

## For Your Information: Your Right to Complain About Services

### Your Right to Complain to a Children's Aid Society or Indigenous Children's Aid Society (Society)

If you have a question or concern about services from a society, you can talk to the worker who is helping you, the worker's supervisor, or someone else at the society. If you do not want to first speak to them or if speaking to your worker or others at the society does not answer your questions, you have the right to start a formal process to complain to the society at any time. Societies are required by law to establish an Internal Complaints Review Panel (ICRP) to review formal complaints submitted in writing. Your society may also offer alternate complaints processes (e.g. an Elders Forum).

Under section 119 of the *Child, Youth and Family Services Act, 2017* (CYFSA), you have a right to complain to a society relating to a service you have sought or received from that society. A formal complaint must be made in writing using this form.

Complaints relating to an issue decided by a court or that is subject to another decision-making process under the CYFSA or the *Labour Relations Act, 1995* are not eligible for review (for example, a decision by the court placing a child in society care would not be eligible).

The first step in the formal complaint process is to complete this Formal Complaint to a Society's Internal Complaints Review Panel (ICRP) Form.

### What to Expect After You Complete and Submit This Form

1. Your complaint will be reviewed by the society within 7 days to determine whether it is eligible for review. The society is required to provide you with a written response to notify you that either:
  - Your complaint is not eligible for review and the reasons why, or;
  - Your complaint is eligible and will be reviewed by the ICRP, and you will be provided with a date and time for a meeting.
2. If your complaint is eligible for review, the ICRP will meet with you in person at a time that is convenient for you and the members of the panel within 14 days after you have received the response from the ICRP, or later if you request it.
3. Within 14 days after the meeting, the ICRP will send you a written summary of the meeting, including any agreed upon next steps.

Your worker may be made aware of your complaint as part of the society's review of the complaint.

### What is the Internal Complaints Review Panel (ICRP)?

The panel will consist of a small number of people who have not been directly involved with your case. The society's Executive Director will select panel members, including one senior manager from the society, and will also choose one person external to the society but who may be a member of the society's board of directors. You will be able to discuss your complaint with people who are not directly involved with your case. The goal is to deal with your complaint as quickly as possible in a way that works for everyone. An interpreter may be provided by the society if you need one. You can bring one person to support you at the meeting. A representative from each of your bands or First Nations, Inuit or Métis communities may also attend if appropriate.

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### Your Right to Complain to Other Bodies

Depending on the subject matter of your complaint, you can submit a complaint to the following:

#### When to Complain to the Child and Family Services Review Board (CFSRB)

You do not always need to go through the society's Internal Complaints Review Panel process before complaining to the CFSRB. In most situations, you can file a complaint with the CFSRB directly and follow their steps on how to proceed. You may submit a complaint directly to the CFSRB (under section 119 and 120 of the CYFSA) for reasons including:

- A society does not proceed with your written complaint;
- A society does not respond to your written complaint within the required timeframe;
- A society does not comply with the formal complaint review procedure or with any other procedural requirement under the CYFSA about the review of complaints;
- A society does not comply with their requirement under the CFYSA to ensure children and their parents have an opportunity, where appropriate, to be heard and represented when decisions affecting their interests are being made and heard when they have concerns about services they are receiving; or
- A society does not provide you with reasons for a decision that affects your interests, excluding decisions relating to requests for accessing or correcting a record of your personal information (see Information and Privacy Commissioner information below).

For more information and to complain to the CFSRB, you must fill out the CFSRB's form, which you can get here: <http://www.sjto.gov.on.ca/cfsrb/complain-about-services-of-a-childrens-aid-society/>

CFSRB contact information:

655 Bay Street, 14th Floor, Toronto ON M7A 2A3

Telephone: 416-327-4673; Toll Free: 1-888-728-8823; TTY: 416-327-9247; Fax: 416-327-0558

#### When to Complain to The Ombudsman

As of May 1, 2019, the Ombudsman's office is responsible for investigating complaints about services provided by children's aid societies and residential licensees to children and youth. You may complain to the Ombudsman at any time about your concerns.

The Ombudsman may investigate any matter concerning a child with respect to a children's aid society service. The Ombudsman may also investigate any matter concerning a child or young person with respect to a service provided by a residential licensee, including:

- a service provided by a residential licensee to a child placed with the licensee by a children's aid society or other entity
- a service provided by a residential licensee to a child committed to a secure treatment program
- a service provided by a residential licensee to a young person who is detained or committed to custody under the *Youth Criminal Justice Act* or the *Provincial Offences Act*.

As of May 2019, the Ombudsman may also investigate matters related to French language services. As of May 2019 you may complain to the Ombudsman at any time when you believe that your right to be served in French was not respected.

For more information and to complain to the Ombudsman, you must fill out the Ombudsman's form, which you can get here: <https://www.ombudsman.on.ca/have-a-complaint/make-a-complaint>

Ombudsman contact information:

483 Bay Street, 10th Floor, South Tower, Toronto ON M5G 2C9

Telephone: 416-586-3300; Toll Free: 1-800-263-1830; TTY: 1-866-411-4211.

Email: [info@ombudsman.on.ca](mailto:info@ombudsman.on.ca)

## **When to Complain to the Office of the Information and Privacy Commissioner (IPC)**

The IPC acts independently of the government to oversee Ontario's access to information and protection of privacy laws. This includes Part X of the CYFSA, which applies to societies and other child and family service providers.

As of January 1, 2020, societies are required by Part X of the CYFSA to protect privacy and enable access to, and correction of, records of personal information in their custody or control related to the provision of a service.

Any person can make a complaint to the IPC if they believe a society is not complying with these requirements. For example, you could complain to the IPC if your privacy is breached (e.g., the society viewed or disclosed your records inappropriately) or if you are not satisfied with the society's response to your request for access or correction of your records. Complaints about compliance with Part X of the CYFSA should be made to the IPC and not through the society's internal complaints review process.

Please note that complaints about access and correction requests must be submitted to the IPC within six months after the society's response to your request (or failure to respond). All other complaints (for example, about a privacy breach) must be submitted within one year after the subject of the complaint first came (or should reasonably have come) to your attention.

To file a complaint with the IPC, you must fill out the appropriate IPC form for access/correction or privacy complaints about a child and family service provider, which you can get at [www.ipc.on.ca](http://www.ipc.on.ca).

For more information, you may contact the IPC at:

Office of the Information and Privacy Commissioner

2 Bloor Street East, Suite 1400, Toronto ON M4W 1A8

Telephone: 416-326-3333; Toll Free: 1-800-387-0073; TDD/TTY: 416-325-7539

Email: [info@ipc.on.ca](mailto:info@ipc.on.ca)

## Formal Complaint to a Society's Internal Complaints Review Panel (ICRP)

### How to Submit This Form

After you have completed this form, you can submit it to your local society in person, by delivery, mail, fax or e-mail. If you need help filling out this form, let the society know and help will be provided to you. This form is also available in French.

What is your preferred language?

English  French

How should we contact you?

Email  Letter

### I Am a Person Who Has Sought or Received Services From a Society

I am a child or youth receiving/who has received/who has sought services from a society

I am an adult who is receiving/has received/who has sought services from a society

Other \_\_\_\_\_

### A. Your Complaint Details (select as many of the following options that apply)

I feel my or my child's rights as a child/youth in care were not respected (e.g. nutritious meals, regular medical/dental care)

I feel discriminated against by the society (e.g. for my race, ethnicity, sexual orientation, religion, language)

I was not given the opportunity to have my concerns heard about services I was seeking or receiving

I was not given the opportunity to have my concerns heard and be represented when decisions were made

I was not given reasons by the society for a decision that affected my interests

Other complaint not specified above (please specify below)<sup>1</sup>

Describe your complaint in as much detail as possible. You may add information, such as:

- what someone did or said that caused you to make the complaint or what you think that person should have done or said;
- details about when something happened, where something happened and who was involved in the situation that you are complaining about; and
- your desired outcome for the complaints process and how the society can help resolve the matter.

Attach more sheets, if necessary, to detail your complaint.

<sup>1</sup> Please note that for complaints about privacy of your personal information, or complaints about a society's response to your request for access to or correction of your information, you may file a complaint directly with the Information and Privacy Commissioner of Ontario. To file a complaint with the IPC, you must fill out the appropriate IPC form for access/correction or privacy complaints about a child and family service provider, which you can get at [www.ipc.on.ca](http://www.ipc.on.ca).

## B. Which Society Is Involved In Your Complaint?

## C. Please Provide Your Contact Information

Last Name	First Name	Middle Name
Preferred Name		Date of Birth (yyyy/mm/dd)

Bands or First Nations, Inuit or Métis Communities (if Appropriate)

### Mailing Address

Unit Number	Street Number	Street Name	PO Box
Rural Route		City/Town	
Province	Postal Code	Telephone Number	ext.
Cell Phone Number	Email Address		

**D. If you are an adult, please provide information about the child, if your child has also sought/received service from the society** (If you are a child or youth who has received services from a society, you do not need to fill out this section)

Child's Last Name	Child's First Name	Child's Middle Name
Child's Preferred Name		Child's Date of Birth (yyyy/mm/dd)

Child's Bands or First Nations, Inuit or Métis Communities (if Appropriate)

### Mailing Address

Unit Number	Street Number	Street Name	PO Box
Rural Route		City/Town	
Province	Postal Code	Telephone Number	ext.
Cell Phone Number	Email Address		

## Notice Regarding the Collection of Personal Information

Societies collect the personal information requested on this form for the purpose of conducting a review of complaints, under the legal authority of Section 119 of the *Child, Youth and Family Services Act, 2017* (CYFSA). The information could be shared with participants if a meeting regarding the complaint is held. It may also be used for case planning or other purposes, in accordance with society policies, or as otherwise required by law and/or court order. If you have any questions, please contact the society.

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