

**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

77, rue Wellesley Ouest  
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Toronto ON M7A 1N3



**MEMORANDUM TO:** Home Child Care Agencies

**FROM:** Holly Moran, Director  
Child Care Quality Assurance and Licensing Branch

**DATE:** September 14, 2016

**SUBJECT:** In-progress items for privately-placed children

As you are aware, the Ministry of Education is taking a phased approach to the development and implementation of new regulations to allow engagement with and transition time for the child care and early years sector.

The first phase of regulations (i.e. O.Reg. 137/15 and O.Reg. 138/15) came into force on August 31, 2015 and the second phase of regulations will come into effect on a range of dates, beginning on August 29, 2016.

In an effort to support home child care agencies and home child care providers to achieve and maintain compliance with the *Child Care and Early Years Act, 2014*, the Ministry has set out the requirements related specifically to privately-placed children in this memorandum. Agencies and providers are expected to reach full compliance with all of these requirements by September 1, 2017.

The following requirements relate to privately-placed children:

Regulatory Section	Requirements
Policies Implementation	<p>6.1 (1) Every licensee shall ensure that the policies, procedures and individualized plans it is required to have under this Regulation are implemented at each child care centre it operates and at each premises where it oversees the provision of home child care.</p> <p>**This provision will apply to the implementation of:</p> <ul style="list-style-type: none"><li>• sleep supervision policy;</li><li>• medication administration policy;</li></ul>

	<ul style="list-style-type: none"> <li>• individualized support plans</li> </ul>
Outdoor Play	<p>30. Every licensee shall ensure that outdoor play in each premises where the licensee oversees the provision of home child care is supervised in accordance with plans agreed upon by the home child care provider in that premises, a parent of each child receiving child care at the premises and a home child care visitor.</p>
Child Illness and Accident	<p>36. (1) Every licensee shall ensure that a daily observation is made of each child receiving child care in each child care centre it operates and in each premises where it oversees the provision of home child care before the child begins to associate with other children in order to detect possible symptoms of ill health.</p> <p>36. (2) Every licensee shall ensure that where a child receiving child care at a child care centre it operates or at a premises where it oversees the provision of home child care appears to be ill, the child is separated from other children and the symptoms of the illness noted in the child's records.</p> <p>36. (4) Every licensee shall ensure that when a child receiving child care at a child care centre it operates or at a premises where it oversees the provision of home child care is injured,</p> <ul style="list-style-type: none"> <li>(a) an accident report is made describing the circumstances of the injury and any first aid administered; and</li> <li>(b) a copy of the report is provided to a parent of the child.</li> </ul>
Daily Written Record	<p>37. (1) Every licensee of a child care centre or home child care agency shall ensure that a daily written record is maintained that includes a summary of any incident affecting the health, safety or well-being of,</p> <ul style="list-style-type: none"> <li>(c) any child receiving child care at a premises where the licensee oversees the provision of home child care;</li> </ul> <p>37. (2) If an incident described in clause (1) (a) or (c) occurs, the licensee shall ensure that a parent of the child is notified.</p>
Medication Administration	<p>40. (1) Where a licensee agrees to the administration of drugs or medications, the licensee shall ensure that,</p> <ul style="list-style-type: none"> <li>(d) a drug or medication is administered to a</li> </ul>

	child only where a parent of the child gives written authorization for the administration of the drug or medication and that included with the authorization is a schedule that sets out the times the drug or medication is to be given and amounts to be administered;
Written Instructions for Feeding Children under one year old	42. (1) Every licensee shall ensure that, (a) each child under one year old who receives child care at a child care centre operated by the licensee or at a premises where it oversees the provision of home child care is fed in accordance with written instructions from a parent of the child;
Labelling of Food and Drink	42. (1) Every licensee shall ensure that, (b) where food or drink or both are supplied by a parent of a child receiving child care at a child care centre operated by the licensee or at a premises where it oversees the provision of home child care, the container for the food or drink is labelled with the child's name;
Menu Consultation	43. (4) Every licensee of a home child care agency shall ensure that each home child care provider in each premises where the licensee oversees the provision of home child care plans menus in consultation with a parent of the child and a home child care visitor and that the menu, and the meals and snacks that it provides, meet the requirements set out in the Health Canada documents "Eating Well with Canada's Food Guide", "Eating Well with Canada's Food Guide – First Nations, Inuit and Métis" or "Nutrition for Healthy Term Infants", as amended from time to time, as the case may be.
Special Instructions re: Special Dietary and Feeding Arrangements	44. Every licensee shall ensure that where special dietary and feeding arrangements have been made with the licensee with respect to a child receiving child care at a premises where it oversees the provision of home child care, the arrangements are carried out in accordance with the written instructions of a parent of the child.
Individualized Support Plan	52. (1) Every licensee shall ensure that an up-to-date individualized support plan is in place for each child with special needs who receives child care at a child care centre it operates or premises where it oversees the provision of

	<p>home child care, and that the plan includes,</p> <ul style="list-style-type: none"> <li>(a) a description of how the child care centre or the home child care provider will support the child to function and participate in a meaningful and purposeful manner while the child is in the care of the centre or provider;</li> <li>(b) a description of any supports or aids, or adaptations or other modifications to the physical, social and learning environment that are necessary to achieve clause (a); and</li> <li>(c) instructions relating to the child's use of the supports or aids referred to in clause (b) or, if necessary, the child's use of or interaction with the adapted or modified environment.</li> </ul> <p>52. (2) The plan referred to in subsection (1) must be developed in consultation with a parent of the child, the child (if appropriate for the child's age) and any regulated health professional or other person who works with the child in a capacity that would allow the person to help inform the plan.</p>
Emergency Contact Information	<p>70. Every licensee shall ensure that the following information is up to date and readily accessible in the event of an emergency to each staff member of each child care centre or home child care agency it operates and to each home child care provider at a premises where the licensee oversees the provision of home child care:</p> <ul style="list-style-type: none"> <li>1. The home and work addresses and telephone numbers of a parent of each child receiving child care at the child care centre or home child care premises, and a telephone number of a person to be contacted if a parent cannot be reached.</li> <li>2. Any special medical or additional information provided by a parent of each child receiving child care at the child care centre or home child care premises that could be helpful in an emergency.</li> </ul>
Children's Records	<p>72. (1) Every licensee shall ensure that up-to-date records that are available for inspection by an inspector or program adviser at all times are kept of the following matters in respect of each child receiving child care at a child care centre operated by the licensee or receiving child care</p>

	<p>at a premises where it oversees the provision of home child care:</p> <ol style="list-style-type: none"> <li>1. An application for enrolment signed by a parent of the child.</li> <li>2. The name, date of birth and home address of the child.</li> <li>3. The names, home addresses and telephone numbers of the parents of the child.</li> <li>4. The address and telephone number at which a parent of the child or other person can be reached in case of an emergency during the hours when the child receives child care.</li> <li>5. The names of persons to whom the child may be released.</li> <li>9. Any symptoms indicative of ill health.</li> <li>10. Written instructions signed by a parent of the child for any medical treatment or drug or medication that is to be administered during the hours the child receives child care.</li> <li>11. Written instructions signed by a parent of the child concerning any special requirements in respect of diet, rest or physical activity.</li> <li>12. A copy of any written recommendation referred to in subsection 33.1 (1) from a child's physician regarding the placement of a child for sleep.</li> </ol>
<p>Children's Records – Record Retention</p>	<p>72.(2) The records listed in subsection (1) shall be kept, as the case may be,</p> <ol style="list-style-type: none"> <li>(b) at the home child care premises where the child receives child care and at the home child care agency overseeing the provision of such care.</li> </ol> <p>(5) Every licensee shall ensure that the records required to be maintained under this section with respect to a child are kept for at least three years from the date the child is discharged at the child care centre or home child care agency.</p>

In keeping with our licensing process, where an agency is in compliance with any of these provisions in regard to privately-placed children, the provision will be marked accordingly in the licensing checklist. Where the provision is not yet in compliance, the item will be marked as "in-progress" and a recommendation will be added to support achievement of compliance by September 1, 2017.

The Ministry will use this approach to monitor compliance related to the oversight of care for all children on the premises and will continue to engage with the home child care sector throughout this transitional period. Thank you for your ongoing partnership in supporting Ontario children's health, safety and well-being.

Sincerely,

A handwritten signature in black ink, appearing to read "H. Moran". The signature is fluid and cursive, with a large initial "H" and a long, sweeping underline.

Holly Moran,  
Director, CCQALB

- c. Julia Danos, Director, Early Years Implementation Branch  
Consolidated Municipal Service Managers/District Social Services Administration  
Boards  
Home Child Care Association of Ontario