field requires education from the Ministry on how CASs can better partner with this Office, and how information better can be shared.

AGENCY CONCLUSIONS AND RECOMMENDATIONS

In the OACAS response to the Ministry of Community and Social Services Accountability Project in 1997/98 the present system was characterized as:

- *Fragmented*: promoting segmentation of services into silos rather than promoting integration
- *Uncoordinated*: over the course of a year an agency can be the subject of several reviews conducted with no overall plan
- *Inconsistent*: variations in reviewers can result in dramatically different processes occurring in agencies, both in terms of quality and outcome
- *Inefficient*: the lack of coordination and the number of reviews mean that agency staff spend an inordinate amount of time responding to and participating in these administrative processes rather than providing direct service to clients
- *Focused on the negative*: over time the reviews have tended to focus on failures and short-comings and has created a culture that does little to promote best practices and ensure continuous improvement
- *Lacking in transparency*: access to information justifying decisions is limited
- *Lacking in expertise*: there is little child welfare expertise in the Ministry – few program supervisors have any child welfare experience especially under the current legislation
- *Lack of comprehensive service standards*: while standards exist in some limited areas (crown ward reviews, foster care) in most areas of service there is an absence of standards of service and best practice guidelines. This results in a highly subjective and largely negative approach.

Six years later all twenty nine member agencies who provided feedback on the ***Accountability Discussion Paper: Finding the Right Balance*** felt that the situation described above was largely unchanged and that a review of the accountability mechanisms is timely. They recommended that there should be a built-in review of the mechanisms on a periodic basis.

The underlying goals of accountability reviews as outlined at the beginning of the discussion paper were supported but the ability for the current structure of reviews to achieve these goals is in question. Agency comments and suggestions focus on how to better achieve these objectives by eliminating and combining many of the review processes and making improvements to reviews that are flawed.

Many agencies referred to the importance of the Ministry serving as a system manager. They observed that in recent years the Ministry has appeared to move further away from reviewing how the field is managing itself and closer to actually managing the field. During this apparent shift of focus, a number of *ad hoc* accountability structures have been created that have had the effect of fragmenting the child welfare system. As a result, reviews have placed unreasonable time demands on the field to generate information that is usually focused on processes

rather than outcomes. The same data is collected several times through different processes and the data is never rolled up and shared in a comprehensive way.

It is critical to establish the right balance in the accountability relationship between the Ministry and CASs to ensure positive outcomes relative to the objectives of the province's child welfare system. CASs believe this balance can be achieved through an integrated set of accountability and review mechanisms.

Principles for a New Accountability Relationship

Agencies recommend that a new accountability framework should be developed based on principles that reflect a shared commitment to and responsibility for children's safety, permanence and well-being. These principles should feature the following:

- Clarity of purpose, scope and process for each review mechanism
- Greater transparency between the Ministry and agencies
- A partnership between the Ministry and the CAS Boards of Directors in which the Boards can feel confident that there is mutual accountability
- A strengthened working relationship with the Ministry where roles and responsibilities for governance are clear, as they relate to both the Boards and the Ministry
- Stronger partnerships between the Ministry, agencies and the field in utilizing data to improve service delivery
- Confidence on the part of agencies that they will receive the tools necessary to provide mandated services, i.e. appropriate funding, and not be placed in the position of justifying or rationalizing the cost of delivery of quality child welfare services
- A balance between monitoring processes and tracking outcomes. Agencies fully endorse a move to outcome-based performance measures and believe that this focus will help to reinforce the role of the Ministry as a systems rather than process manager
- The implementation of a comprehensive Single Information System that will be designed to provide Boards of Directors and MCYS with the necessary information to demonstrate service outcomes, financial information and performance indicators that are contained in the current array of accountability mechanisms
- A comprehensive and robust Accreditation system, operated either by OACAS, an independent third party, or a combination of the two, that will address licensing and review mechanisms in a better-integrated and more thorough manner than is presently achieved by the Ministry. Children in care, crown ward reviews, licensing (both foster and group care) could be integrated into a comprehensive Accreditation system

Common Themes in Agency Responses

There were many common themes in the agencies' observations regarding current accountability mechanisms that are summarized below:

- There is a need for streamlining reviews so that there is less or no overlap and duplication – this includes eliminating mechanisms that have become redundant or irrelevant
- Suggestions for changes highlight a shift towards more outcome-based accountability mechanisms rather than just a measurement of compliance
- There needs to be better definition and clarification of the criteria that prompt reviews and identified standards and expectations for agencies
- Agencies that perform well consistently should be reviewed less frequently
- In all mechanisms agencies identified the need for better analysis and sharing of information or findings arising from these reviews
- Programs such as Looking After Children and Accreditation have quality assurance standards built in that would enhance service, as well as serve as accountability mechanisms
- Better delineation of Ministry responsibilities and Agency responsibilities is needed as is more transparency in accountability relationships
- A need for the Ministry to be accountable to agencies by ensuring local societies have the resources, both human and financial, to accomplish the mandate of child welfare
- The purpose of reviews should be a healthy balance between issues of compliance and issues of good client service.
- There was a strong emphasis on the sharing of information or analysis from any reviews as means of improving the quality of service across the field

Recommendations

Several agencies supported the recommendations regarding accountability in the Child Welfare Program Evaluation Report and encouraged their implementation. In addition the following recommendations were made:

1. All reviews should be focused on measuring performance against clearly articulated standards which are linked to specific outcomes.
2. Review processes should be integrated and coordinated wherever possible in order to maximize the usefulness of the data collected and minimize disruption to the field, e.g. conduct one Children's Services Review which incorporates the Crown Ward Review and the Foster Care Licensing process and extends to all children in care.
3. Reviews should assess against clear standards and expectations that are known to agencies.
4. A graduated system of reviews whereby agencies demonstrating solid performance will be reviewed less frequently than others who have not demonstrated such performance.

5. Service standard audits do not need to be annual. Mechanisms for self-reporting should be incorporated into the regular review processes so there is a balance between self-reporting, Ministry review and Accreditation processes.
6. Cumulative data should be available province-wide on issues and trends emerging from reviews and appeals in order to enhance planning and accountability.
7. The Child Abuse Register should be dismantled and the recommendations of the Bala Report (*Review of the Ontario Child Abuse Register*, January 1988) regarding the Register should be considered.
8. The Child and Family Services Review Board should be shut down as the purposes that it serves can be achieved in other less expensive and more effective ways.
9. The legal process in Ontario is also an accountability mechanism. It is critical that adequate resources and political will be brought to bear to ensure that the timelines under the CFSA for permanency are capable of being met by both courts and CASs.
10. Consideration should be given to making Accreditation mandatory for all members of OACAS and the Ministry could require that agencies be accredited through OACAS or a third party, if there are concerns about the credibility to the process. Both the field and the Ministry would work with the accrediting body to ensure that the process is reliable and credible. Ideally, the accountability framework should reflect a balance of responsibilities between the Ministry, the field and an accreditation body.
11. Consideration should be given to establishing an Accreditation body that is sector based, i.e. services to children and families. This would provide greater objectivity to the process and also provide a valuable opportunity to establish sector wide standards of service.
12. There are a number of complaint or review mechanisms that could be incorporated into one or two. The mechanisms include: Change of Placement Review, Complaint Review, Rights Review, Adoption Placement Review, Residential Placement Advisory Committee, Child and Family Services Review Board and the Office of Child and Family Service Advocacy. All of these accountability mechanisms have a common operational goal, which is to ensure that children, youth and families receive the best service that can be provided within the resources available.
13. Quality assurance needs to be built into the process of reviews. There will be a need to qualify in a policy governance framework what the roles and responsibilities of the Ministry, Board members and the agencies are for quality assurance, and how will they work together.

14. There is a need to define accountability to the community. These reporting mechanisms solidify the agency's direct report to the Ministry, to the exclusion of the community. A mechanism should be found to strengthen and measure the accountability of the Ministry and the CASs to the community.
15. If it is the intent of the Ministry to divest itself of many of these mechanisms, it will need to attend to how to promote its role in the minds of the public as the trustee of the system.

CONCLUSION

The OACAS and its member agencies wish to commend the Ministry for undertaking a study of the current review mechanisms. Balancing the accountability relationships between the CAS Boards and agencies and the Ministry is most important if we wish to improve the quality of service to children and families while demonstrating good and prudent financial management of the Children's Aid Societies. The move toward less measurement of compliance and more measurement of outcomes and quality assurance will raise the already-high standard of service and lead to continuous improvement of the system.

OACAS on behalf of its members thanks the Ministry for the opportunity to participate in this examination of the reviews and accountability mechanisms and commits to collaborating with the Ministry to achieve a better balance in the accountability relationship.

RESPONDING AGENCIES

Algoma Children's Aid Society
Brant Children's Aid Society
Durham Children's Aid Society
Elgin and St. Thomas Family & Children's Services
Children's Aid Society of Owen Sound and the County of Grey
Haldimand-Norfolk Children's Aid Society
Halton Children's Aid Society
Hastings Children's Aid Society
Catholic Children's Aid Society of Hamilton
Jewish Family & Child Service of Toronto
Services Familiaux Jeanne Sauvé Family Services
Kawartha-Haliburton Children's Aid Society
London-Middlesex Children's Aid Society
Family, Youth & Children's Services of Muskoka
Niagara Family & Children's Services
Nipissing & Parry Sound Children's Aid Society
Northumberland Children's Aid Society
The Children's Aid Society of Ottawa
Oxford Children's Aid Society
Peel Children's Aid Society
Prince Edward Children's Aid Society
Renfrew and Pembroke Family & Children's Services
Children's Aid Society of Simcoe County
Sudbury-Manitoulin Children's Aid Society
Children's Aid Society of Toronto
Toronto Catholic Children's Aid Society
Waterloo Family & Children's Services
Wellington Family & Children's Services
York Region Children's Aid Society

OACAS, in support of its members, is...

the voice of child welfare in Ontario, dedicated to providing leadership for the achievement of excellence in the protection of children and in the promotion of their well-being within their families and communities.



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