

CHILD CARE FEE SUBSIDY (CCFS) FAMILY COMPOSITION POLICY

Effective Date: September 1, 2019

Background

Child care fee subsidy (CCFS) is public funding that is intended to off-set the costs for licensed child care to eligible families. For the Region of Peel to determine families' eligibility for CCFS, applicants and recipients of CCFS must provide appropriate and accurate documentation of their circumstances.

Purpose

This policy outlines how family composition is assessed and verified by the Region of Peel for the purpose of administering CCFS.

Legislation and Guidelines

The *Child Care and Early Years Act, 2014* defines "parent" as "a person having lawful custody of a child or a person who has demonstrated a settled intention to treat a child as a child of his or her family".

Section 8 of Ontario Regulation 138/15 made pursuant to the *Child Care and Early Years Act, 2014* sets out the persons who are eligible, as *parents*, for CCFS. Section 9 of Ontario Regulation 138/15 states that *parents* may apply for CCFS.

Under Ontario's *Family Law Act*, Section 31(1) - Every parent has an obligation to provide support, to the extent that the parent is capable of doing so, for his or her child

The Government of Ontario's Child Care Service Management and Funding Guideline (the "Guideline") states that family composition is a key component in determining eligibility for CCFS. The Guideline also states the criteria used in determining eligibility for CCFS includes the determination of the adjusted income to be used. The determination of adjusted income includes persons that are:

- parents;
 - in a [relationship of some permanence](#);
 - married; or
 - in a [common-law relationship](#).
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Determining Family Composition

The assessment of Family Composition includes consideration of factors including but not limited to the relationship status of the parents, (including any social, familial and/or financial interdependencies), the number of children requiring child care, any custody and access arrangements in place, cohabitation arrangements etc.

Based on the above legislation, the expectation is that all parents will apply together for CCFS, meaning all parents must meet the eligibility criteria, including providing their adjusted incomes (via their Notice of Assessments) for the income test to determine parental contribution, and having an approved reason for care.

Where one parent applies for, or is receiving CCFS, the parent must provide documentation and/or information that satisfies eligibility as a one parent applicant/recipient.

As there is variability between family structures and circumstances, determining family composition through one standardized document is not possible. As such, the list of documents below provides examples of what documentation the Region of Peel will accept and review to assess family composition and determine eligibility. This means that providing one or more of the example documents listed below does not guarantee eligibility. The Region of Peel will review all relevant documentation provided and information obtained to assess family composition status on a case by case basis in order to determine and verify eligibility.

Note: Family circumstances can be complex and are not always static. It is critical that accurate and up to date information is provided at the time of application and while receiving CCFS. Failure to report information will be considered a misrepresentation of circumstances, which could result in

- an overpayment, and/or
- ineligibility for CCFS.

Examples of Documentation that support the process of assessing Family Composition:

- Court Order addressing custody, access and/or support, and any supporting court documents such as pleadings, affidavits, financial statements
- Separation Agreement/Domestic Contract/Paternity Agreement addressing custody, access and/or support that is enforceable; filed with the Court; signatures of both parties notarized or witnessed by the lawyer for each party; and any supporting documents such as financial statements
- Divorce documents such as Divorce Order or Divorce Certificate
- Documents to confirm the other parent's current address
- Restraining Order
- Birth Certificate with parental information for each child,
- Certified Copy of a Birth Registration for each child,
- Verification of anonymous sperm donor,
- Death Certificate
- Verification there is no social, familial or financial interdependency between parents
- Verification of legal guardianship

Note: Affidavits are only accepted as a supporting document and not as sole verification of Family Composition.

As stated, the above list provides examples. Other or additional information/documentation (not listed above) may be provided by the family, for consideration and review by the Region of Peel in assessing family composition where it is reasonable to do so. The Region of Peel also has discretion to request additional or alternate documentation (not listed above) in order to assist the Region in assessing or verifying family composition and eligibility.

When only one parent is applying for or receiving CCFS, the Region of Peel will also require its Family Composition Declaration Form to be completed by the applicant/recipient at the time of the initial appointment, at the time of any review and at any time when there is a change in the applicant/recipient's family composition status.

Relationship of Some Permanence - Social, Familial and/or Financial Interdependency

Where the parents of a child are not cohabiting, but have a social, familial and/or financial interdependency, the parents are considered to be in a relationship of some permanence which in Peel Region requires the parents to apply for CCFS together as the adjusted income of all parents must be included in the financial calculation to determine eligibility and parental contribution.

Exceptional Circumstances

The Region of Peel may take into consideration exceptional circumstances when administering this policy and will exercise its discretion accordingly.

Failure to Provide or Misrepresentation of Information

Failure to provide the Region with accurate, current and complete information and/or misrepresentation of information can result in a decision of ineligibility for CCFS (either at the time of application, or while receiving CCFS).

Based on the circumstances, ineligibility may be:

- applied on a go-forward basis
 - back dated to the CCFS start date, which will result in an overpayment which will have to be repaid to the Region
 - back dated to the date when a change in circumstances occurred, which will result in an overpayment which will have to be repaid to the Region
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Definition of Common-Law for the Purpose of this Policy:

Two individuals who are not legally married, but

- have cohabited for a period of three years or more,
or
- are both a parent of the child(ren), and are cohabiting (for any period of time),
or
- identify themselves to be in a common-law relationship.