

Ministry of Children, Community and Social Services

Out of Home Care Licensing

REGULATOR'S EXPECTATIONS FOR LICENSEES' RESPONSES TO FINDINGS OF NON-COMPLIANCE

Effective: July 22, 2025

Purpose:

This document provides general guidance to assist licensees in responding to a finding of non-compliance with a requirement under the *Child, Youth and Family Services Act, 2017* (CYFSA), its supporting regulations, directives, ministry policies, youth justice standards, and licence conditions. It is intended to support understanding of compliance expectations in accordance with the [Regulators Code of Practice](#).

This guidance applies to all licence types, including children's residence licensees, foster care licensees and staff model home licensees. This includes children's aid societies licensed to provide foster care, as well as licensees of children's residences designated as places of secure treatment, temporary detention, secure custody, or open custody.

Disclaimer:

As the licensee, it is your responsibility to comply with all applicable legislation, regulations, directives, ministry policies, youth justice standards, and licence conditions at all times.

This document does not constitute legal advice and should not be relied upon as such.

Where it is unclear to a licensee how a particular law applies to their circumstances, the individual may wish to consult with a lawyer for assistance in understanding and interpreting the CYFSA and its supporting regulations.

Step 1: Review the Non-Compliance Finding

- Carefully review the inspection report to ensure you understand the specific licensing and compliance requirement that was not met (i.e., "the non-compliance").
- If clarification is required, contact your assigned licensing inspector before submitting your response. Do not delay your submission unless otherwise advised.

Step 2: Identify Contributing Factors (if applicable)

- Assess relevant contextual and operational factors that contributed to the non-compliance (e.g., process gaps, administrative delays). The intent is to support sustainable corrective action; change to operational or administrative practice and build staff knowledge and capacity that will support corrective actions.
- Identifying contributing factors may support the development of appropriate corrective measures, but it does not eliminate the requirement to comply.

Step 3: Response to Non-Compliance In SOR-RL¹ or Email²

- Where the non-compliance poses a potential risk to the health, safety, or well-being of a child or young person, immediate action must be taken by the licensee.
- Your response via SOR-RL or email should clearly outline all actions being taken to demonstrate compliance by the required date, which may include:
 - What specific actions were taken to address the instance of non-compliance.
 - Who is accountable for each action.
 - When each action was completed, including dates.
 - Any actions taken to maintain compliance and prevent recurrence of non-compliance (where applicable).
 - How the action taken meets the licensing and compliance requirement.
 - Supporting documents, where applicable (e.g., revised policies, training records, internal communications). As a reminder, no personal or identifying information (i.e., child's name, safety plan, staff name) should be included/uploaded to SOR-RL.
- Before submitting your response, review the questions below to ensure your submission is complete:
 - Does the response clearly explain how the non-compliance has been fully resolved? Have the specific actions taken to resolve each instance been outlined?
 - Is additional training (e.g., a policy review) required to prevent recurrence? If so, has the training been completed and documented? Does the response include reference to this training?
 - Is it appropriate to include a note to file to support or substantiate how the non-compliance was resolved? If so, has this note been referenced in the response?

¹ For information on how to respond to a non-compliance via SOR-RL please review: [SOR-RL Residential Licensing User Guide for Applicants and Licensees](#)

² Staff Model Home licensees currently receive inspection reports by email and must respond by email. All other licensees must respond to non-compliances through the SOR-RL system.

- Note: The CYFSA provides that it is an offence for a person to knowingly provide false information in an application under Part IX (Residential Licensing) or in a statement, report or return required to be provided under Part IX Part or the regulations

Step 4: Retain Records

Maintain a copy of your response and all supporting documentation for future reference.

- Be prepared to demonstrate compliance during follow-up inspections or upon request from the ministry licensing inspector.

Resources:

- [Child, Youth and Family Services Act, 2017](#)
- [O. Reg. 156/18: GENERAL MATTERS UNDER THE AUTHORITY OF THE MINISTER](#)
- [O. Reg. 155/18: GENERAL MATTERS UNDER THE AUTHORITY OF THE LIEUTENANT GOVERNOR IN COUNCIL](#)
- [Policy directive: Residential Licensing 001-23: Training on the Provision of Foster Care](#)
- [Residential Licensing Materials](#)
- [Serious Occurrence Reporting Materials](#)
- [Quality Standards Framework Implementation](#)
- [Out of Home Care Training](#)
- [Children and youth licensed residential services | Ontario.ca.](#)
- [Youth Justice Services Manual](#): Contact your licensing inspector if you experience any issues accessing this manual.