

Ministry of Education
Child Care Quality Assurance
and Licensing

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Ministère de l'Éducation
Assurance de la qualité
et délivrance des permis des
services de garde d'enfants

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August 29, 2016

Dear child care licensee,

As you are aware, a number of regulatory changes to Ontario Regulation 137/15 under the *Child Care and Early Years Act, 2014* (CCEYA) come into effect today. I would like to take this opportunity to provide you with detailed information about what is new and changing and the dates they come into effect, as well as provide links to resources to support your knowledge and implementation of the regulation.

August 29, 2016

Online Payments for Licensing Fees

The Child Care Licensing System (CCLS) now accepts secure online payments using credit card and debit, making the task of submitting child care licensing fees quicker and easier than ever before and providing licensees with a documented record of payment. Cheques and money orders submitted by mail with completed fee payment forms will still be accepted for applicants and licensees who do not have a credit card or do not have access to online banking.

Licensee Membership in the College of Early Childhood Educators

At the time of new licence or licence renewal application, licensees will be prompted to update their profile information in CCLS to indicate whether all licensees are members of the College of Early Childhood Educators. The profile update is required for all individuals, directors and officers of a corporation, and members of a First Nation who are licensed to operate a child care program. New licence applications and licence renewals may only be submitted in CCLS after the profile update is complete.

Licensing Manuals

The child care licensing manual has been updated to introduce the phase 2 regulatory changes that come into effect on August 29, 2016 and to provide more details on existing licensing requirements. A copy of the manual is attached to this memorandum and will be available on the Early Years Portal in the coming weeks.

The home child care agency licensing manual is now available and will be shared with home child care agency licensees in a separate email.

Tracking Tools

On May 13, 2016, a memorandum was sent to child care licensees that included optional tracking tools for vulnerable sector check documentation and past conduct. The tracking tools have been updated to include new tracking forms for file reviews for employees, students, and volunteers of child care centres. For home child care agencies, it includes file reviews for employees, students, volunteers, home child care providers and persons who are ordinarily residents of or regularly present at a home child care premises. Please continue to update your tracking tools to support your own records retention need and make upcoming licensing inspections as efficient as possible.

Compliance Action Plan

The Ministry of Education has developed an optional Compliance Action Plan template that can be used by licensees to reflect on identified non-compliances and develop strategies for maintaining and monitoring compliance with requirements that were not met at the time of inspection. The purpose of this form is to support child care centre and home child care agency licensees in improving compliance, and ultimately, their tier assessment for child care centres. A copy of the Compliance Action Plan is attached to this memorandum and will be available on the Early Years Portal in the coming weeks.

Serious Occurrence Annual Analysis Form

Subsection 38(2) of Ontario Regulation 137/15 requires that licensees conduct an annual analysis of all serious occurrences that occurred in the previous year at each child care centre and each home child care agency that they operate. To support you in meeting this requirement, the Ministry of Education has developed an optional template for licensees to complete their serious occurrence annual analysis. A copy of the template is attached to this memorandum.

Licensed Child Care Website Updates

This year, the Ministry of Education held province-wide parent focus groups to better understand the needs and expectations of parents when searching online for information on licensed child care. In response to the feedback heard during the group sessions, the licensed child care website has been enhanced to improve the way the public searches and accesses information about child care programs, their licensing and inspection information.

Licensed child care centre and home child care agency inspection information no longer focuses only on licence renewal inspections and is no longer presented in a graph with a percentage of compliance. Instead, the website now includes information for all types of licensing inspections, including monitoring for the last three years. Results of inspections now focus on the non-compliances observed and their risk level.

The website can be accessed at the following link:

<http://www.iaccess.gov.on.ca/LCCWeb/childcare/search.xhtml>

CCLS Reference Guides

The Child Care Licensing System (CCLS) has been enhanced to include new features related to the phase 2 regulatory amendments and to improve overall system functionality. The CCLS Reference Guide for Applicants/Licensees has been updated to reflect these changes. A copy of the guide is attached to this memorandum and will be available on the Early Years Portal in the coming weeks.

December 1, 2016

Expired Licences

Subsection 23(11) of the CCEYA requires that in order for the term of the licence to be extended until a decision is made about the licence renewal, a licensee must apply for the renewal of a licence by submitting an application, an attestation, any other information or documentation specified by the Minister, and the payment of a fee before the licence has expired.

Effective December 1, 2016, if a licensee has not submitted the required renewal documentation and fee in CCLS by the licence expiry date, the licence will expire. When a licence is expired, the licensee must immediately reduce the number of children in care to no more than 5 and return the licence and decal to the Ministry of Education within 30 days.

Please ensure that your licence renewal documentation is submitted and your renewal fee is paid before your licence expiry date. If you require technical assistance with submitting your renewal application in CCLS, please contact the CCLS Help Desk at childcare.helpdesk@ontario.ca or 1-855-457-5478 (toll-free)/416-314-6230 (local).

January 1, 2017

The following regulatory requirements will come into effect on January 1, 2017. Licensees are encouraged to review this information and prepare to comply with these requirements by that date.

Waiting List Policy

Effective January 1, 2017 new regulatory amendments require licensees to develop a waiting list policy that provides a clear explanation of how the centre or agency determines the order in which children on the waiting list are offered admission. The policy must be made available to all parents and must be included in the parent handbook. In addition, those on the waiting list must have their status made available to them on demand in a manner that ensures that personal information is protected.

Outdoor Time for Before- and After-School Programs

Child care programs that operate only before and after school must be arranged so that at least 30 minutes of outdoor time is included each day, weather permitting, unless otherwise approved by a director, or a physician or parent of a child advises otherwise in writing.

Offence Declarations for Persons Providing Child Care or Other Services in Child Care Centres

For any person who provides child care or other services to a child who receives care at the child care centre, licensees will be required to obtain an offence declaration or an attestation from an employer or a person or entity who retained a person's services. The attestation would confirm that a vulnerable sector check that was performed within the last five years has been obtained from that person and reviewed, and it did not list any convictions for any offences listed in Subsection 9(1) of the CCEYA.

The offence declaration or attestation must be obtained before the person begins interacting with children at the child care centre. If the person continues to provide child care or other services, another offence declaration or attestation must be obtained every year thereafter and no later than 15 days of the most recent offence declaration or attestation.

Updates must be made to the licensee's criminal reference check policy to reflect this information.

Contraventions and Administrative Penalties

Contravention of the following new items may result in an administrative penalty:

- Ratios and maximum group sizes in a child care centre;
- Licensed family age groups;
- Home child care group sizes;
- Supervision by an adult at all times;
- Reporting of serious occurrences;
- Administration of drugs or medications;
- Prohibited practices;
- Children's records;
- Records for home child care providers; and
- Copies of agreements.

The amounts of the administrative penalties are detailed under s.78 of O. Reg. 137/15 in Tables 1 and 2.

I hope that you find this update and these tools helpful and I thank you for taking the time to review this information. Should you have any questions about the new requirements under the regulation, please contact your Ministry of Education program advisor.

Sincerely,



Holly Moran
Director