

Modernizing Child Care in Ontario – September 2012

A response from Andrew Fleck Child Care Services specifically on Licensed Home Child Care



In June 2012 the Ontario Ministry of Education released a paper, Modernizing Child Care in Ontario and invited parents, agencies and the community to respond.

<http://www.ontariocanada.com/registry/view.do?postingId=9622&language=en>

Andrew Fleck Child Care Services (AFCCS) has embraced the opportunity to participate in the conversation; we prepared a comprehensive response on all of the questions for submission directly to Minister Broten. In addition we shared our response broadly with the hope that it will assist in generating support for the process and encourage conversations.

Given the breadth of the early learning and care sector, we also thought it would be helpful to separate our larger response allowing individuals and groups to read and react to their own areas of interest. We have summarized our responses into five specific areas of focus: *Licensed Home Child Care, Licensed Group Care, Capacity building and funding, Legislative requirements including quality and Special Needs resourcing.*

We encourage you to respond directly to Minister Broten by the deadline of September 24, 2012 either by email CCGE_modernization@ontario.ca or mail:

Child Care Modernization
c/o Early Learning Division
Ministry of Education
900 Bay Street, 24th Floor Mowat Block
Toronto, Ontario, M7A 1L2

If appropriate please feel free to refer to the recommendations made by AFCCS.

Home Child Care is the most common choice for Ontario parents requiring non-parental care. Often Home Child Care is chosen because the group ratios are smaller, a Provider is typically located close by (supporting accessibility and reducing the parents travel time), because the hours of care are more flexible (supporting families who work non-traditional hours) and because care is affordable.

Unfortunately in Ontario due to the lack of availability of licensed spaces, it is understood that up to 80% of children requiring non-parental care are attending unregulated/informal care arrangements. It is our belief that parents would prefer, if affordable and accessible, licensed Home Child Care if that is their setting of choice, versus an informal arrangement. Often parents don't understand the complicated parallel licensed and unregulated systems that currently exist. Some parents are not aware of what questions they are entitled to ask or what they should expect of the Provider. Sometimes parents assume that their Provider is licensed or regulated when they are not.

Currently Licensed Home Child Care agencies are regulated under the Day Nurseries Act (DNA). They recruit independent/self-employed contractors to provide care in their homes for no more than 5 children, including their own children under the age of 6. The Providers are screened, monitored, supported and are required to follow comprehensive agency policies, in addition to DNA requirements. Parents and children are also supported by the Home Child Care Consultant and agency policies. This page on the Government of Ontario website provides an explanation of licensing

Description of unregulated/informal care

As described on the Government of Ontario website,
<http://www.ontario.ca/ONT/portal61/licensedchildcare/glossary>

Informal (unlicensed) child care. In Ontario, caregivers may look after five or fewer children under 10 years of age without a day nursery license. Informal child care arrangements are privately made between the parents and the caregiver

It is important to note that the **Provider's own children, regardless of their age, are not counted in the ratios.** This means that a busy parent of an infant, toddler and preschooler can still provide care for an additional five children.

This also means that parents, who are not with their child, are solely responsible for the screening and ongoing monitoring of the Provider. This is a burden many parents may not be comfortable with. Unregulated home child care, is one of the few industries where the consumer is not protected by legislation that supports best practices.

Licensed Home Child Agencies are finding it increasingly more difficult to recruit Providers wanting to be affiliated with a licensed agency because in the unregulated/informal sector they can charge higher rates and can care for more children without being obligated to follow comprehensive agency policies designed to protect the health and safety of children. The difference in earning potential for a licensed Provider compared to an unregulated/informal Provider is significant, as much as \$100 per day. (see note 1)

Unregulated/informal care compared to regulated licensed home child care

As a licensed agency we are very concerned that an individual who did not meet our screening criteria to be affiliated with our agency is able to provide care privately in the unregulated/informal sector responsible for even more children. Often when Providers who genuinely want the support of an agency finds out about the income potential, they decide to work in the unregulated sector. Each month we typically receive an average of 16 inquiries to provide care. Out of the 16, after our initial screening, we typically proceed with less than half of the applicants. For various reasons, after a home screening visit and information session, we may open 2 - 3 homes. Many of the Providers who's homes we decide not to open begin providing care in the unregulated sector. It is a significant concern that despite the fact, as a licensed agency we did not feel that the quality of care the individual could offer was acceptable in a situation where care is being monitored, the person can still care for children.

The chart below highlights the **current differences** between an unregulated/informal Provider and a Provider affiliated with Andrew Fleck Child Care Services

Regulated - affiliated with a licensed agency	Unregulated/ informal
<i>are self-employed/independent contractors</i>	<i>are self-employed/independent contractors</i>
<i>monitored by the parents and are continuously affiliated with a licensed HCC agency who provides direct support to the Provider, parent and children</i>	<i>monitored by the parents</i>
<i>must obtain a police records and CAS check, medical, and references - reviewed by the agency</i>	<i>no requirement</i>
<i>complete a first aid and CPR course</i>	<i>no requirement</i>
<i>Parents pay the agency directly for the child care service, the agency in turn compensates the Provider. A small administration fee is deducted</i>	<i>Parents pay the Provider directly</i>
<i>must pass quarterly safety inspections of the home conducted by the Licensed HCC Agency</i>	<i>no requirement, up to parent</i>
<i>are visited monthly by a HCC consultant who offers support, mentoring and coaching</i>	<i>up to parents to monitor, support the Provider and advocate for their child</i>
<i>participate in regular professional development opportunities, offered by AFCCS</i>	<i>no requirement</i>
<i>able to provide care for up to 5 children under the age of 6, including their own. No more than two children under the age of 2 and three children under the age of 3.</i>	<i>able to provide care for up to 5 children under the age of 6, <u>not</u> including their own. This means that the number of children in the care of an unregulated/informal Provider is more than with a Provider affiliated with a licensed agency</i>
<i>Agency issues child care fee receipts to parents</i>	<i>responsibility of parent to request a receipt</i>
<i>are loaned agency equipment that is inspected regularly and age appropriate</i>	<i>responsibility of parent to inspect the equipment being used</i>
<i>must follow comprehensive agency policies regarding supervision and support of children's development</i>	<i>up to parents to ask about policies and practices</i>

Our recommendations

We believe that there needs to be a revised definition of informal care (sometimes called unregulated care), and we propose the following:

Informal care / unregulated should be defined as

- *care that is provided regularly outside of the child's home by an immediate family member (e.g. Grandparent) or*
- *is casual care provided outside of the child's home on an **irregular basis with limited remuneration***

Formal care / regulated should be defined as

- *care that is regularly scheduled care provided outside of the child’s home (or in some cases in the child’s home) by a non-family member, over the age of 18, for remuneration*

We believe that all Providers providing regularly scheduled care for remuneration should be affiliated with a licensed agency. We understand that this would require a significant infrastructure and government investment as licensed home child care agencies do not currently have the capacity to monitor all existing Provider homes.

Therefore as an interim measure we propose that for any care situations that fit within the definition of formal care above, an individual who wishes to provide care must be either be **Registered** or **Licensed**. Licensed means that the Provider is affiliated with a licensed agency. We strongly recommend that the regulations and ratios for registered and licensed Providers be different based on the level of monitoring associated with the care being provided.

Andrew Fleck Child Care Services endorses a model that would include a process for the Provider to register with a licensed home child care agency. We are opposed to creating a registry where Providers simply register their name.

Andrew Fleck Child Care Services endorses a model that would include a process for the Provider to register with a licensed home child care agency. We are opposed to creating a registry where Providers simply register their name.

The chart below provides an overview of **our recommended changes to the DNA**, requiring Providers to be either Registered with a licensed agency or affiliated with a licensed agency. Providers affiliated with a licensed agency are called licensed Providers. A comprehensive description of each follows.

Licensed Providers	Registered Providers
<i>are self-employed/independent contractors</i>	<i>are self-employed/independent contractors</i>
<i>are continuously affiliated with a licensed HCC agency who provides direct support</i>	<i>register annually with a licensed non-profit Home Child Care Agency</i>
<i>must obtain a police records and CAS check - to be reviewed by the agency</i>	<i>must obtain a police records and CAS check - to be reviewed by the agency</i>
<i>complete a first aid and CPR course</i>	<i>complete a first aid and CPR course</i>
<i>Parents pay the agency directly for the child care service. The agency in turn compensates the Provider. A small administration fee is deducted</i>	<i>Parents pay the Provider directly for the child care service. The Registered Provider pays a cost-recovery annual registration fee to the licensed agency</i>
<i>must pass quarterly safety inspections of the home conducted by the Licensed HCC Agency</i>	<i>must pass an annual unscheduled safety inspection of the home conducted by the Licensed HCC Agency</i>
<i>participate in multiple training opportunities, at no cost placement of up to 7 children including their own under the age of 11 – with the maximum of 2 children under 18 months and 3 children under age 4</i>	<i>must participate in annual training for re-registration able to provide care for up to a maximum of 4 children under age 11, including their own, with no more than 2 children under the age two</i>

Licensed Providers	Registered Providers
<i>able to display their affiliation with a licensed agency in a location visible to parents and the community</i>	<i>display their registration certificate in a location visible to parents and the community</i>
<i>Agency issues child care fee receipts to parents</i>	<i>must issue child care fee receipts to parents</i>
<i>are loaned agency equipment</i>	
<i>follow comprehensive agency policies regarding supervision and support of children's development</i>	
<i>are visited monthly by a HCC consultant who offers support, mentoring and coaching</i>	

Below is a comprehensive description of both Registered and Licensed Providers.

Registered Providers

- registered Providers are self-employed/independent contractors at a minimum, an individual who is interested in providing formal care, as defined above, must register annually with a licensed non-profit Home Child Care Agency. Before care commences, the agency would be required to complete a screening process (including CAS and Police Record checks on everyone in the home over the age of 18, proof of liability insurance), provide initial training as required (e.g. first aid, CPR, etc) and completes a home inspection. This process mirrors the process required for security guards
http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_05p34_e.htm
http://www.mcscs.jus.gov.on.ca/english/PISG/TrainingandTesting/FAQs/PSISA_faqs_training_testing.html
- initial training includes the successful completion of an approved training program offered through a licensed home child care agency - such as the 9 modules developed by Home Child Care Ottawa in level one. Potential Registered Providers must complete a minimum of 12 hours (not including First Aid and CPR that also must be completed) before they can start providing care. Providers who are registered ECEs would be exempt from some components of the initial training (e.g. child development)
- registered providers would pay a reasonable annual registration fee to a licensed non-profit home child care agency and must demonstrate that they have participated in a minimum number of annual training hours. The training may be offered by the licensed home child care agency or through the OEYC
- the Agency conducts an annual unscheduled safety inspection of the Registered Providers home
- registered providers are able to provide care for up to a maximum of 4 children under age 11, including their own, with no more than 2 children under the age two
- registered Providers are not eligible to enter into purchase of service agreements with the local CMSM and are therefore not able to provide care for children receiving a fee subsidy
- licensed Agencies issue an annual registration certificate
 - registered Providers must display their registration certificate in a location visible to parents and the community
 - registered Providers issue child care fee receipts to parents. The Agency that issues the Registration certificate informs Revenue Canada of all Registered Providers

Licensed Providers – are affiliated with a licensed non-profit Home Child Care Agency

- Are independent/self employed contractors
- An individual, who is interested in providing formal care, as defined above, may choose to affiliate with a licensed home child care agency.
- The agency is licensed by the Ministry of Education and in turn the agency licenses the individual Provider
- Due to the affiliation, monitoring and support provided by the licensed agency, the regulations for Licensed Providers are different than for Registered Providers.
 - with **agency approval** placement of up to 7 children including their own under the age of 11 – with a maximum of 2 children under 18 months and 3 children under age 4
 - these ratios relate to all hours of care, including overnight
 - licensed agencies would be expected to follow DNA guidelines to determine number of children that can be present in a licensed Providers home for example home set up & space, needs of children attending, Provider training, length of time Provider has been licensed
 - monitoring to remain at a minimum of in-home visits once every three months but actual schedule depends on age groups/number of children in home, experience of Provider etc
 - there would not be a registration fee charged to licensed Providers
 - all other initial screening, home inspections and mandatory training requirements remain the same as are currently in place
 - minimum of three children in the home must be placed by the license agency, this is to ensure:
 - support for effective parent communication. We believe that a Registered Provider can communicate a child’s daily experience for up to 4 children but once there are more than 4 children in the home the Provider will require support, tools and resources
 - Agency viability and compensation for the monitoring that is required in a home where there are 7 children

The chart below highlights the earning potential of a Licensed Provider and a Registered Provider based on the ratios we are recommending:

Licensed Providers			
# of children	Age	Daily Rate*	Total
2	< 18 months	\$ 34.10	\$ 68.20
3	< 4 years	\$ 34.10	\$ 102.30
4	up to 12 yrs	\$ 12.50	\$ 50.00
			\$ 220.50

Registered Providers			
# of children	Age	Daily Rate*	Total
4	all FTE	\$ 42.16	\$ 168.64

**Based on agency FF rate – with no admin fee*

**Based rate paid to Provider after agency admin fee*

To support a systems approach to the registration of Providers, we recommend that there must be the establishment of a provincial searchable database so parents can determine if a Provider they are considering is Registered or Licensed

- the establishment of a confidential searchable database so Agencies can determine if a Provider who has applied either to be Registered or Licensed is not eligible to provide care – this would include CAS/Police Record check information, as well as other information such as serious occurrences, fraud etc that may not appear in record checks
- Agencies would report to the database when they have deemed a home to be unsuitable to be Registered
- the Ministry would also report the addresses and names of Providers who should not be Registered
- an appeals process would need to be established
- due to the fact that Registered Providers are monitored for the most part exclusively by parents, parents will also be able to confidentially report serious occurrence situations to the database for follow up by the Ministry of Education. This is an extension of and in addition to the complaint review process already in place through the Ministry

To further support a systems approach we also recommend:

- to reduce duplication and support access to training Licensed Home Child Care Agencies should operate within specific boundaries, ideally the same boundaries as OEYCs, and where appropriate with both the OEYCs and HCC services operated by the same agency.
 - this will ensure that two or more agencies are not “competing” and providing the same service within one territory, duplicating resources unnecessarily
 - eliminate the confusing duplication of Providers being supported by two agencies
 - support collaborated access and maximize the current parent and Provider training mandate and expertise of OEYCs
- licensing of new Home Child Care Agencies should be limited and based on the community endorsed Consolidated Municipal Service Manager (CMSM) community service plan
- CMSMs continue to establish purchase of service agreements for providing subsidized child care with licensed home child care agencies only, not directly with Registered Providers
- CMSMs to work in partnership with licensed home child care agencies to develop funding policies that support equalization with Registered Providers who set their own policies and remuneration schedules. E.g. Provider paid holidays
- providing home set up loans for licensed Providers
- establishing a Provincial insurance plan for licensed Providers
- additional funding to be allocated to Agencies who are providing supports in areas that have been identified as high-risk
- HCC advisor/consultant to be part of a community delivery model including utilization of Nipissing checklist and other support tools such as a quality assurance process.
- financial incentives be provided to licensed Home Child Care Agencies to build capacity
- expectation that Licensed Providers, with the support of the HCC advisor/consultant communicate the development of the children in their care to parents
- explore options to settle the employer/employee relationship verses independent contractor status of Providers

To support the continued professionalization of the sector we also recommend:

- linking mandatory training for Providers that is delivered by licensed Home Child Care Agencies (either directly or through an OEYC) be linked to the local community College to support access to ECE diploma training

In addition we propose:

- the maximum number of children allowed to be onsite in a Registered Providers home, regardless of the number of adults present, may not exceed the ratios allowable for a Registered Provider – maximum of 4 children under age 11, including their own, with no more than 2 children under the age two
- all in-ground and above ground swimming pools must be fenced separately from the yard and inaccessible to children. Registered Providers must ensure that the children in their care will not have access to or be permitted to play in private above ground, in-ground or kiddy wading pools. Swimming at public pools with lifeguards present is permitted
 - At AFCCS we have a policy that we do not open a home that has a pool, we would continue with that policy

Additional changes to the DNA are required to support children with special needs, therefore we recommend:

- Change how a child with special needs is counted in Home Child Care ratios
 - currently a child who has a special need is counted as an infant in the DNA when attending home child care. This is inappropriate as a child may have a diagnosis and be able to function very well with their peers
 - this has an impact on a Providers ability to earn an income

Finally, we recognize that in some communities it may be appropriate and supportive for two Providers to provide care cooperatively in one home, therefore we recommend that in some situations, based on specific criteria (e.g. space, home set up, availability of alternate Providers) **licensed Home Child Care Agencies** may allow for two Providers, one of whom is registered with the College of ECE, to cooperatively provide care in one home setting for up to a maximum of 12 children under the age of 11 with no more than 4 children under the age of 2. The maximum number of children in the direct care of one Licensed Provider cannot exceed the ratios for an individual Provider as described on page 6. This option is only applicable to Licensed Providers affiliated with a licensed agency, not Registered Providers.

- licensed Providers must have confirmed alternate Providers, approved by the licensed agency, to provide coverage when one of the Providers is unavailable

Description of Andrew Fleck Child Care Services

Andrew Fleck Child Care Services (AFCCS) is one of the oldest and most diversified non-profit, charitable, multi-service early learning, child care and family support organizations in Ontario. It began its operation in 1911 and was incorporated as a charitable organization in 1920 under the legal name of The Ottawa Day Nursery Inc. It later changed its name to Andrew Fleck Child Care Services in recognition of its benefactor Mrs. Andrew Fleck who donated the building at 195 George Street to the organization in 1932.

AFCCS has always taken a leadership role in the child care community and in early childhood education. Over the past 100 years, in response to the changing needs of the community, it has developed innovative programs and expanded the organization to provide a comprehensive range of services that meet the diverse early learning and child care needs of families in the City of Ottawa. AFCCS takes pride in being innovative, progressive, responsive and - most importantly - committed to excellence in all its services.

AFCCS benefits from sound management practices, a secure financial base and an efficient infrastructure. It also keeps pace with the latest developments in the early childhood education field and information technology to support the delivery of high quality, client- and child-focused services. In addition, it has proven expertise in successfully piloting demonstration projects.

AFCCS advocates for high quality, affordable, accessible, accountable and inclusive child care that promotes the optimum physical, emotional, social, cognitive and intellectual development of the child. AFCCS believes in a holistic and family-centred approach to child care – one that offers a continuum of easily accessible child care options to meet the varying and changing needs of parents and children.

We are a comprehensive multi-service organization. In 2011 we provided care and services for 7,407 children and 52,208 families.

Licensed Home Child Care (HCC) has been offered by Andrew Fleck Child Care Services since 1969. Today, approximately 550 children aged three months to ten years are cared for by dedicated Child Care Providers in nurturing, inclusive, supportive and stimulating home environments. Professional staff visit the homes regularly to provide support, consultation and educational opportunities and also to ensure that the highest standards of health, safety, nutrition and child development are met

More information about Andrew Fleck Child Care Services can be found at www.afchildcare.on.ca

Note 1

Current possible earnings

****There is a variety of scenarios that could influence possible earnings (ie-placement of KGT & SA children). For these purposes, we assumed that providers only had full day children.*

Private: 5 children @ approximate \$42.16/day= \$210.80/day

A) Agency: 5 children @ approximate \$34.10/day= \$170.50/day

B) Agency: 3 children @ approximate \$34.10/day= \$102.30/day

(scenario B would be more typical than scenario A for providers affiliated with an agency due to the current DNA ratios)

Child Care Information

Information sur la garde des petits

Children's Integration Support Services

Services d'intégration pour jeunes enfants

600-700 av. Industrial Ave., Ottawa, ON K1G0Y9 • Tel/Tél 613 736-5355 • Fax/Télé 613 736-8378

www.afchildcare.on.ca

Home Child Care

Short Term Child Care

Programme de garde d'enfants à court terme

Child Care Consulting Services

Group Day Care Centre

School Age Program • Summer Day Camp

Early Years Centre

Centre de la petite enfance

Thursday's Child Nursery School