

Voluntary Youth Service Agreements (VYSA's)



JFCY's Child Welfare and Leaving Home guides:

Going
into
Care

Being
in
Care

Leaving
Home

Voluntary
Youth Service
Agreements
(VYSA's)

Ready,
Set, Go
(RSG)
Program

This pamphlet gives
general legal information for
young people in Ontario

Speak to a lawyer if you have
questions about your specific
situation



**Justice for Children and Youth (JFCY)
provides free and confidential legal
services to young people in Ontario**

If you are under 18 and have a legal question or
problem, call JFCY toll free: 1-866-999-5329 (JFCY)

JFCY also has specialized services:



Your Way Forward (YWF) for
young people who have been
victimized by sexual and/or
family violence



Street Youth Legal Services
(SYLS) for youth under 25 who
are experiencing homelessness

Voluntary Youth Service Agreement (VYSA):

a contract between a youth aged 16 or 17 and their local **Children's Aid Society (CAS)** or **First Nation Child and Family Service Agency (Agency)** for financial support and other services.

Topics:

- The VYSA Agreement
- The VYSA Plan
- Relationships with Family & Others
- Finances, OW/ODSP & Working
- Housing, Health, Privacy and School
- Ready, Set Go Program
- Turning 18

Rights of
First Nations,
Inuit and
Métis youth



VOLUNTARY YOUTH SERVICE AGREEMENTS

WHEN IS A VYSA AVAILABLE

CAS:

Children's
Aid Society

Agency:

First Nation
Child and
Family
Service
Agency

HOW TO ASK FOR A VYSA



When are VYSAs offered?

A CAS or Agency in your area may offer you a VYSA in situations where you are or may be at risk of harm. This includes risk of physical and emotional harm, neglect, or abandonment where there is no appropriate adult available to care for you.

A VYSA will only be offered if it is the “least disruptive option” to keep you safe. This is a complicated question. Speak with a lawyer if you have questions.

A VYSA is voluntary – that means both the youth and the Society or Agency have to agree to it.

How can I be considered for a VYSA?

If you would like to be considered for a VYSA, you can contact your local CAS or Agency. They will have questions about why you are at risk.

The CAS or Agency must notify the Office of the Children's Lawyer (OCL) if you ask for a VYSA. A lawyer from the OCL will contact you to talk about the options available to you.

If the Society does not refer your case to the OCL and you would like a lawyer to support you:

- contact the OCL directly at [416-314-8000](tel:416-314-8000)
- call Justice for Children and Youth
- call or complete a complaint form online with the Ombudsman's Children and Youth in Care team: www.ombudsman.on.ca

PART 1 OF VYSA: THE AGREEMENT

PART 1: THE AGREEMENT



Part 1: The Agreement part of the VYSA:

A Voluntary Youth Services Agreement (VYS Agreement) is a contract with the terms of your agreement, how to end the agreement, and how to address complaints.

Speak with your lawyer if you have questions about the contract, want to make changes, or think there is a mistake. The CAS or Agency cannot refuse to offer you a VYSA because you have questions.

What does the VYSA Agreement do?

Under a VYSA, you are legally independent. You can make decisions about your healthcare, education, etc. The CAS or Agency does not have decision-making power over you.

Once you have signed the VYSA Agreement, you are legally entitled to support from the CAS/Agency. Your VYSA Agreement does not include the details of the supports you will receive. Those details are set out in your VYS Plan, which you will build together with your worker within 30 days of signing your VYSA Agreement.

Your Agreement can last up to a year, or your 18th birthday, whichever comes first. After a year, you can sign a new Agreement with the CAS or Agency. It is important that you have a VYSA in place on your 18th birthday so that you can keep receiving services after you turn 18. Check out our RSG Guide for information about supports after age 18.

PART 2 OF THE VYSA: THE PLAN

PART 2: THE PLAN



Part 2: The Voluntary Youth Service Plan

Your VYS plan reflects your goals and the services that may be available to support those goals. These goals and services should be updated from time to time based on your needs and circumstances. You are still entitled to continue on the VYSA, even if you do not meet the goals set out in your plan.

Your VYS plan will include your goals and supports with:

- Permanent relationships
- Connection to communities, cultures, heritages and traditions
- Health and well-being
- Housing
- Education and/or employment
- Life management skills and professional development
- Identity (gender identity and expression, place of origin, family diversity, etc.)

The CAS or Agency will meet with you at least once every three months to review your VYS plan (four times a year). Your VYS plan will be updated at least every six months (twice a year). If the VYS plan is not working for you, you can ask for an early update or review.

VYS Plan tip: arrive prepared with a list of things that are important to you, e.g. trusted adults you want to stay in contact with, concerns you have, educational programs you want to take; and budget out the financial support you need.

RELATIONSHIPS WITH CAREGIVERS

CONTACTS



Will the CAS or Agency call my parents/ caregivers?

Yes. A VYSA supports youth who are unsafe or at risk of harm. The CAS or Agency must investigate your concerns before offering a VYSA. The CAS or Agency still needs your consent to share your information during their investigation.

Talk to your lawyer about your privacy rights and steps to stay safe when asking for a VYSA.

YOUR CHOICE



Can the CAS or Agency force me to see my parents/family/caregivers?

No, if you are over 16, the CAS or Agency cannot force you to see your parents/caregivers or move back in with them.

A VYSA is offered in cases where it is the “least disruptive” option. A worker may want to explore different options, like whether returning home is possible for you. You are allowed to say no, and to speak with a lawyer or other trusted supports about your options.

What if I identify as First Nations, Inuk or Métis?

All decisions must support and help you maintain your culture, heritage, traditions, connection to community and concept of extended family.



SIBLINGS AND FAMILY VISITS

IDENTITY, FAMILY & COMMUNITY



Can the CAS or Agency help me see my siblings? Or other family members?

The CAS or Agency can help you build a plan to maintain important relationships. That plan can include providing practical supports like bus fare and support with phone calls.

However, if the legal guardian of your siblings refuses to let you see them, the CAS or Agency cannot force a visit to happen. In that case, talk to a lawyer about your options.

If you have questions about your family and your heritage, ask the CAS or Agency about family finding to learn more about your background and your identity.

FINANCIAL SUPPORT



What financial support will I get? Who does the financial support get paid to?

You will receive financial support from the CAS or Agency. The money will generally be paid to you directly. Speak to the CAS or Agency about your budget and financial needs.

The CAS or Agency can also support you with expenses. Let your worker know if there is a specific item that you need, e.g. laptop, sports equipment, art supplies.

The CAS or Agency will also receive something called the “Children’s Special Allowance” from the government on your behalf. Those funds are used for the Ontario Child Benefit Equivalent (OCBE, more about this on the next page) and Registered Education Savings Plan account (RESP).

The CAS or Agency will set up an RESP in your name. Depending on your situation, the CAS or Agency may also set up other kinds of savings accounts. Ask your worker what accounts the CAS or Agency is holding in your name.

ONTARIO CHILD BENEFIT EQUIVALENT



OTHER BENEFITS

ONTARIO WORKS (OW) & ONTARIO DISABILITY SUPPORT PROGRAM (OSDP)

What is the Ontario Child Benefit Equivalent (OCBE)?

There are two different OCBE programs:

1. The OCBE Savings program:

Usually, the CAS or Agency must begin a savings account for you once you enter the VYSA. You are eligible for these funds once you meet program requirements, like completing a financial literacy course, savings plan, and opening your own bank account.

2. The OCBE Activities program:

The CAS or Agency must set aside money for your education, activities, personal relationships, and transition into adulthood.

What other benefits might I receive?

Ask your worker about what government benefits you might be eligible for, if the CAS or Agency is collecting those benefits for you, and how you can access those benefits in the future.

Can I be on Ontario Works (OW) or the Ontario Disability Support Program (ODSP) and get financial support under a VYSA?

The CAS or Agency cannot refuse to offer you a VYSA because you are receiving OW. However, you cannot receive both support from OW/ODSP and financial support under a VYSA. Speak with a lawyer or with a worker about your best options.

WORKING & HOUSING

WORKING



Can I work?

Yes, you can work. You will get the same amount of support from the CAS or Agency whether or not you are working.

You can speak with your worker for help to find work, e.g., connections with other organizations for help with job searches and resume writing.

Where will I live?

You can choose where you live. The CAS or Agency cannot decide for you, or put an end to your VYSA because they do not agree with where you live. Some options:

- Living with family or friends
- Living in a shelter or transitional housing
- Living in a foster home

If you want to look at different housing options, the CAS or Agency should help to connect you with referrals.

Speak with a lawyer if the CAS or Agency refuses to offer you a VYSA or threatens to end your VYSA because 1) the CAS or Agency does not believe where you plan to live is safe or 2) the CAS or Agency believes where you plan to live is safe, and you do not need help.

HOUSING



HEALTHCARE



Who pays for my health care?

Under a VYSA, your health care costs, including the cost of care for your eyes, teeth, and braces, if you need them, are covered by the Children's Aid Society's insurance program. If you are interested, the CAS or Agency can also connect you with mental health supports.

PRIVACY



Do I have to share my health care information with the CAS or Agency?

Your health care information is private. The CAS or Agency is not entitled to your health information unless that is something you want to share. The CAS or Agency cannot refuse you a VYSA or terminate your VYSA because you want to keep your information private.

The CAS or Agency may ask you to sign papers to let them speak to your doctor. You can speak to a lawyer before signing a consent to share this information. You can also cancel this consent at any time

RECORDS



Access to records

If the CAS or Agency does have access to medical records, assessments, or other documents for you. You are entitled to a copy of these documents, if you would like. You can ask your worker or speak to a lawyer about getting copies of your records.

SCHOOL



What about school?

Under a VYSA, you are responsible for your own decision-making, including school decisions.

You do not have to change schools unless you have moved to a new school zone.

Will I get support to attend college/university?

Yes, the CAS or Agency must set aside money for you each month into an RESP. If you have questions, ask your worker.

Tips for fees, grants and bursaries:

- Speak to your worker about Ontario's postsecondary application fee reimbursement program
- Speak to your university or college's financial aid office and your worker about the Ontario living and learning grant, OSAP, and other bursaries or scholarships that you may be eligible for
- Many schools offer free tuition to current and former youth in care. Ask your worker if this applies to you

ENDING A VYSA & ALTERNATIVES

ENDING A VYSA



Who can end a VYSA?

Either you or the CAS or Agency can ask to end the VYSA at any time.

You can ask to end the VYSA for any reason by giving written notice. The CAS/Agency must try to address your concerns before your VYSA ends.

The CAS/Agency can end the VYSA if:

- You are no longer at risk and ending the VYSA would not put you at risk;
- They cannot contact you, find you, or meet with you after making reasonable efforts.

If the CAS or Agency asks to end the VYSA, they must give you written notice and send the notice to the Office of the Children's lawyer (OCL).

After the VYSA ends, you can still re-enter into the VYSA at any point up to your 18th birthday, as long as you are eligible.

SERVICES WITHOUT A VYSA



Can I work with the CAS or Agency voluntarily without a VYSA Agreement?

Yes. However, a VYSA will usually offer more protection and support, including after you turn 18.

In some cases, the CAS or Agency may talk about other kinds of agreements, such as a voluntary services agreement (VSA) or temporary care agreement (TCA). Talk to a lawyer if the CAS/Agency asks you to sign a VSA or TCA.

COMPLAINTS & TURNING 18

COMPLAINTS



Complaints

You have the right to file a complaint if you are unhappy with the services you are receiving. If you have a complaint:

- Talk to your worker about the CAS or Agency's internal complaint process
- Contact the Ombudsman's office
- Speak with your OCL lawyer or contact Justice for Children and Youth

Your lawyer can review your options with you, including:

- Alternative Dispute Resolution to meet with a third party, like a mediator, to try and find a solution to your concern
- Filing a complaint with the Child and Family Services Review Board

What happens when I turn 18?

The Ready, Set, Go (RSG) Program provides supports for all young people who are receiving services from a CAS or Agency. These supports are to assist you in transitioning into independently adult living. RSG supports continue up to the age of 23.



If you are First Nations, Inuk or Métis, you may be eligible for additional supports; which may continue up to the age of 26.

**TURNING 18:
READY, SET,
GO (RSG)
PROGRAM**



For more information, see our guide to the Ready, Set, Go (RSG) Program.

FOR HELP FINDING A LAWYER:

Justice for Children and Youth:

1-866-999-5329 www.jfcy.org

OTHER SERVICES:

Kids Help Phone: Phone and online support

1-800-668-6868 www.kidshelpphone.ca

211 Ontario:

www.211ontario.ca (dial 211 from any phone)

My CAS worker's name & phone #:

My OCL lawyer's name & phone #:

Other info:



This publication is also available in French upon request.
Cette publication est également disponible en français sur demande.

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