

Section A: Licensee Manual



Revised date: May 14, 2019

Day Care Regulations

Made under Section 15 of the *Day Care Act*

Citation

Regulation 1 These regulations may be cited as *Day Care Regulations*

Definitions for Act and Regulations

2 (1) In these regulations,

“Act” means the Day Care Act

“accessible” in relation to a building or outdoor play space, means able to accommodate persons with disabilities;

“agency” means a person licensed to manage a family home day care program;

“agency director” means a person who provides daily onsite supervision of an agency;

“attending school” means attending a public or private school under the *Education Act* and does not include attending a pre-primary program under the *Pre-primary Education Act*;

“care provider” means a person who is approved by an agency to provide a family home day care program in the person’s home;

“Department” means the Department of Education and Early Childhood Development;

“facility director” means a person who provides daily onsite supervision of a facility;

“family day care home” means a home in which a family home day care program is provided;

“family home consultant” means a person hired by an agency to provide services and support to care providers;

“family home day care program” means a day care program that is provided by a care provider in the care provider’s home;

“former regulations” means either of the following, as applicable:

- (i) the regulations respecting day care, N.S. Reg. 195/79, made by the Governor in Council by Order in Council 79-1556 dated November 27, 1979,
- (ii) the Family Home Day Care Program Regulations, N.S. Reg. 241/2007, made by the Governor in Council by Order in Council 2007-241 dated April 24, 2007;

“full-day program” means a day care program that is not a family home day care program and that

- (i) provides day care for children who are not attending school, and
- (ii) is operated for more than 4 consecutive hours per day or more than 30 hours per week;

“infant” means a child who is younger than 18 months old;

“level 1 classification” means a staff classification issued by the Minister under Section 37(C);

“level 2 classification” means a staff classification issued by the Minister under Section 37(D);

“level 3 classification” means a staff classification issued by the Minister under Section 37(E);

“licensee” means the person in whose name a license has been issued under the *Act*;

“operate” includes manage;

“orientation training” means orientation training for facility staff that is approved by the Minister;

“parent” includes a guardian, foster parent and any other person having the care and custody of a child;

“parent handbook” means the parent handbook required by Section 44;

“part-day program” means a day care program that is not a family home day care program and that

(i) provides day care for children who are older than 30 months old and are not attending school, and

(ii) is operated for fewer than 4 consecutive hours per day and fewer than 30 hours per week;

“pre-primary child” means a child who is attending a pre-primary program;

“preschooler” means a child who is 36 months old or older and is not attending school;

“private school” means a private school as defined in the Education Act;

“public school” means a public school as defined in the Education Act;

“recognition of prior learning program” means that assessment process approved by the Minister for a person to demonstrate the professional competencies required to obtain level 2 classification;

“school-age child” means a child who is attending school or a pre-primary program and is not older than 12 on December 31 of the school year;

“school-age program” means a day care program that provides child care for children attending school;

“school-age training approval” means the staff training approved by the Minister under Section 37(F);

“staff” means paid employees of a licensee and does not include care providers;

“staff-to-children ratio” means the ratio representing the minimum number of staff required by these regulations;

“toddler” means a child who is between 18 months old and 35 months old, inclusive.

► **Intent**

To provide a standard definition for each of the terms used in the regulations.

Regulation 2(2)

In Section 8 of the *Act* and in these regulations, “examine” includes photograph, copy or reproduce by any means and temporarily remove books and records for that purpose.

► **Intent**

To clarify what “examine” means in relation to reviewing documents.

► **In Practice**

Licensees and care providers provide Department staff with the records and documents required for their review.

Licensees and care providers maintain records and documents in an organized manner that allows for easy access and timely review.

Licensees and care providers retain files for the required length of time (e.g., children’s files are kept for two years after child withdraws).

► **Please Note**

If receiving funding from the Department of Education and Early Childhood Development, the licensee must comply with the *Funding Agreement* and record keeping in accordance with the Canada Revenue Agency requirements.

Exempted services

▶ Regulation 3(1)

For the purpose of the exemption from the definition of “day care” in subclause 2(a)(i) of the Act, “organized recreational activities” means recreational programs offered by recognized community providers.

▶ Intent

To define “organized recreational activities” for the purpose of exemption.

▶ In Practice

Recognized community providers may include municipal recreation departments, community organizations, universities/schools, and athletic complexes/gyms that have the promotion of sports and leisure time activities as their primary purpose. Typically, such programs are single focused, offered on a short-term basis for a limited number of hours, days, and/or weeks (e.g., swimming lessons, karate, dance, drama, art and seasonal camps).

Regulation 3(2)

For the purposes of subclause 2(a)(ii) of the Act, the following services are exempted from the definition of “day care” and do not require a license:

- (a) care for 6 or fewer children of any age on a regular basis, including any children of the person providing the care;
- (b) care for 8 or fewer school-age children on a regular basis, including any children of the person providing the care;
- (c) casual and irregular babysitting arrangements for care and supervision provided to a child
 - (i) in the child’s home,
 - (ii) in the home of the person providing the care and supervision, or
 - (iii) when the parents are on the premises and readily available;
- (d) care and supervision of children provided under the *Children and Family Services Act*;

- (e) a program provided for children that has the promotion of specific recreational, athletic, artistic or musical skills as its only purpose;
- (f) a camp for school-age children operated during school holiday periods by persons who are not at the same time and same location working for a licensee as staff or care providers;
- (g) a program provided in a public school by an education entity for children who will be at least 4 years old on December 31 of the school year in which they are enrolled in the program;
- (h) a program provided by a private school that serves 2 or more grades for children who will be at least 4 years old on December 31 of the school year in which they are enrolled in the program;
- (i) a pre-primary program under the *Pre-primary Education Act*;

Regulation 3(3)

The prohibition in Section 11 of the Act against advertising or holding out an unlicensed place to be a facility, or implying or leading the public to believe that an unlicensed place is a facility, applies to an exempted service.

Regulation 3(4)

The presence of more than 1 person providing care does not permit an increase in the maximum number of children allowed for a service to be exempted under clause (2)(a) or (b) .

► Intent

To establish that the services exempted from the regulations are not licensed or regulated by the Department of Education and Early Childhood Development.

► **Please Note**

Exempted Services

Exempted services do not have to meet the standards under the Day Care Act . These services cannot use words such as “regulated”, “licensed”, “child care centre”, “child care facility” “child care centre”, child care facility”, “preschool” and “family home child care” to advertise their services or and they cannot imply or indicate the service provided is regulated or licensed by the Department of Education and Early Childhood Development. If there are questions about the use of particular phrases or words, the department should be contacted.

Unlicensed Operations

There is no way to ensure that unlicensed services meet the standards under the Day Care Act with respect to the safety and care for children who are cared for apart from their parents. These services also cannot use words such as “regulated”, “licensed”, “child care centre”, “child care facility”, “child care centre”, child care facility”, “preschool” and “family home child care” to advertise their services or and they cannot imply or indicate the service provided is regulated or licensed by the Department of Education and Early Childhood Development.

Concerns or complaints about unlicensed child care can be made by calling Licensing Services at **1-877-223-9555**. The caller may remain anonymous.

Under the Day Care Act (Section 8), Department staff can enter a premise to determine that a service does or does not require a license.

Licensing

▶ Regulation 4 (1)

The following are the programs for which a license may be issued:

- (a) a full-day program;
- (b) a part-day program;
- (c) a school-age program; or
- (d) if the licensee is an agency, a family home day care program.

▶ Intent

To identify the types of programs for which a licensee can receive a license to operate.

▶ In Practice

A facility may be licensed to offer a, b, and c, or any combination therein. Proposed licensees are required to identify the types of services they plan to offer, when submitting the *Intent to Operate a Child Care Facility or Family Home Child Care Agency* (ECDS-801).

The license identifies the type(s) of program(s) that is offered by a facility or a Family Home Child Care Agency.

Changes to a license must be pre-approved by the Department. Licensees are to contact their ECDC and Licensing Services to discuss potential changes and for information on the license change process.

▶ Please Note

A part-day program provides care for children who are older than 30 months and who are not attending school and operates fewer than four consecutive hours a day and fewer than 30 hours a week. A full-day program may offer a separate part-day program for children if the children enrolled in the part-day program are in attendance for fewer than 4 consecutive hours a day. In this case the child-to-staff ratio can be twelve to one. However, if children from the full-day program are included in the part-day program the child-to-staff ratio must be eight to one.

Regulation 4(2)

A school-age program may be operated at any of the following times:

- (a) before school begins in the morning and after school ends in the afternoon;
- (b) during school lunch periods;
- (c) during school closures, holidays or in-service days;
- (d) if the program includes any pre-primary children,
 - (i) before the pre-primary program begins in the morning and after the pre-primary program ends in the afternoon,
 - (ii) during pre-primary program closures, holidays or in-service days.

► Intent

To define the operational times for school-age programs.

► In Practice

School-age programs may be operated at a facility that provides other programs (e.g., full day, part day).

Licensees help to manage the enrolment and transition of pre-primary and preschool-age children into school-age programs. Children who are eligible to begin school in September will be deemed to be eligible to attend a school-age program in the summer prior to their enrolment in a public or a private school (e.g., summer before starting school).

► Best Practice

Transitions are managed on an individual basis and in a developmentally appropriate manner. Children eligible to attend school may remain in a pre-primary or preschool-age program for the summer when the program is developmentally appropriate. A developmentally appropriate transition involves acting in the best interest of the child so that the child feels safe and secure both physically and emotionally.

Regulation 4(3)

A term, condition or restriction attached to a license under subsection 5(3) of the Act may include

- (a) a term or condition permitting extended hours of operation, including on weekends, in accordance with standards established by the Minister; or
- (b) a stipulation that the licensee is on probation.

► Intent

To define terms, conditions or restrictions that may appear on a license.

► In Practice

Terms, conditions, or restrictions are listed on the license for parents and the public.

Licensees provide services in accordance with the terms, conditions and restrictions attached to the license.

Licensees are familiar with the *Compliance and Enforcement Standards*. The standards can be found on the Department of Education and Early Childhood Development website at: <http://www.ednet.ns.ca/earlyyears/licensing/day-care-family-home-day-care.shtml>

Licensees of child care facilities who wish to offer extended hours child care must receive approval to offer extended hours child care.

A new applicant will include the proposal to offer extended hours child care with the License Proposal.

Current licensees, who wish to change the terms of their license, must submit a *Proposal to Operate Extended Hours Child Care* form to the Early Childhood Development Consultant for review and recommendation.

Family home child care agencies develop policies/guidelines regarding extended hours care, including overnight care. The expectations for extended hours and overnight care in family home child care programs are included in the child care provider handbook.

Regulation 4(4)

Except as provided in subsection (5), a license issued in accordance with the former regulations is deemed to have been issued under these regulations, and the holder of the license must comply with these regulations.

Regulation 4(5)

A license for a part-day program for children younger than 30 months old issued under the former regulations remains valid as long as the licensee complies with the conditions under which the license was issued, and the license may be renewed under those same conditions.

▶ Intent

To ensure the continuation of licenses issued prior to April 1, 2011.

▶ In Practice

Regulation 4(5) applies to part-day programs with an age range younger than 30 months (2.5 years). A license issued prior to April 1, 2011, will continue to be valid for its full term as long as the licensee continues to comply with the conditions under which the license was issued (e.g., age range, capacity).

▶ Please Note

A licensee may relocate a part day program as long as the program continues to comply with the conditions under which the license was issued.

Form of License

Regulation 5(1)

A license for a full-day program, part-day program or school-age program must be in Form 1.

Regulation 5(2)

A license for a family home day care agency must be in Form 2.

▶ Intent

To standardize the form of license.

▶ Please Note

The Day Care Regulations include a sample of Form 1: License for Full-day, Part-day or School-age Program and Form 2: License for Family Home Child Care Program.

License must be displayed

Regulation 6

A license must be displayed at all times in a conspicuous place near the entrance of the facility or agency.

▶ Intent

To ensure that the license is visible to the public.

▶ In Practice

The license must remain visible at all times.

A licensee may copy the license to post at multiple entrances to a facility or agency. The original must be posted at the main entrance.

If a licensee shares a space or only operates for part of the year the license must be taken down when the facility is not in operation (e.g., summer months) and posted again when the facility resumes operation.

License proposal

Regulation 7(1)

Before applying for a license, a person must submit a proposal for the license to the Department and obtain the Department's approval of the proposal.

Regulation 7(2)

A proposal for a license must be made on a form approved by the Minister and must be accompanied by any items specified on the proposal form.

▶ Intent

To provide the Department with information on the proposed child care facility and the programs and services to be offered.

▶ Please Note

For New Applicants

Licensee applicants consider all requirements involved in the operation of a child care facility or family home child care agency to gain a clear understanding of the obligations of a license holder. Information regarding the proposal to operate is detailed in the *Child Care Facility License Proposal Guide* or in the *Guide to Starting a Family Home Child Care Agency*

Upon receipt of the *Intent to Operate a Child Care Facility or Family Home Child Care Agency* (ECDS-801), an Early Childhood Development Consultant will be assigned to assist potential licensees throughout the proposal process for a facility or agency.

Once an applicant has developed a proposal, it must be submitted to the assigned Early Childhood Development Consultant, with the *Child Care Facility License Proposal* (ECDS-802) form, or in case of an agency, the *Family Home Child Care Agency Proposal* (ECDS – 823) form.

Proposals must be reviewed and recommended by Early Childhood Development Services. Once a proposal is recommended, an *Application for a License Child Care Facility / Family Home Child Care Agency* (LIC-701) will be issued.

For Current Licensees

A current licensee who is interested in opening additional locations must submit an *Intent to Operate a Child Care Facility* (ECDS-801) and complete a license proposal. The completed license proposal and the *Child Care Facility License Proposal* (ECDS-802) form must be submitted to the Early Childhood Development Consultant for approval. Once the proposal is approved, an *Application for a License Child Care Facility / Family Home Child Care Agency* (LIC-701) will be provided.

Name Change

A new license is required if the name of the licensed facility or family home child care agency changes with the Registry of Joint Stock Companies. The licensee is required to notify the Early Childhood Development Consultant who will determine what steps are required to complete the name change.

Selling a Facility or Family Home Child Care Agency

Section 7 of the *Child Care Act* states, “A license shall be deemed to be cancelled when the person to whom it was issued ceases to operate or own the facility for which the license was issued.”

Licenses are not transferable. A person wishing to purchase a facility must submit an *Intent to Operate a Child Care Facility or Family Home Child Care Agency* (ECDS-801) and complete a license proposal. The completed license proposal and the *Child Care Facility Proposal* (ECDS-802) form must be submitted to the Early Childhood Development Consultant for approval. Once the proposal is approved, an *Application for a License Child Care Facility / Family Home Child Care Agency* (LIC-701) will be provided.

In accordance with Regulation 46, licensees who wish to sell or close a facility or agency must provide notice to parents.

In all cases, Licensing Services can be contacted for a technical consult to answer questions with respect to the physical or outdoor play space requirements for a facility or agency.

The Early Childhood Development Consultant can be contacted for a program consult.

Applying for a license

Regulation 8(1)

An application for a license must be made to the Department on a form approved by the Minister.

Regulation 8(2)

An application for a license must be accompanied by

- (a) proof that the applicant has obtained approval of their license proposal as required by Section 7; and
- (b) any additional item specified on the application form.

▶ Intent

To outline the process and requirements to apply for a license.

▶ In Practice

When a *Child Care Facility License Proposal* (ECDS-802) or *Family Home Child Care Agency Proposal* (ECDS -823) is approved by the Early Childhood Development Consultant, the applicant is provided with an *Application for a License: Child Care Facility/Family Home Child Care Agency* (LIC-701). The applicant must complete the application and submit it to Licensing Services with all required documentation.

Regulation 8(3)

In addition to the requirements of subsection (2), an applicant for a license must submit proof that the proposed facility or, in the case of an agency, the play group space to be used for its family home child care program complies with

- (a) the regulations, orders and directions of the appropriate authorities respecting fire prevention, safety, health and sanitary requirements; and
- (b) any applicable municipal bylaws.

Regulation 8(4)

If an applicant has previously submitted the proof of compliance required by subsection (3), the Minister may waive the requirement to submit the proof with the current application, if the applicant can establish that there have been no changes to the facility or play group space or to the applicable regulations, orders, directions and bylaws referred to in subsection (3).

Regulation 8(5)

An application, including all of the accompanying documentation, must be approved by the Department before a license is issued.

► Intent

To outline the process and requirements to apply for a license.

► In Practice

An applicant is required to submit the following documentation:

- ✓ A letter from the residing municipality stating that the facility conforms with zoning by-laws (Child Care Facility & FHDC Agency);
- ✓ A copy of the Occupancy Permit from the Municipal Building Inspector (Child Care Facility);
- ✓ A copy of the Department of Environment Inspection Report, indicating that all health safety requirements are met (if applicable – Child Care Facility);
- ✓ A copy of the Fire Inspection Report, indicating that all fire safety requirements are met (Child Care Facility & FHDC Agency);
- ✓ A floor plan of the facility (including the outdoor play space); and
- ✓ A water analysis - if on a well supply (Child Care Facility & FHDC Agency).
- ✓ Proof of Insurance

The applicant will be contacted within 10 business days by Licensing Services to arrange for an initial licensing inspection to determine if the facility/agency is in compliance with the *Day Care Act*.

Applying for license renewal

Regulation 9(1)

An application to renew a license must be made to the Department on a renewal application form approved by the Minister, and must include the information and documentation specified in the renewal application form.

Regulation 9(2)

If an applicant has previously submitted any item required by the renewal application form, and the item has not changed since it was last provided, the Minister may waive the requirement to submit the item with the current renewal application.

▶ Intent

To standardize the license renewal process and minimize the paperwork required for a license renewal.

▶ In Practice

Licensing Services automatically sends out the renewal application form.

▶ Please Note

Licensees may wish to discuss the renewal process with their Licensing Officer, in advance of the license expiration date, to ensure requirements for renewal are met.

Applying for change to license

Regulation 9A (1)

A licensee may request a change to the age range, maximum number of children or program type identified on the license.

Regulation 9A (2)

A licensee must provide the information requested by the Minister in support of a request under this Section.

Regulation 9A (3)

The Minister may make conditions, qualifications, restrictions or requirements in respect of, or as a prerequisite to, the approval of a change to a license requested under this Section.

► Intent

To standardize the process to change a license.

► In Practice

A licensee carefully considers the following before changing a program:

- ✓ How will the change affect children and parents?
- ✓ How will the change affect staff?
- ✓ How will the change affect grant funding provided to the facility or agency?
- ✓ How will the change affect the license?

The licensee contacts the Early Childhood Development Consultant to initiate the change to the license. Once a change is recommended, the licensee must submit a *Program Approved Change Request for Licensing ECDS-702/803* directly to Licensing Services. If all requirements are met, Licensing Services will issue a revised license to reflect the approved changes.

The Early Childhood Development Consultant can provide additional support to the licensee when considering program changes.

Approval for alteration

Regulation 10(1)

In Section 10 of the Act, “significantly affect the care of children”, in relation to a proposed alteration to a facility for which Ministerial approval is required, includes changing the physical dimensions of the outdoor or indoor space.

Regulation 10(2)

The Minister may make conditions, qualifications, restrictions or requirements in respect of, or as a prerequisite to, the approval of a proposal for alterations.

Regulation 10(3)

In a submission to the Minister for approval to alter the physical dimensions of the indoor space of a facility, a licensee with an exemption under subsection 20A(1) may request that the exemption also apply to the altered space.

► Intent

To ensure that any changes to the facility are approved by the Department of Education and Early Childhood Development.

► In Practice

A licensee carefully considers the following before changing a program:

- ✓ How will the change affect children and parents?
- ✓ How will the change affect staff?
- ✓ How will the change affect grant funding provided to the facility or agency?
- ✓ How will the change affect the license?

The licensee contacts the Early Childhood Development Consultant to initiate the change to the license, a *Request to Change Facility or Agency* (ECDS-803) is completed. Once a change is recommended, the licensee must submit a *Request to Change Facility or Agency License* (LIC -702), directly to Licensing Services. Licensing Services will issue a revised license to reflect the approved changes.

The Early Childhood Development Consultant can provide additional support to the licensee when considering program changes.

No commitment to fund

Regulation 11

Issuance of a license or approval of an alteration must not be construed as a commitment by the Minister to provide funds to the licensee.

▶ Intent

To clarify that obtaining a license does not guarantee funding.

▶ In Practice

Licensees are familiar with all applicable terms and conditions (e.g., Early Childhood Enhancement Grant, Supported Child Care Grant, and Child Care Subsidy) and Funding Agreements.

▶ Please Note

Failure to adhere to the terms and conditions and funding agreements may result in a change or discontinuation of funding provided by the Department.
Government funding is dependent on budget availability.

Cancellation, suspension, refusal to renew

Regulation 12(1)

On cancelling, suspending or refusing to renew a license, the Minister must post a notice of closure on each entrance to and exit from the licensee's facility or, in the case of an agency, the agency and any family child care home(s), managed by the agency.

Regulation 12(2)

A notice of closure must set out the effective date of and reasons for the cancellation, suspension or refusal to renew the license.

► Intent

To ensure that parents, staff and the public are informed when a license is cancelled, suspended or when an application for a renewal license is refused.

► In Practice

Licensees are aware of the *Compliance and Enforcement Standards* and have a copy of the policy onsite for easy reference.

Licensees are proactive in maintaining compliance with all requirements and seek technical assistance from the Licensing Officer or program support from the Early Childhood Development Consultant.

► Please Note

As cited in the *Compliance and Enforcement Standards*, a notice of closure will be issued when the licensee fails to meet requirements under the *Day Care Act*. The *Notice of Closure* is provided to the licensee in writing and clearly states the reason and timeline for the closure as per Regulation 46.

Inspections

Regulation 13(1)

A facility and an agency must be inspected at least annually.

Regulation 13(2)

Section 8 of the Act, respecting the right of the Director to enter, inspect and examine, applies with the necessary changes in detail to an agency.

Regulation 13(3)

During an annual inspection, the licensee must make available proof that the facility or, if the licensee is an agency, the play group space to be used for its family home day care program complies with the regulations, orders and directions of the appropriate authorities respecting fire prevention, safety, health and sanitary requirements and any applicable municipal bylaws.

▶ Intent

To establish that Department staff will conduct inspections of a facility or agency, at least annually, to ensure compliance with the *Day Care Act*

▶ In Practice

Licensee will provide a copy of the Health Inspection Report (if applicable – Child Care Facility) and copy of the Fire Inspection Report (Child Care Facility & FHDC Agency);

▶ Please Note

Licensing Officers will contact a facility or agency a minimum of three times a year: perform an annual inspection; perform an unannounced inspection; and contact by phone.

Licensing Officers may inspect more frequently to follow up on complaints and/or issues of non-compliance.

Licensees may request technical assistance from Licensing Services. The intent of technical assistance is to provide information and support to licensees to meet and maintain compliance.

Agency's duties

Regulation 14

An agency must do all of the following:

- (a) recruit and approve care providers and family day care homes to establish and operate a family home day care program;
- (b) approve, manage and monitor the care providers and family day care homes under its management in accordance with all of the following:
 - (i) the Act and its regulations,
 - (ii) the funding agreement between the agency and the Minister, if applicable,
 - (iii) the service agreements between each care provider and the agency,
 - (iv) standards established by the Minister;
- (c) hire a family home consultant to provide services and support to care providers and family day care homes under its management, including all of the following:
 - (i) assisting parents and care providers in matching requirements with services,
 - (ii) providing administrative support and record-keeping,
 - (iii) organizing parent committee meetings,
 - (iv) providing a lending library,
 - (v) providing regular play groups,
 - (vi) coordinating the delivery of professional development courses for agency staff associated with the family home day care program and for care providers,
 - (vii) providing or organizing transportation for care providers and children enrolled in its family home day care program to attend agency functions;
- (d) ensure that care providers and family day care homes meet the requirements for approval in subsection 15(1);
- (e) **repealed**
- (f) annually assess care providers and family day care homes under its management;

(g) operate in accordance with the proposal for the agency that was approved before the agency's license was issued.

▶ **Intent**

To identify the responsibilities of a licensed family home child care agency with respect to their authority to approve, manage and monitor family child care homes.

▶ **In Practice**

The family home child care agency licensee develops policies and procedures to assist in managing their responsibilities. Please refer to *Guide for Starting a Family Home Child Care Agency*.

The family home child care agency licensee operates and manages the program in a financially responsible manner and in accordance with the budget approved by the Department and the Funding Agreement.

Service agreements between the care providers and the agency are developed and signed by the care provider as part of the agency approval process.

Licensees ensure that family home child care programs meet the *Standards for Family Home Child Care*.

▶ **Best Practice**

Service agreements between the agency and family home child care provider are reviewed on a regular basis.

Agency may approve care provider and family day care home

Regulation 15(1)

An agency may approve a person who is at least 18 years old as a care provider and the person's home as a family day care home if the agency is satisfied that all of the following requirements are met:

(a) repealed

(b) repealed

(c) The person has adequate commercial general liability insurance or its equivalent;

(d) The person has personal qualities that promote positive healthy development in children;

(e) The person is capable of providing the agency's family home child care program;

(f) The person has signed a service agreement with the agency;

(g) The person and the person's home meet and will continue to meet the requirements of all of the following:

(i) the Act and its regulations,

(ii) the service agreement made between the person and the agency,

(iii) standards established by the Minister.

► **Intent**

To ensure each care provider maintains an adequate level of insurance.

► **In Practice**

Licensees ensure care providers consult with their insurance agents to determine what type and how much coverage under their home insurance policy is advisable.

Licensees ensure care providers maintain records to confirm that their insurance is current and verification of insurance is readily available.

Licensees ensure care providers have a policy to notify the agency immediately if the

insurance policy is cancelled. Cancellation of the care provider's insurance policy is treated by the agency as a breach of contract.

For more information consult the *Guide to Starting a Family Home Child Care Agency*.

Regulation 15(2)

On approving a care provider and a family day care home, an agency must submit any information required by the Minister to the Department.

▶ Intent

To ensure the agency develops a process for selecting and approving care providers and their homes.

▶ In Practice

Licensees develop policies and procedures for recruiting care providers.

The process for recruiting and approving care providers and the care provider's responsibilities are included in the family home child care proposal and the care providers' handbook.

▶ Best Practice

In addition to checking references, an interview with the care provider would provide insights into these issues. The agency may wish to develop a standard set of questions which probe into these areas and assess the care provider's knowledge of proper early childhood programming and nutrition, as well as their attitudes towards behavior management and child development.

Maximum number of children for care provider

Regulation 15A(1)

Subject to the restriction in subsection (2) respecting the permitted numbers of toddlers and infants. And except as provided in subsections (3) and (4), a care provider may care for a maximum of 7 children at a time, including their own children.

Regulation 15A(2)

If a care provider is caring for 4 to 7 children, no more than 3 children may be under 3 years of age and of those 3 children no more than 2 children may be infants.

Regulation 15A(3)

A care provider for school-age children only may care for a maximum of 9 children at a time, including their own children.

Regulation 15A(4)

A care provider may care for a maximum of 3 infants at a time, including their own infants, and if caring for the maximum 3 infants must not have any other children in their care.

► Intent

To ensure the safety, health and well-being of infants and toddlers in a family home child care program.

► Please Note:

If a care provider's own children are 13 by December 31st of the school year, they do not have to be included in the calculation of the numbers of children. The school year starts from August 1st to July 31st. The same condition would apply if the care provider's children have friends that are visiting at the home, during the hours of operation of the family home child care.

Agency may cancel approval

Regulation 16

An agency may cancel an approval of a care provider and family day care home if the care provider or family day care home does not meet or continue to meet any requirement of subsection 15(1).

► Intent

To provide authority for the agency to act when cancellation of an approval is required.

► In Practice

Licensee should have a clear decision-making process related to the approval process for family child care homes, including the process for cancelling an approval. This process is included in the care providers' handbook.

Compliance and enforcement standards

Regulation 17(1)

A licensee must adhere to the license compliance and enforcement standards established by the Minister.

Regulation 17(2)

If a licensee fails to meet the license compliance and enforcement standards, the Minister may decline to do any of the following until the licensee remedies the violation or deficiency:

- (a) issue any other license to the licensee;
- (b) approve a change under Section 9A to a license held by the licensee;
- (c) approve an alteration to the licensee's physical space proposed in a submission to the Minister referred to in Section 10.

► Intent

To inform licensees of the consequences of non-compliance.

► Please Note

In cases where regulatory violations are not corrected within a determined period of time, the *Compliance and Enforcement Standards* are followed.

Licensee is familiar with the *Compliance and Enforcement Standards* and aware of the consequences when violations are not corrected as required. The policy can be found on the Department of Education and Early Childhood Development website at:

<http://www.ednet.ns.ca/earlyyears/licensing/day-care-family-home-day-care.shtml>

Facility must be insured

Regulation 17A

Each facility must be adequately insured under a commercial general liability insurance policy or its equivalent.

▶ Intent

To ensure the licensee maintains an adequate level of insurance.

▶ In Practice

Licensees consult with their insurance agents to determine what type and how much coverage is advisable.

Licensees maintain records to confirm that their insurance is current and verification of insurance is readily available.

Program

Regulation 18 (1)

A licensee other than an agency must adhere to the daily program standards established by the Minister.

▶ Intent

To ensure that licensees of child care facilities provide a daily program and learning environment for children that is developmentally appropriate, inclusive, and sets the foundation for the delivery of quality child care.

▶ In Practice

Licensees follow the requirements set out in the *Standards for the Daily Program in Licensed Child Care Facilities*. Licensees ensure that a copy of the Standards are readily available to staff. Licensees provide orientation, guidance and support to staff with respect to the implementing the Standards.

Licensees develop any policies, procedures or forms necessary to ensure that the Standards are met.

Licensees consult with the Licensing Officer for technical assistance or the Early Childhood Development Consultant for support in the implementation of the Standards.

▶ Best Practice

Family Home Consultants use the *Standards for the Daily Program in Licensed Child Care Facilities* as a tool to assist care providers in establishing a developmentally appropriate program for children.

Early Childhood Development Consultants use the Comprehensive Program Consultation (CPC) as a tool to assist licensees in identifying ways to enhance the quality of the program offered to children and families.

Regulation 18 (2)

The daily program for children enrolled in a day care program, including a play group provided by an agency under subclause 14(c)(v), must be developmentally appropriate and promote full participation of all children.

Regulation 18 (3)

For children enrolled in a full-day program or a family home day care program, all of the following must be provided daily:

- (a) a rest time;
- (b) a developmentally appropriate period of outdoor activity in the morning and afternoon, except when extreme weather conditions exist;
- (c) opportunities for physical activity.

Regulation 18 (4)

A day care program offering extended hours of operation must comply with Departmental standards for programs offering extended hours.

► Intent

To ensure program activities and learning environments for children are developmentally appropriate and meet the needs of all children enrolled.

► In Practice

Program

Daily program activities are planned to reflect the emerging interests and experiences of children and are shared with all staff, including the director/operator, and parents. Parents are encouraged to comment and share their perspectives on their children's learning and development. Staff collaborate in developing program plans by sharing ideas and resources.

The daily program provides regular opportunities for physical activity both inside and outside. Periods of time when children are required to sit, pay attention to an adult, or wait are limited and the majority of the day is spent in active play. The environment is designed with quiet areas where individual children can choose to rest and relax as needed.

Staff have planning time and access to materials/resources (e.g., computer, printer, resource library membership, resources available at Early Childhood Development Support Sites, professional journal subscriptions) to support their program planning. Resources/materials are readily available to staff to support their planning ideas and foster their understanding of current best practices.

Rest Time

Rest times are developmentally appropriate and are planned with both the needs of children and staff in mind. Typically, children who need to nap, will fall asleep within 20 to 40 minutes. Children, who do not nap, are provided with developmentally appropriate quiet activities. As well, quiet activities are provided for children when they awaken.

The rest period is scheduled at a consistent and natural time each day. For toddlers and preschoolers, this is typically after lunch. The rest period for infants is flexible to meet their individual needs. The area where children rest is nurturing and welcoming with soft music and appropriate darkness. Children who have difficulty falling asleep are assisted and comforted by staff.

Sleep is crucial to healthy child development. Children ranging in age from 1-3 years typically require 12-14 hours of sleep per day. Children aged 3-5 years typically require 10-12 hours per day. Staff and care providers should discuss the rest period with parents to ensure that each child's needs for rest are being met.

Outdoor Activity

Extreme weather conditions may include, but are not limited to, heavy rain or thunder storms; extreme wind conditions; sleet or hail; icy conditions; extreme cold; extreme heat and humidity; extreme UV index levels.

Family Home Child Care Agency

The licensee of a family home child care agency is responsible for offering a developmentally appropriate play group on a regular basis to their care providers. The family home child care consultant is responsible for assisting and supporting the care providers in their daily program.

For licensees offering extended hours care please refer to the *Standards for Extended Hours Child Care*.

Behavior Guidance

Regulation 19(1)

Each licensee, facility director, agency director, family home consultant, care provider, staff member and volunteer of a licensee must behave in a manner that does not harm any child who is attending the day care program, and in particular must not do or permit any of the following:

- (a) use corporal punishment, including
 - (i) striking a child directly or with any physical object, and
 - (ii) shaking, shoving, spanking and other forms of aggressive physical conduct;
- (b) require or force a child to repeat physical movements;
- (c) use harsh, humiliating, belittling or degrading responses of any form, whether verbal, emotional or physical;
- (d) confine or isolate a child;
- (e) deprive a child of basic needs, including food, shelter, clothing and bedding.

Regulation 19(2)

A licensee must have a behavior guidance policy and must do all of the following:

- (a) provide training in the policy for the licensee's directors, staff, care providers and volunteers before they begin their employment or volunteering;
- (b) ensure that the policy is reviewed with the parents of a child at the time of the child's enrolment in a program operated by the licensee;
- (c) ensure that the policy is reviewed with all of the licensee's directors, staff, and care providers and volunteers on an annual basis, or more often if needed;
- (d) have a written record of the licensee's compliance with clauses (a), (b) and (c);
- (e) ensure that each of the licensee's directors, staff, care providers and volunteers comply with the policy.

► **Intent**

To ensure children are respected and protected from harmful behavior.

► **In Practice**

Licensees develop a written behavior guidance policy which is reflective of their philosophy and approach to children's learning. The policy is reviewed on a regular basis and revisions are made as needed. The review process reflects feedback from staff, care providers, parents, and volunteers.

The behavior guidance policy is posted in a visible location in the facility, agency and family child care home for staff, care providers and parents.

Licensees are responsible for ensuring the behavior guidance policy is followed at all times. The behavior guidance policy includes positive/proactive methods of guiding children's behavior and identifies prohibited methods (Regulation 19(1)). It also includes the required restrictions from Standard 11.1 of the *Standards for Food and Nutrition in Regulated Child Care Settings*. The behavior guidance policy should also detail behavior guidance techniques the licensee does not permit (e.g., time out, 123 Magic). The parent handbook and employee handbook, and/or care provider handbook include the behavior guidance policy.

Procedures are in place to ensure the policy is reviewed with all new parents, staff, volunteers, care providers, and others (e.g., practicum students, outside professionals) who are involved in the program before they interact with children.

This is documented by the licensee and kept on file.

Training procedures for staff on the behavior guidance policy are included in the employee/caregiver handbook (child care facility) and care provider handbook (agency). Licensees document training opportunities such as:

- ✓ a staff meeting where behavior guidance is discussed;
- ✓ workshops provided to staff/care providers;
- ✓ coaching provided to staff/care providers; and other related behavior guidance initiatives.

► **Best Practice**

Protocols for breach of the behavior guidance policy are included in the employee/caregiver handbook. Staff and care providers participate in professional development and ongoing learning opportunities to develop a strong understanding of positive behavior guidance techniques/approaches that support children’s learning. Staff and care providers develop open lines of communication and positive relationships with parents to foster a shared understanding of the supports and strategies utilized for individual children.

Licensees consult with their Early Childhood Development Consultant and other community supports that may be able to assist in finding a resolution to behavior guidance issues that they, their staff or care providers encounter.

Building and Space Requirements

Regulation 20(1)

Except as provided in clause 20A(1)(a), a facility or family home day care must not be located above the 2nd floor of a building.

▶ Intent

To ensure programs are able to allow for easy exit in the event of an evacuation because of fire or other emergency.

▶ In Practice

Facilities' and family child care homes' entrances are at ground-level, or have few steps.

▶ Please Note

As prescribed in Regulation 20 (A) (1) a licensee holding a license issued under the former regulations is not required to comply with Clause 20A (1) (a). This exemption applies to renewal of the license at the request of the licensee.

Regulation 20(2)

An indoor play space in a facility must have at least 2.753 m² (30 ft.²) of unobstructed floor space for each child occupying the space.

Regulation 20(3)

Space used for hallways, entry ways, exits, staff purposes, facility administration, diapering areas, washrooms, kitchen, laundry, shelving or storage must not

(a) be included when calculating the unobstructed indoor floor space per child for the purposes of subsection (2); or

(b) infringe on the children's unobstructed indoor floor space or on space used for the children's routine activities.

Regulation 20(4)

Except as provided in clause 20A(1)(b) and subsection 20A(3), an indoor play space in a facility must provide natural lighting through a window or windows with a glass area of at least the following size:

(a) for a facility located in a building or a new addition to a building constructed on or after February 1, 2015, 10% of the total floor area;

(b) for a facility located in an existing building, the same area as required by clause (a), except that the total floor area to be used in calculating the minimum glass area required is the actual total floor area of the indoor play space minus 2%.

► Intent

To ensure there is adequate lighting and space in children's indoor play space.

► In Practice

Licensees maintain the unobstructed floor space in each play space and seek approval for changes that impact the amount of floor space.

Children's play spaces in a new building or a new addition to a building must provide natural light at a minimum of 10% of the floor space.

For example, in a new building or a new addition to a building, if the play space measures 200 sq. ft. of total floor area, the following glass area would be required:

200 sq. ft. x 10% = 20 sq. ft. of glass area

For existing facilities that cannot meet the 10% of natural light, a 2% variance in the calculation has been provided.

If a facility is located in an existing building:

200 sq. ft. x 2% = 4 sq. ft. floor area to use in calculation = 200 sq. ft. – 4 sq. ft. = 196 sq. ft.

Natural light requirement = 196 sq. ft. x 10% = 19.6 sq. ft. of glass area

A licensee operating a facility located in a school or providing a part-day or school-age program may request an exemption from the minimum lighting requirements.

A provision has been added to allow new licensees who purchase a child care facility or agency that has existing exemptions to request that those exemptions continue on the new license.

Licenses approved for facilities prior to April 1, 2011 are exempt from the natural light requirement.

► **Best Practice**

Children's play spaces are based on more than minimum space requirements (e.g., 3.9m² (41.98 ft.²) to 4.65m² (50.05ft.²). Adequate space is considered for common areas such as entrance ways, meeting rooms, staff rooms and storage space. For example, places for parents and staff to store personal items as well as areas to store extra toys, equipment, supplies materials, and files are considered in the design plans for a centre. (*Olds, 2001.*)

Minimum requirements for natural light are exceeded and artificial lighting is not required for extended periods of time each day.

The following are alternative methods to provide natural light:

- (a) more than one source of natural light is provided (e.g., skylights);
- (b) there is a common space (e.g., cafeteria , gym) available for children's use;
- (c) a variety of artificial lighting options are present in the children's activity room to create a range of light qualities and variations (e.g., warm and cool in tone, bright and dim or shaded, directional); and
- (d) Energy-conserving full spectrum bulbs replace standard florescent and incandescent bulbs.

► **Please Note**

Children's play spaces are measured based on the unobstructed floor space. Children's furniture, equipment and play materials are not considered to be obstructions. In most cases, rooms can be measured from wall to wall. Room capacity is determined at the time of initial licensing inspection and will be adjusted if alterations, renovations or non-play related additions (e.g., cupboards, counters) are made to the activity room.

Space used for hallways, main entrances and exits refer to common areas of a facility. If main entrance and exits to a facility lead directly into the children's activity rooms, a portion of the play space may be considered as "obstructed play space" and cannot be used in the calculation of unobstructed play space.

Regulation 20(5)

Each area within a facility that is used for the care of infants must meet all of the following requirements:

- (a)** it must be located on the ground floor;
- (b)** it must include an infant play space;
- (c)** it must include a sleeping area that is
 - (i)** in a room separated from the infant play space, and
 - (ii)** large enough to accommodate 1 crib for each infant, with a 46 cm (18 in.) space or a divider between each crib.

▶ Intent

To ensure the physical space provided for infants is safe and meets the developmental needs of infants.

▶ In Practice

Infant activity spaces must be separate. However, older children may visit infants, if the visit is appropriately planned and implemented; that is, there is a child-focused purpose to the visit (e.g., visiting a younger sibling, older child shows interest in the babies and wants to help); and the visit is for a short period of time. When age groups are mixed, the ratio and group size for infants must be maintained.

The infant sleep space(s) must be large enough to accommodate one crib for each infant. The size of the sleep space will depend on the size of the cribs, the type of crib (e.g., plexi-glass ends) and the configuration of the beds in order to maintain the required space between each, and/or the required fire egress ways (paths to the exit).

The sleeping area is adjacent to the infant activity area and supervised by staff using windows and/or a baby monitor. Staff make regular visual checks on infants during rest times.

▶ Please Note

Licensees consult with the fire authority to ensure adequate egress ways are in place.

Regulation 20 (6)

A facility that is licensed to operate a full-day program for the care of infants or toddlers must contain a diapering area that meet all of the following requirements:

- (a) it must be equipped with a counter that has a smooth, non-porous surface that is easily cleaned;
- (b) it must be located next to a hand-washing sink.

Regulation 20(7)

A diapering area must not be used for other purposes.

▶ Intent

To ensure the area for diapering is appropriate and minimizes risks for the spread of disease.

▶ In Practice

Diaper changing serves as a high risk area for the spread of illness among young children. Many illnesses are preventable if proper equipment, procedures and sanitation techniques are followed. To prevent cross contamination, the diapering surface is not used as counter space at any time and the sink used for diapering is not used for any other purpose.

The diaper change area can be separate from the children's play space but opens to the general play area to allow staff to observe other children when diapering and to maintain child/staff ratio.

The diapering area is kept clean, sanitized and free of clutter at all times as per the *Guidelines for Communicable Disease Prevention and Control for Child Care Settings*. An appropriate garbage can or receptacle used only for diaper disposal is located next to the change table and is emptied twice a day.

Supplies for children, disinfectant and staff supplies are stored safely in the direct vicinity of the diapering area and are easily accessible to staff. Directions for proper diapering and hand washing procedures are posted near the diapering area

► **Best Practice**

The diapering area is designed for staff use (ergonomic design) to help avoid occupational injuries (e.g., height of table; stairs to avoid lifting older toddlers; angled to maximize visual supervision of play space without needing to turn around for supervision purposes).

Rooms for infants and toddlers have at least two sinks to ensure one is used solely for the purpose of diapering.

Regulation 20(8)

A facility must have washroom and toilet facilities suitable for toddlers, preschoolers and school-age children that meet all of the following requirements:

(a) they must be either

- (i)** inside the facility, or
- (ii)** at the same location as the facility and available for use by the facility.

(b) they must be in the ratio of 1 toilet and 1 sink per 10 toddlers, preschoolers and school-age children.

► **Intent**

To ensure that washroom facilities meet the needs of toddlers, preschoolers and school-age children enrolled in licensed child care facilities.

► **In Practice**

Licensees recognize that effective toileting practices minimize the spread of communicable disease. To promote hygiene and cleanliness practices, licensees ensure that washrooms in child care facilities are adequate in number and location for toddlers, preschoolers and school-age children.

Toilets and washbasins are suitable and appropriate for the size of the children, either by design or modification (e.g., platforms, stepping stools, school-age is provided with privacy). Soap and paper towel are easily accessible to children.

Washroom cleanliness is maintained throughout the day. Washrooms are thoroughly disinfected at least once a day, or more often if needed. Procedures for the appropriate handling of garbage, including diapers and soiled clothing are in place.

▶ **Best Practice**

Washrooms are designed for toddlers and preschoolers to use independently. Washrooms are situated so they are easily supervised from the play rooms. They are comfortable and have a home-like atmosphere.

Toilets and sinks are child-sized, especially in toddler and preschool programs. Consideration is given to the location of soap and paper towel dispensers or hand dryers to ensure they are easily accessible to children.

Diaper change areas are ergonomically designed and appropriate provisions for changing children with special needs beyond the toddler years are considered. Consideration is given to ensure adequate storage space is available to avoid clutter. Washroom facilities for school-age children are designated by gender or for individual use.

Sinks are installed in play rooms to ensure that washroom sinks are not used for other purposes, which reduces the spread of illness.

▶ **Please Note**

Licensees may wish to consult with their local health inspector from the Department of Agriculture before installing or renovating washroom facilities.

Regulation 20(9)

Except as provided in clause 20A(1)(c), a facility must have a separate washroom for staff.

▶ **Intent**

To ensure that the personal hygiene needs of staff (and other adults) in the setting are met.

▶ **In Practice**

Washroom facilities for staff are private and accessible to staff. When child care facilities are located in the licensee's home, a second bathroom may be designated as the staff bathroom, if acceptable to the licensee.

▶ **Best Practice**

Licensees provide more than one staff washroom to ensure that facilities are available to staff at all times, and to other adults such as parents/guardians who may be visiting and/or volunteering.

▶ **Please Note**

Licensees that were licensed before April 1, 2011, may request an exemption as per clause 20 A (1) (c) at the time of the license renewal if the facility does not meet the requirements of subsection 20(9)

Exemptions from building and space requirements

Regulation 20A(1)

An exemption included on a license issued under the former regulations from a requirement corresponding to any of the following continues to apply to the license under these regulations:

- (a) the location requirements in subsection 20(1);
- (b) the minimum lighting requirements in clause 20(4)(a) for a newly constructed building or a new addition;
- (c) the requirements in subsection 20(9) for a separate washroom for staff.

Regulation 20A(2)

An exemption that applies to a license under subsection (1) continues to apply in any of the following circumstances:

- (a) on renewal of the license, if the licensee requests a continuation of the exemption and the Minister approves the continuation;
- (b) on the issuance of a new license to a person who purchases the facility or agency, if the purchaser requests a continuation of the exemption and the Minister approves the continuation.
- (c) on an alteration of the physical dimensions of the indoor space of a facility approved by the Minister under Section 10 of the Act, if the licensee's submission to the Minister includes a request in accordance with subsection 10(3) that the exemption apply to the altered space and the Minister approves that request.

Regulation 20A(3)

A licensee operating a facility located in a school or providing a part-day or school-age program may request an exemption from the minimum lighting requirement in subsection 20(4) and the Minister may approve the request.

► Intent

To ensure that licensed child care facilities before April 1, 2011, under the former regulations, may continue to operate and are not required to complete major renovations to building spaces to meet the new requirements.

► **In Practice**

When possible, facilities licensed before April 1, 2011 are renovated to meet the above requirements. However, it is recognized that renovations would come at a cost and potentially disrupt the provision of services. When compliance is not possible, the licensee may request an exemption upon renewal of the license.

► **Best Practice**

The licensee develops a long term plan to complete renovations that increase the natural light or create a separate staff bathroom if possible.

Equipment requirements

Regulation 21(1)

A facility or family home day care must be equipped with indoor play equipment and toys that are:

- (a) developmentally appropriate, safe and sanitary
- (b) accessible for independent selection; and
- (c) available in quantity and variety to engage all children in each group of children served.

► Intent

To ensure the indoor play equipment and toys provided meet the needs of all children present and support independent choice.

► In Practice

Play is important to the physical, social, emotional and cognitive development of children. For children to benefit from play, appropriate materials and well-planned environments must be provided.

Toys and materials must be selected and arranged with consideration of developmental and physical abilities of children present. All children should be able to access the toys on their own and there must be a sufficient amount of toys so that all children are engaged and have a chance to choose a variety of activities.

When choosing toys and materials the following considerations are made:

- ✓ Durability: How long will it last?
- ✓ Safety: Sharp edges or corners? Parts to swallow? Toxic finishes? Recalls? Will it wear or break in a way that will make it dangerous?
- ✓ Health: Easily cleaned and disinfected?
- ✓ Size and Scale: Are they the right size and scale for the children who will be using them?
- ✓ Philosophy and Program Goals: Are toys and materials consistent with the program goals and/or curriculum?

✓ Aesthetics: Is the design attractive? Does it add or detract from the overall aesthetic of the play space?

(Adapted from *Administering for Quality*, Chandler, 2009)

A plan is developed to ensure that the facility's *Material and Equipment Checklists* are completed yearly and are appropriately dated and signed by the licensee.

The licensee of a family home child care agency uses the *Standards for the Daily Program in Licensed Child Care Facilities* as a guideline when assisting home providers in implementing a program for children.

Play environments and toys are maintained in a safe and sanitary manner. Refer to *Guidelines for Communicable Disease Prevention and Control for Child Care Settings* http://www.novascotia.ca/dhw/cdpc/documents/Guidelines_CDPC_Child_care_Setting.pdf

► Best Practice

Licensee plans for the purchase of new and replacement toys and materials in the annual budget. Long range plans to replace major equipment are developed to ensure funds are available when replacements are needed.

When possible, toys are made of natural materials (e.g., wood, cloth) and are displayed in interesting and respectful ways. Baskets and containers made from natural materials (e.g., wood, straw, bamboo, and cloth) are used to store toys and materials.

Regulation 21(2)

Each child who is enrolled in a day care program must be provided with all of the following:

- (a) furnishings of a suitable size;
- (b) individual utensils and personal hygiene items;
- (c) except in a family day care home, an individual storage space that is easily accessible to the child and keeps the child's personal effects separate from those of other children.

► **Intent**

To ensure children are provided with appropriate furnishings and materials, and with an appropriate place for individual storage of personal effects.

► **In Practice**

There are appropriately sized furnishings such as chairs, tables, cubbies and shelving for the number of children in attendance. Licensees ensure that furniture is of a suitable size for the children in the program (e.g., children's feet touch the floor while sitting, chair height of 8" to 10" for older toddlers (Olds, 2001).

Providing adequate personal space for children and their belongings creates a sense of belonging for children and decreases the risk of transmitting disease. The type and placement of these spaces (e.g., cubbies, hooks, and baskets) may depend on the type of program, age of children and the time spent in care.

Personal hygiene items may include toothbrushes, combs or other items a child uses for their personal care and maintenance. They may also include equipment required for medical conditions or individual care routines. Licensee should consider if and how some of these items will be used and how they will be hygienically stored.

Refer to *Guidelines for Communicable Disease Prevention and Control for Child Care Settings* for more information on the care of personal items.

► **Best Practice**

Purchasing quality furnishings is advisable, especially for group care, as the wear and tear can be significantly more than in a home environment. Licensee considers the needs of staff when purchasing furniture (e.g., chairs are appropriately sized). Staff are provided with adequate personal space to store their belongings.

Regulation 21(3)

Each toddler and preschool child who is in attendance at a facility or family day care home during the daily rest period must be provided with

- (a) an assigned cot or rest mat with a washable and moisture-resistant cover; and
- (b) a sheet and blanket that are clean and of sufficient warmth.

▶ **Intent**

To ensure the toddler and preschool child is provided with their own cot/mat and bedding which are easily cleaned and sanitized.

▶ **In Practice**

Licensee provides the appropriate cots or rest mats with sheets and blankets. Mats/cots are made of materials that are easily sanitized and are non-absorbent. Rest mats are thick enough to be comfortable for sleeping on a hard surface. Yoga or other exercise type mats are not to be used as sleep mats as they are not made for sleeping.

When not in use, children's beds and bedding are stored appropriately (consult with the Health Inspector) and *the Guidelines for Communicable Disease Prevention and Control for Child Care Settings* followed.

Bedding is removable and laundered once a week or more frequently if needed. Mats/cots are sanitized once a week or more frequently if needed. If a cot is shared between two or more children, it must be cleaned and disinfected between each use. Children are permitted to bring a comfort item such as a stuffed toy or special blanket from home. If brought to the facility or approved home, these items, as with bedding, are to be stored in a hygienic manner and laundered weekly, or as needed.

Cots/rest mats are labeled with the child's name to ensure individual usage. Refer to *Guidelines for Communicable Disease Prevention and Control for Child Care Settings* for more information.

▶ **Best Practice**

Rest mats are at least 2" thick.

Regulation 21(4)

Each infant who is enrolled in a day care program must be provided with a crib or portable crib that meets the standards of federal or Provincial legislation respecting cribs, cradles and bassinets.

▶ **Intent**

To ensure the safety of infants.

► **In Practice**

Licensees are familiar with the Provincial legislation respecting cribs, cradles and bassinets.

Cribs have a permanent label that is affixed to the crib that includes the following information:

- ✓ Name and place of business of Canadian manufacturer/ importer;
- ✓ Model name or number;
- ✓ Date of manufacture (year and month or week);
- ✓ Assembly and use information;
- ✓ Warning statement about strict adherence to instructions, size of mattress and proper use of product.

Portable cribs are generally smaller in size; however, they meet the same requirements under the provincial legislation as other cribs, travel beds, bassinets and play pens (e.g., Pack & Play) are not permitted.

Cribs are checked regularly to ensure they are in good repair and are replaced as necessary.

Cribs are labeled with the child's name to ensure individual usage.

► **Best Practice**

Health Canada does not support the use of bumper pads in cribs because they may cause entanglement, entrapment, strangulation, and suffocation (Health Canada, Mechanical and Electrical Hazards Division Consumer Product Safety Bureau, Policy Statement, August 17, 2005).

If mobiles are used they are to be out of the reach of infants. See Health Canada for more information regarding crib safety

<https://www.canada.ca/en/health-canada/services/safe-sleep/cribs-cradles-bassinets.html>

For regular consumer product safety news see

http://www.hc-sc.gc.ca/cps-spc/advisories-avis/_subscribe-abonnement/index-eng.php

Outdoor play equipment and space requirements for facilities

Regulation 22 (1)

An outdoor play space used by a facility must be accessible to all enrolled children, including those with diverse abilities.

Regulation 22(2)

Children enrolled in a full-day program, or a school-age program must be provided with either of the following:

- (a)** 1 or more outdoor play spaces located at the facility that are safe and suitable for the age range of the children enrolled in the program; or
- (b)** access to a safe and suitable outdoor play space that is within a reasonable distance of the facility and that is suitable for the age range of the children enrolled in the program.

Regulation 22(3)

Except for outdoor play spaces located at a public school or a private school, for the purpose of clause (2)(a) an outdoor play space located at a facility must meet all of the following requirements:

- (a)** it must provide at least 7 m² (75 ft.²) of play space per child using the play space;
- (b)** it must be large enough to accommodate the largest group category of children who regularly attend in the day care program, other than infants;
- (c)** it must be enclosed by a fence that is at least 1.2 m (4 ft.) high.

Regulation 22(4)

If any infants are enrolled in a full-day program, there must be a separate outdoor play space for the infants at the facility or in the immediate vicinity that meets all of the following requirements:

- (a) it must provide at least 7 m² (75 ft.²) of play space per infant using the play space;
- (b) it must be large enough to accommodate the number of infants who regularly attend the program;
- (c) it must be enclosed by a fence that is at least 1.2 m (4 ft.) high.

► Intent

To ensure the outdoor play space is large enough for safe and appropriate active play.

► In Practice

Licensees licensed before April 1, 2011, with an outdoor play space of 60ft² per child, based on the facility's capacity, should be able to meet, if not exceed the amended requirements. If the licensee does not meet the amended requirements, a request for a waiver may be made as described in Regulation 22(6).

Licensee ensures that all children in attendance can participate in outdoor play. When required, modifications to the play space are made to ensure accessibility for children with disabilities.

Materials and equipment meet the developmental and physical abilities of all children using the play space.

Staff conduct playground (equipment and space) safety checks daily prior to use. Any identified hazards are removed before children use the area. Any items requiring maintenance (e.g., cushioning surface, equipment repairs) are identified and the appropriate actions are taken prior to children using the equipment.

Staff adequately supervise the outdoor play space by ensuring they are positioned to observe the entire area and are able to monitor the use of large play structures. They actively observe children at play and are proactive in ensuring children's safety and in guiding children's behavior.

Play Space at the Facility for Full Day and School-Age Programs

(Except for outdoor play spaces located at a public school or private school)

- ✓ Outdoor play space located at a facility provides a minimum of 7m² (75 ft.²) to accommodate the largest age group of children.

- ✓ Outdoor play space is large enough for the number of children using the play space at any given time.

- ✓ Outdoor play space is enclosed by a fence that is at a minimum 1.2 m (4 ft.) high.

Outdoor spaces located at public or private schools for full day and school-age programs do not have to meet the requirements of Regulation 22(3). The outdoor play space must be safe and suitable.

For Facilities with Infants

- ✓ Infant outdoor play space located at a facility, or in the immediate vicinity, is separate from the play space provided for older children.

- ✓ An infant outdoor play space located at a facility, or in the immediate vicinity, provides at a minimum 7m² (75 ft.²) for each infant who regularly attends the child care facility.

- ✓ An infant outdoor play space located at a facility, or in the immediate vicinity, for infants is enclosed by a fence that is at a minimum 1.2 m (4 ft.) high.

Fencing may include a natural barrier (e.g., retaining walls), as long as they are not easily breached by children. Licensee consults with the Licensing Officer and the Early Childhood Development Consultant for a determination of whether a natural barrier meets the fencing requirement.

Fencing and natural barriers that surround the play space are well-maintained and checked regularly to minimize potential risks to the children. Access gates close securely and are monitored by staff while children are in the play area.

Interior barriers separating the infant space from the space for older children may be of an alternative height and material as long as this does not pose a risk to any of the infants and/or children enrolled in the facility.

When infants are not using the outdoor play space, other age groups may use it, ensuring the number of children using it does not exceed the capacity of the play space (e.g., if an infant play space is measured for 10 infants then, only 10 children of other age groups can use the space).

How to Calculate Outdoor Play Space Requirements

To determine the minimum requirements for outdoor play space, use the following formula:

of children in the largest age group enrolled X 75 ft.² = total sq. ft. required.

For example:

If a program has two groups of 24 preschoolers, two groups of 18 toddlers and one group of 10 infants, the largest age group would be preschoolers at a total of 48 children.

Applying the formula above, the outdoor play space requirement would be determined as: 48 children x 75 ft² = 3,600 ft². Accordingly, 3,600 ft² of outdoor play space is needed to meet minimum requirements for the preschoolers and toddlers. In addition, the infant play space must be separate and must measure 750 square feet (10 children x 75 ft²). Therefore, the minimum total play space required for the infants, toddlers and preschoolers would be 4,350 square feet (3600 ft² + 750ft² = 4,350).

No more than 48 children could use the toddler/preschool play space at one time. If different age groups of children (e.g., toddlers and preschoolers) use the space, the number of children must not exceed 48 and the teacher-child ratios must be based on the age of the youngest child in the group using the play space. In order to accommodate more children an increase in outdoor play space would be required.

Note:

Prior to the amendments, of April 2011, the facility described above required a minimum 5,640 ft.² of outdoor play space (94 children times 60ft²). A facility that met the requirements prior to the amendments, should not have difficulty meeting the new requirements for outdoor play space.

Offsite Play Space

If the outdoor play space is not onsite, it must be:

- ✓ Within a reasonable walking distance for the children who will be using it;
- ✓ Safe and appropriate for the age of the children using it.

When an offsite outdoor play space is used, the licensee ensures, in consultation with the Licensing Officer and the Early Childhood Development Consultant, that it is safe and suitable. The following issues are considered when determining the appropriateness of the offsite outdoor play space:

- ✓ location;
- ✓ proximity to water or other potential hazards;
- ✓ other users of the play space;
- ✓ appropriateness of equipment;
- ✓ general cleanliness; and
- ✓ other safety considerations (e.g. fencing, community usage).

Determination with regards to reasonable distance will depend on the following considerations:

- ✓ age of the youngest children;
- ✓ method of transport;
- ✓ traffic patterns and volume; and
- ✓ other safety considerations (e.g., cross walks, traffic lights, sidewalks).

When required, procedures are developed to ensure children's safety when traveling to and from the offsite play space. Staff ensure that the appropriate items (e.g., attendance, emergency contact information, first aid kit, Epi-pens) are taken with them to the offsite play space.

► **Best Practice**

The play space provides, when possible, protection from the elements (e.g., adequate drainage systems to re-direct rain water or snow melt; covered areas to allow outdoor play in inclement weather).

Licensees strive to provide ample outdoor play space onsite and seek opportunities to extend the children's activity "rooms" outdoors. When possible, outdoor play spaces are accessed from the children's activity rooms and have access to washroom and a water source.

The outdoor place space is designed to offer multiple areas for a variety of types of play. Natural dividers such as planters, shrubs, trees, and gardens are used to create separate areas within the larger play space. Outdoor space has two or more types of

surfaces permitting different types of play (e.g., grass, pavement, crushed stone, outdoor carpet, rubber cushioning, decking).

Daily, monthly, seasonal and/or yearly safety checks are completed on outdoor play spaces and the required actions are taken. Documentation is kept on file.

▶ **Please Note**

Regulation 22(6) states that “*The Minister may waive or alter any of the requirements of subsection (3) or (4) and apply other requirements if there are special circumstances and the Minister is satisfied that the waiver or alteration will not adversely affect the children's safety, or the services and programs provided.*”

Regulation 22(5)

Any outdoor play space provided for children enrolled in a part-day program must comply with the requirements of subsections (2) and (3).

▶ **Intent**

To ensure outdoor play spaces, when provided for children enrolled in part-day programs, are safe and appropriate for the children who use them.

▶ **In Practice**

Part-day programs are not required to provide an outdoor play space; however, when an outdoor play space is provided, it must meet the following:

On-Site at a Part-Day Facility

(Except for outdoor play spaces located at a public school or a private school)

- ✓ Outdoor play space located at a facility provides, at a minimum, 7m² (75 ft.²) to accommodate the largest age group of children.
- ✓ Outdoor play space is large enough for the number of children using the play space.
- ✓ Outdoor play space is enclosed by a fence that is at least 1.2m (4 ft.) high

Offsite Play Space

If the play space is not on-site, it must be:

- ✓ Within a reasonable walking distance for the children who will be using it;
- ✓ Safe and appropriate for the age of the children using it.

Refer to Regulation 22(3) and Regulation 22(4) for In Practice and Best Practice information.

Regulation 22(6)

The Minister may waive or alter any of the requirements of subsection (3) or (4) and apply other requirements if there are special circumstances and the Minister is satisfied that the waiver or alteration will not adversely affect the children's safety or the services and programs provided.

► Intent

Provides the Minister with the authority to waive or alter the identified subsections of Regulation 22.

► In Practice

Before signing a lease or purchasing a property, licensees ensure the location has sufficient outdoor space to create an outdoor play area that meets all requirements of Regulation 22 or that there is a suitable alternative within a reasonable distance. A waiver or the altering of any of the requirements in subsection (3) or (4) may be applied in special circumstances. In such situations, the Minister may apply other requirements.

The licensee must submit a formal request to the Department for consideration. The request must clearly identify the reasons for the waiver, identify the items in subsection (3) or (4) that require a waiver and describe the alternate play space that is being proposed.

A licensee considers the possible impact to the program when seeking a waiver under Regulation 22(6) as follows:

- ✓ Will using the new requirements have an impact on the program or scheduling for children, required under the *Standards for Daily Program in Licensed Child Care Facilities*?
- ✓ What impact will applying these new requirements have on ratio and staffing requirements, especially when mixing age groups?

When a waiver is granted, it is identified on the license. Waivers will not be granted if the Minister has any reason to believe that alteration could pose a risk to children's development or physical safety.

Regulation 22 (7)

Any outdoor play structure for gross motor activity that is provided by a facility must comply with the Standards for Outdoor Play established by the Minister.

▶ Intent

To ensure outdoor equipment is developmentally appropriate and safe for children.

▶ In Practice

The Standards for Outdoor Play are contained in the *Standards for the Daily Program in Licensed Child Care Facilities*.

Licensees are not required to have an outdoor play structure; however, if they do provide a structure, it must meet the above requirements. All play structures installed after April 1, 2011 must be designed for commercial use and installed according to manufacturer's specifications.

If the licensee has a play structure that was installed prior to April 1, 2011, which was not designed for commercial use, they are not required to replace it. If in the future they do replace the play structure, the new play structure must be designed for commercial use and must be installed to the manufacturer's specifications.

All outdoor play structures must be appropriately sized for the age group using them, be safe, and well maintained.

Play houses and other dramatic play structures that do not incorporate climbing, sliding, swinging or are multi-level are not considered play structures.

If platforms are higher than 18 inches, they are situated on a cushioned surface.

▶ Best Practice

Natural playgrounds, with hills, pathways, stumps, rocks and other natural materials are encouraged in outdoor play space. More information can be provided by contacting the Early Childhood Development Consultant.

Section 23 repealed

Outdoor play space requirements for family day care homes

Regulation 24(1)

An outdoor play space used by a family home day care program must be accessible to all enrolled children, including those with diverse abilities.

Regulation 24(2)

Children enrolled in a family home day care program must be provided with an outdoor play area that is

- (a)** on the premises of the family day care home and enclosed by a fence that is at least 1.2 m (4 ft.) high; or
- (b)** within a reasonable distance of the family day care home and that has been determined by the agency to be safe and appropriate.

Regulation 24(3)

An outdoor play space used by children enrolled in a family home day care program must be supervised in accordance with the staff-to-children ratios and group sizes set out in Section 34 for the family home day care program.

▶ Intent

To ensure family home child cares' outdoor play space is safe and appropriate.

▶ In Practice

The agency ensures that all care providers have a fenced outdoor play space or access to an outdoor play space within a reasonable distance of the family child care home.

The care provider is not required to fence the entire back yard but the fenced outdoor play space must be large enough to allow children adequate space for play. An agency develops its own criteria for what is an acceptable size for the outdoor play space. An agency uses the *Day Care Act* as a guideline in developing its criteria for approval of the size of the provider's outdoor play space.

The agency works with the care provider to determine the size of the family child care play space.

Fencing may include natural barriers, if they are not easily breached by children. Licensee consults with the Licensing Officer and the Early Childhood Development Consultant for a determination of whether a natural barrier meets the fencing requirement. Fencing and natural barriers that surround the play space are well-maintained and checked regularly to minimize potential risks to the children. Access gates should close securely and should be monitored by the care provider while children are in the play area.

If the care provider does not provide a fenced outdoor play space on their premises, the agency ensures that the care provider has access to an outdoor play space within a reasonable distance of the family child care home. This outdoor play space has been determined by the agency to be safe and appropriate prior to approving the care provider.

The following is to be considered when determining the appropriateness of the offsite outdoor play space:

- ✓ location;
- ✓ proximity to water or other potential hazards;
- ✓ other users of the play space;
- ✓ appropriateness of equipment;
- ✓ general cleanliness; and
- ✓ other safety considerations.

Determination with regards to reasonable distance will depend on the following considerations:

- ✓ age of the youngest children;
- ✓ method of transport;
- ✓ traffic patterns and volume; and
- ✓ other safety considerations (e.g., cross walks, traffic lights, sidewalks).

When required, procedures are developed to ensure children's safety when traveling to and from the offsite play space. Staff ensure that the appropriate items (e.g., attendance, emergency contact information, first aid kit, Epi-pens) are taken with them to the offsite play space.

Nutrition

Regulation 25(1)

A licensee must adhere to the food and nutrition standards established by the Minister.

Regulation 25(2)

Except as provided in subsection (3), a licensee or, in the case of a family home day care program, a care provider must ensure that each child in attendance as a day care program is provided with a meal during regular meal times and a snack if the child attends before or after a regular meal period.

Regulation 25(3)

Each child enrolled in a school-age program may bring a lunch from home or be provided with a lunch.

Section 26 repealed

► Intent

To nurture children's healthy growth and development and encourage the development of healthy eating habits and attitudes towards food.

► In Practice

The licensee or family home child care provider follow the *Standards for Food and Nutrition in Regulated Child Care Settings* and seek assistance from the Early Childhood Development Consultant or the Public Health Nutritionist when necessary to develop the menu.

Menus are developed in advance and may be designed as rotational multi-week menus (e.g., four or six week rotation) or developed more frequently to reflect in-season or easily accessible foods.

When changes are made to a menu, the changes are documented (e.g., daily logbook and on the menu) and kept on file.

A review of the menu should be completed on a regular basis. When substantial changes are required, a new menu is developed using the *Standards for Food and Nutrition in Regulated Child Care Settings* and is signed and dated.

Menus are signed and dated to indicate that the *Standards for Food and Nutrition in Regulated Child Care Settings* were followed in their creation. A licensee of an agency ensures that menus in approved homes are developed, signed and dated using the above Standards.

Licensees ensure that a copy of *the Standards for Food and Nutrition in Regulated Child Care Settings* is available at the facility or agency for use by staff and care providers. Licensees provide access to information, resources and professional development for staff regarding food and nutrition.

Where licensees provide both full-day and school-age programs, they may choose either of the following options with respect to the provision of lunch for school-age children;

- ✓ Lunch is provided to all school-age children; or
- ✓ All school-age children are required to bring a lunch from home.

When licensees provide lunch for school-age children, they must follow the centre menu. Agency licensees ensure that care providers offer menus that meet the *Standards for Food and Nutrition in Regulated Child Care Settings*.

Infant feeding Safety

Subsection 21(1) repealed

Subsection 21(2) repealed

Regulation 27(3)

An infant who cannot hold a bottle must be held by a staff member during bottle feeding.

Regulation 27(4)

An infant must not be fed in a crib or by bottle propping.

▶ Intent

To ensure that children are safe and nurtured during feeding.

▶ In Practice

Licensee ensures the *Standards for Food and Nutrition in Regulated Child Care Settings* and the *Guidelines for Communicable Disease Prevention and Control for Child Care Settings* are followed.

Health, Safety and Communicable disease control

Regulation 28(1)

Each facility director, agency director, care provider, family home consultant and staff member who works directly with children must have a valid first aid certificate that includes infant CPR training from a recognized program.

▶ Intent

To ensure staff are trained to respond to children in need of first aid.

▶ In Practice

Licensee ensures that all required persons have a current first aid certificate in their file on or before the first day of work.

Licensee ensures directors, staff, care providers and family home consultants update their first aid training and infant CPR prior to the expiry date.

Recognized programs are Canadian Red Cross and St. John Ambulance, or other emergency first aid programs that are approved by the Department of Education and Early Childhood Development.

Online first aid training courses are not acceptable.

▶ Best Practice

Licensee informs cooks, van drivers, other staff or parents of opportunities for training in first aid.

Regulation 28(2)

A facility director or, in the case of a family home day care program, a care provider is responsible for recognizing and responding to symptoms of ill health in children attending the facility or the family day care home.

Regulation 28(3)

A licensee must follow Provincial guidelines for promoting and maintaining health and safety and preventing and controlling communicable diseases.

Regulation 28(4)

A facility director or, in the case of a family day care program, the care provider or agency director, as applicable, must follow the Provincial guidelines referred to in subsection (3) and, in particular, must ensure that the following requirements are met:

- (a)** each facility, family day care home and play group space must be kept in a clean and sanitary condition at all times;
- (b)** each indoor play space must be suitably ventilated and free from odors;
- (c)** staff, care providers and volunteers must wash their hands before and after diapering or toileting a child and before and after food preparation;
- (d)** toys used by children must be cleaned and sanitized in accordance with the Provincial guidelines referred to in subsection (3);
- (e)** toys used by infants and toddlers must be checked daily for broken pieces and other hazards;
- (f)** each highchair, cot, crib and mat must be sanitized on a regular basis and before being used by another child;
- (g)** the counter of the diapering area must be disinfected after each diapering;
- (h)** at least 2 first aid kits must be available within each facility, family day care home and agency;
- (i)** a first aid kit, a list of children in attendance and the children's emergency contact information must all be taken on outings with children;

(j) if a high chair, infant seat or stroller is equipped with a safety belt, the safety belt must be used;

(ja) strollers must be equipped with sunshades;

(jb) playpens, jolly jumpers and baby walkers must not be used by any age.

(k) medical supplies, drugs, medications and dangerous or noxious materials must be properly labelled and safely stored.

► **Intent**

To ensure the health and well-being of children and minimize the risk of physical injury.

► **In Practice**

Guidelines for Communicable Disease Prevention and Control for Child Care Settings are reviewed with staff upon hire and with care providers upon approval.

Licensees ensure the appropriate procedures are in place to comply with the *Guidelines for Communicable Disease Prevention and Control for Child Care Settings*. Training and education related to the risks associated with the spread of communicable disease is provided to all who require it.

To ensure cleanliness, it is necessary that staff have access to the supplies and equipment to clean and sanitize throughout the day. The appropriate procedures and practices are in place to ensure rooms are clean, sanitary and appropriately ventilated. Thorough cleaning is done when children are not in the room and by staff who are not at the same time required to meet child to staff ratios.

Staff schedules allow for appropriate time and resources to maintain toys and equipment in a clean and sanitary manner. Products used to clean and sanitize must meet the *Guidelines for Communicable Disease Prevention and Control for Child Care Settings*.

Those responsible for children are informed on proper hand washing techniques. Hand washing signs are posted in the appropriate places (e.g., hand washing sinks, diapering areas, kitchen, children's bathrooms, and staff bathroom) in the facility. Staff wash their hands properly before and after diapering each child and before and after food preparation.

Appropriate diapering and toileting procedures, including children's hand washing, are posted in the diapering areas and bathrooms in the facility and in an approved home.

Staff and care providers are aware of their responsibility to discard broken or hazardous toys and materials as required.

High chairs are not recommended, but if they are used, they must be properly maintained.

Other seating (e.g., cube seats, low, three sided chairs) may be used for young children and must be properly maintained.

► **Best Practice:**

Majority of the daily cleaning and sanitizing is completed by staff not required to meet ratio.

► **In Practice:**

Facilities, agencies and approved homes are equipped, at a minimum with two first aid kits. One first aid kit is to be taken on outings. There is an adequate supply of first aid kits to meet the needs of the facility (e.g., multi room facilities may require more first aid kits) or approved home. First aid kits may be commercially purchased or a facility/care provider may assemble their own kits.

The first aid kit is used by staff/care providers to attend to children's first aid needs. Supplies are replenished as needed (e.g., band aids, gauze, gloves). Facilities may also be required to have first aid kits for work places set out in the *Occupational Health and Safety Regulations*. Please refer to those regulations for further information.

When on outings, staff and care providers take a first aid kit, the daily attendance, and emergency contact information for each child, and any emergency medications (e.g., Epi-pens). Emergency contact information is updated on a regular basis.

Procedures are in place for field trips and outings. Early Childhood Development Services has developed the *Guidelines for Field Trips and Outings* to assist licensees in ensuring children's safety. Licensees contact their Early Childhood Development Consultant for a copy of the *Guidelines*.

Facilities, agencies and care providers are not required to have strollers, highchairs or infant seats but if they do, they must meet the requirements of the Regulations. If strollers, highchairs or infant seat come with safety belts, they are to be used.

Strollers, highchairs and infant seats are regularly checked for safety (e.g., broken clips, frayed belts, cracked padding or pieces, loose screws or fittings) and parts are replaced as required. Any replacement parts are ordered from the manufacturer and replaced according to the manufacturer's instructions.

Strollers, highchairs and infant seats that are equipped with safety belts that are broken or do not have working safety belts are not to be used until the necessary parts are replaced.

Highchairs and tables with built-in seats are not recommended but, if they are in use, they must be equipped with working safety belts and used according to manufacturer's instructions.

Staff and care providers check to ensure the safety belts in strollers, high chairs and seats are securely fastened.

Some chairs for children 12 months and up, do not have safety belts. Instead, they typically have a 3-sided design that enables children to sit down and get up independently. Developing independence is an important goal at this age. Conversely, most infant seats, particularly for children who are not yet able to hold themselves up, have safety belts. As with any equipment, licensees are to follow the manufacturer's instructions for use and must ensure that chairs or infant seats are used in accordance with the age range for which they are designed and properly maintained.

Activity rooms for infants and toddlers offer many opportunities for climbing, running, jumping, rolling and physical movement. Playpens or play yards, jolly jumpers and baby walkers are not to be used.

In approved homes, playpens or play yards, jolly jumpers and baby walkers are not to be used when the care provider is providing care for children.

Activity saucers and/or infant swings are not recommended. However, if used, they should only be used for short periods of time. Licensees develop guidelines for staff and care providers to follow when using these items.

Facilities minimize the amount of hazardous or dangerous supplies and materials kept on site. Potentially dangerous material cannot be accessed by the children. Policies and procedures are developed to ensure the safety of children and staff. The noted supplies and materials (Reg. 28(4)(k)) are appropriately labeled and are safely stored.

▶ **Best Practice**

Activity saucers and infant swings are not used.

A policy is developed to ensure children's safety during outings.

Administering medicine to a child

Regulation 29

A facility director or, in the case of a family home day care program, a care provider who agrees to administer medicine to a child must do all of the following:

- (a) obtain prior written instructions signed by the child's parent;
- (b) keep a written record of each dose, including all of the following:
 - (i) the date and time the dose was administered,
 - (ii) the amount of the dose administered,
 - (iii) the child's name,
 - (iv) the initials of the staff member or care provider who administered the dose, to be entered after the dose is administered;
- (c) accept only medicine that is brought to the facility or family day care home by the parent and that is supplied in the original container, in the case of patent medicine, or in a container supplied for the purpose by a pharmacist, in the case of prescribed medicine.

▶ Intent

To ensure the safe administration of medicine.

▶ In Practice

Facilities and family home child care agencies develop clear policies with respect to the administration of medications. The policy includes whether a facility or care provider will administer non-prescription drugs without a physician's prescription/note (e.g., pain medication), or just prescribed medications. Policies for the administration of medication to children by staff or care providers are included in the parent handbook, care provider handbook and employee handbook.

A medication permission form is completed for each administration of a medication which:

- ✓ obtains prior written instructions signed by child's parent/guardian;
- ✓ records each dose including: date, time, amount given and child's name; and
- ✓ initialed by a staff member or care provider who administered the dose.

Medication permission forms and records of dosage are filed in a child's file, when no longer relevant (e.g., medication is complete).

If non-prescription medications are administered, they are labeled clearly with the child's name and the administration is recorded. More information regarding over the counter medications and other health related topics can be found at www.healthycanadians.gc.ca.

Medications are sent home when no longer in use.

For children who receive medication on a regular basis (e.g., inhalers), written instructions from the parent must include sufficient information to allow staff/care provider to administer the medication appropriately. The permission forms are updated regularly to ensure information is accurate.

It is recommended that the administration of medicine is carried out by a limited number of people to ensure procedures are consistently followed and to avoid missed dosages or mistakes.

If a child requires an Epi-pen or other emergency medication, a written medication form is kept on file for the child and updated as required. It is recommended that the licensee develops a policy for the use of Epi-pens and other emergency medications, including where they will be stored. Refer to *Well Beings A Guide to Health in Child Care*, by the Canadian Pediatric Society.

Emergency medication is kept in a secure, easily accessed location, and checked regularly to ensure it has not expired.

Child Abuse

Regulation 30

When there is a reasonable belief that a child enrolled in a day care program has been abused within the meaning of the *Children and Family Services Act*, the licensee and each staff member, care provider and volunteer of the licensee must follow the Department's child abuse protocol for regulated child care.

► Intent

To ensure licensees follow the standardized practice for reporting allegations of abuse established by the Department of Education and Early Childhood Development.

► In Practice

If a serious incident involves suspected abuse of a child by a staff or care provider, the licensee or designate follows the protocol and not the procedure described in Regulation 30B (2)(3).

Licensee ensures that a copy of the *Reporting and Investigating Allegations of Abuse and Neglect in Regulated Child Care Settings: A Protocol and Handbook for Licensees, Child Care Staff and Care Providers (2014)* is onsite at the facility and approved family home.

Facilities and agencies review the protocol for reporting allegations or suspicions of abuse and neglect with all staff and care providers as part of their orientation and on a regular basis thereafter.

Policies outlining the obligation to report allegations or suspicions of child abuse and neglect are included in the Parent Handbook, Employee Handbook and Care Provider Handbook.

Licensees seek opportunities for their staff and care providers to engage in training and professional development related to preventing and reporting of suspected child abuse.

This includes Child Abuse Protocol training delivered by the Department. Regional Early Childhood Development Consultants will provide information regarding training opportunities.

Best Practice

All staff and care providers attend Child Abuse Protocol training provided by the Department on *Reporting and Investigating Allegations of Abuse and Neglect in Regulated Child Care Settings: A Protocol and Handbook for Licensees, Child Care Staff and Care Providers*.

Notable Situations

Regulation 30A(1)

In this section, “notable situation” means an accident, communicable disease or other situation that affects or could affect the health, safety or well-being of a child in attendance at a day care program, but that does not meet the criteria set out in Section 30B for a serious incident.

Regulation 30A(2)

If a notable situation arises, the facility director or, in a family home day care program, the care provider must do all of the following:

- (a) Immediately secure any necessary medical assistance and make every effort to notify the parents of any child directly affected;
- (b) Prepare a summary report, which must include all of the following:
 - (i) A summary of the situation and the action taken,
 - (ii) The signature of each staff person or care provider involved;
 - (iii) A place for the signature of the parent of each affected child;
- (c) Place a copy of the summary report prepared under clause (b) in the file of each affected child.

► Intent

To ensure information pertaining to notable situations is communicated, documented and kept on file.

In Practice

Policies regarding procedures related to notable situations (defined above) are developed by the facility/agency.

A licensee is responsible for developing a summary report which must contain all the information set out in Regulation 30(A) (2). The signature of the parent is to confirm that the parent has seen the report and not necessarily that they agree with the information presented. If a parent does not wish to sign the summary report, this can be documented on the form.

When notable situations occur they are documented on a summary report form, which are maintained in each child's file.

Summary report forms can be used to identify patterns and generate solutions for any recurring issue. For example, if several children have tripped on the same entry mat, this could be cause to remove the mat and eliminate the risk.

Notable situations may include, but are not limited to, bites, physical disagreements between children with resulting scratches and bruising, minor falls, bumps and bruises which require non-emergency assistance (e.g. first aid). A summary report would be required for these situations.

There may be other isolated incidents where children may be exhibiting challenging behaviors (e.g., tantrums, physical and verbal aggression). These incidents would not require a summary report.

Summary reports are readily available and completed in full as soon as reasonably possible.

A copy of the summary report is available to parents upon request.

When completing summary report forms, confidentiality of the children involved is to be maintained. If more than one child is involved in a notable situation, a separate form is completed protecting the names of others involved.

Procedures outlined in the *Guidelines for Communicable Disease Prevention and Control for Child Care Settings* are followed when there are incidents of communicable disease.

Communicable diseases, in this case, refer to the disease/illness that must be reported to Public Health Services. See http://novascotia.ca/dhw/cdpc/documents/06026_ItsTheLawPoster_En.pdf for a list of notifiable diseases.

Serious Incidents

Regulation 30B(1)

In this Section, “serious incident” means any of the following:

- (a) the death of a child while the child is attending a day care program;
- (b) any injury to a child that occurs while the child is attending a day care program and that requires emergency medical attention;
- (c) a fire or other disaster on the premises of a facility, agency, play group space or family day care home;
- (d) a concern or an occurrence relating to an element of the physical environment or an operational or safety practice in a facility or a family day care home that poses a risk to the children’s health, safety or well-being.

► Intent

To identify the types of serious incidents that must be reported to the Department.

► In Practice

Emergency medical attention refers to any injury that requires immediate attention by the program staff, including:

- ✓ calling 911;
- ✓ an ambulance; and/or
- ✓ an emergency room visit
- ✓ a doctor’s office (when there is no emergency department available)

Physical environment concerns may include, but are not limited to, mold, air quality, flooding or water damage, fire, prolonged lack of heat, lasting odors or noxious smells.

Operational concerns may include, but are not limited to, a lost or missing child or an insufficient number of staff.

Safety practice concerns may include but are not limited to improper storage of combustible materials or other dangerous materials, the continued use of broken or unsafe equipment, lack of appropriate health and hygiene practices.

When a serious incident occurs, the facility director or care provider notifies the licensee as soon as possible.

Regulation 30B(2)

If a serious incident occurs, the facility director or, in a family home day care program, the care provider must do all of the following;

- (a) immediately secure any necessary medical assistance and make all possible efforts to notify the parents of any child affected;
- (b) notify the licensee no later than 24 hours after the time the serious incident occurred;
- (c) prepare a summary report that meets the requirements of clause 30A(2)(b) and place a copy in the file of each affected child no later than 7 days after the date of the serious incident.

Regulation 30B(3)

A licensee must ensure that the Department is advised of a serious incident no later than 24 hours after the serious incident occurs.

► Intent

To ensure all serious incidents are reported to the Minister.

► In Practice

Within 24 hours of a serious incident, the licensee or designate advises their regional Early Childhood and Community Development Specialist (ECCD). See <http://www.ednet.ns.ca/earlyyears/contact.shtml> for a list of Early Years Branch staff.

The licensee may wish to consult with the Licensing Officer and/or the Early Childhood Development Consultant for assistance when there is a serious incident.

The licensee or delegate must advise the Department no later than 24 hours after this serious incident occurred.

► **Please Note**

The reporting requirement of serious incidents does not apply when a serious incident involves suspected abuse of a child within the meaning of the *Children and Family Services Act* by a staff member or a care provider. The licensee shall follow the procedures established in *Reporting and Investigating Allegations of Abuse and Neglect in Regulated Child Care Settings: A Protocol and Handbook for Licensees, Child Care Staff and Care Providers*.

File required for each child

Regulation 31(1)

For each child enrolled in a day care program, the licensee or, in the case of a family home day care program, the care provider must keep a file that includes all of the following documentation and information:

- (a)** an application for enrollment that is signed by the child's parent and sets out the following:
 - (i)** the child's name and date of birth,
 - (ii)** the names, home addresses and phone numbers of the child's parents, together with e-mail contact information for the parents, if available,
 - (iii)** the name, address and phone number of the child's physician,
 - (iv)** the name and contact information of the person to be notified in case of an emergency if a parent is not available,
 - (v)** the names of persons to whom the child may be released;
- (b)** the date the child was admitted to the program;
- (c)** written confirmation as required by subsection 44(5) that the child's parent has been provided with the parent handbook;
- (d)** a health questionnaire for the child completed by the child's parent, including immunization dates;
- (e)** if applicable, information about any medication to be administered to the child during the hours the child is attending the day care program, including
 - (i)** the written instructions from the child's parent as required by clause 29(a), and
 - (ii)** the written record required by clause 29(b) of each dose of medicine administered;
- (f)** if applicable, written instructions signed by the child's parent concerning any special requirements for feeding, diet, rest or exercise;
- (g)** written consent from the child's parent for the child to
 - (i)** receive emergency medical treatment,
 - (ii)** participate in off-site outings and field trips, and

- (iii) if applicable, walk between school and the facility or family day care home;
- (h) a copy of a report required by subsection 30A(2) (b) or 30B(2)(c) of any incident affecting the health, safety or well-being of the child while attending the child care program;
- (i) for an infant, toddler or pre-school child, semi-annual reports respecting the child's development.

Regulation 31(2)

If a child withdraws from enrollment in a day care program, the licensee or care provider must include the date of and reason for, the withdrawal in its file for the child.

Regulation 31(3)

A licensee or care provider must keep each child's file confidential, complete and organized.

Regulation 31(4)

A licensee or care provider must store a child's file in a safe and secure manner at the facility or, in the case of a family home day care program, at the family home day care home, and must keep it for at least 2 years after the date of the child's withdrawal from enrollment.

► Intent

To ensure the required documentation for each child enrolled is on file and maintained in an organized and accessible manner.

► In Practice

The licensee ensures that children's files are maintained in a confidential and secure manner (e.g., locked file cabinet, locked office), and information is only shared with those who require it. With the exception of attendance records, electronic files (e.g. semi-annual progress reports, etc.) are allowed to be kept electronically as long as they are maintained in a secure manner according to the facility's privacy policy, and they are available for viewing for the purpose of licensing. If you are unsure about the storage of electronic records, the licensee should contact their Licensing Officer.

Parent permission is attained prior to a child's information being shared with others

(e.g., Early Intervention staff, health professionals). The facility director or care provider is able to access the files easily and locate information in an efficient manner.

Children's files are well organized and filed alphabetically. Part-day facilities may wish to keep files based on days of attendance (e.g., two days a week and three days a week), if the groups are consistent.

Children's files are maintained for a minimum of two years after the child has withdrawn from the facility or family child care home. Facility/agency has a policy in place that identifies the collection, storage, use and destruction of confidential information.

Licensee ensures that a child's file is complete prior to the first day of enrolment.

Each child enrolled has a file that includes the following:

Application Forms

Every child enrolled in the program has a file that includes the completed application for enrolment. When a parent is unable to provide information requested on the application, they should indicate the rationale for not including the information (e.g., if there is no family physician, or there is no emergency contact). The enrolment form may contain additional information the licensee wishes to include. A process for receiving current information from parents or on a regular basis should be in place.

An application for enrollment with the following information:

- ✓ child's name & date of birth
- ✓ parent's name, home address, phone numbers, email
- ✓ physician's name, address, phone number
- ✓ emergency contact information
- ✓ names of persons to whom child may be released
- ✓ admission date
- ✓ special requirements for feeding, diet, rest or exercise;
- ✓ application is signed by parent

Health Questionnaire

Health questionnaires are completed and on file prior to the child's first day of attendance. Immunization information is required as part of the *Guidelines for Communicable Disease Prevention and Control for Child Care Settings*, Section 7.0. If a parent has chosen not to immunize their child, or have other reasons for not providing

detailed information, this is documented on the form. As long as the licensee has requested the parents for the dates of the immunization, and the response is documented in the child's file, this would meet the regulatory requirement. A procedure for updating information on the health questionnaire is developed (e.g., infant, toddler, preschool immunization dates or newly identified health concerns). Refer to the *Guidelines for Communicable Disease Prevention and Control for Child Care Settings* for further information.

Medications

Information related to life threatening conditions (e.g., allergies, medical concerns) is communicated to the appropriate people. Procedures are developed to ensure that medications are delivered to children in a safe and organized manner (see page A84).

Special Requirements

Policies and procedures are in place to document any special requirements indicated by a parent for their child. Information can be added to the enrollment form, the Health Questionnaire or be a stand-alone or separate form, or correspondence provided by the parent. All staff and care providers are made aware of any special instructions for children; and they receive training in any medical procedures, if required. Written instructions are reviewed with parent(s) and updated as required.

Consent Forms

Each child's file contains a consent form signed by the parent that allows the child to:

- ✓ receive emergency medical treatment;
- ✓ participate in offsite outings and field trips;
- ✓ be transported in the facility's van/car;
- ✓ walk to the playground; and
- ✓ walk between the school and the facility, or family child care home.

Consent forms are signed and on file prior to the first day of attendance, and are updated as needed. Parents are notified of any field trips or outings in advance, regardless having prior written permission. Separate consent forms may be developed for special field trips, particularly when children will be taking public transit or leaving the neighborhood (e.g., a summer trip to the beach or field trip to a park). This may depend on the age group participating.

In school-age programs, a policy regarding transferring children between the program and the school is developed. If children are expected to walk, unsupervised by the

program staff, permission from parents must be on file.

Notable Situation Reports

Summary reports (Regulation 30A(2)) are filed in each child's file. Summary reports are reviewed as a preventative measure to identify and deal with any patterns of safety concern (e.g., five children tripped on the same carpet, several incidents on one piece of equipment in the playground).

Progress Reports

Children develop rapidly in the first five years of their lives. Documenting children's developing competencies and emerging interests, at least semi-annually, ensures that:

- ✓ Staff/care providers can plan developmentally appropriate programming and environments that reflect the children's interests and meet their needs;
- ✓ Written/documented records are available for reference and to guide staff/care providers in setting goals to foster each child's development; and
- ✓ Staff/care providers can share relevant information with parents.

Procedures are in place to ensure appropriate documentation of children's development. Methods of documentation may include, but are not limited to: developmental milestones, portfolios, documentation panels, photos (with parental consent), samples of work. The method of documentation will be influenced by the program's philosophy or curriculum model.

Staff and care providers observe children regularly and record their observations in a consistent and professional manner. There is an opportunity for staff and care providers to share their information and observations with parents. Staff and care providers discuss any concerns they may have with the facility director, family home child care consultant or agency, and communicate any concerns to parents in a professional manner.

Withdrawals

The enrollment application has a section for withdrawal information, or a separate withdrawal form can be used. Information collected documents the last day of attendance and the reason the child is leaving. If the parent does not wish to share this information a "no reason given", comment will meet the requirement. An exit interview/questionnaire may be used to gather additional information on parent's satisfaction with the service provided.

Parent Handbook

Each child's file contains documentation confirming the parent/guardian has received a copy of the parent handbook as per Regulation 44(5).

▶ **Best Practice**

Licensee conducts exit interviews/surveys when parents leave the program.

Records required for each child

Regulation 32(1)

A licensee or, in the case of a family home day care program, a care provider, must keep a daily record of attendance for each child enrolled in the day care program.

Regulation 32(2)

A daily record of attendance must include the child's arrival and departure times and reasons for any absence.

▶ Intent

To ensure children's safety and well-being and provide accountability to the Department with respect to funding.

▶ In Practice

Licenses and care providers ensure that accurate attendance records are kept and include the arrival and departure times for each child. Procedures for recording attendance are included in the staff/care provider orientation and staff/care providers are advised of the importance of accurate attendance records. Accurate attendance records are maintained by staff for each room. Reasons for children's absences are noted on the attendance record (e.g., sick, vacation). Attendance records are completed in ink.

All staff/care providers understand that it is their responsibility to know the number of children in attendance at all times, and to count the children regularly to ensure their safety, especially in cases of emergencies.

Attendance records are accurate and available for review by the Department. The daily records for each child are to be kept individual and confidential.

Regulation 32(3)

A licensee must keep a daily record for an infant or toddler enrolled in a full-day program which must include all of the following:

- (a) daily routines, including naps, eating and toileting, noting atypical responses;
- (b) activities and outings in which the child participated, noting the child's

preferences and abilities;

(c) information about any unusual occurrence and other pertinent information that does not necessarily relate to a daily occurrence;

(d) space for the child's parent to write special instructions or information about the child.

Regulation 32(4)

A care provider must keep a daily record for an infant or toddler enrolled in a family home day care program which must include all of the following:

(a) information about any unusual occurrence and other pertinent information that does not necessarily relate to a daily occurrence;

(b) space for the child's parent to write special instructions or information about the child.

Regulation 32(5)

A daily record for an infant or toddler must be available to the child's parent at the beginning and end of each day to allow them to record instructions or information under clause (3)(d) or 4 (b) and must be retained for a minimum of at least 6 months.

► Intent

To ensure parents are provided with information about their child's day.

► In Practice

Effective communication between parents and child care staff or care providers is crucial for all children, but particularly for infants and toddlers who have limited verbal communication. Staff and care providers strive to verbally communicate information to parents at the time of drop off and pick up. The daily record is intended to further enhance communication between parents and staff/care providers.

Full day programs have daily records for all infants and toddlers. Information provided on these records must include the following: daily routines (e.g., naps, eating, and toileting), activities or outings, information about any unusual occurrence, and space for parents to write instruction. The individual family needs are taken into consideration

when completing records. Toddler daily records are not required in part day programs.

Infant/toddler daily records are kept confidential; filed in each child's file when not in use and are kept on file for six months. The daily report is easily accessible for parents in the morning and afternoon. The use of electronic files for daily records is acceptable provided they are kept confidential and accessible for parents.

There is a system of communication among staff to ensure that all staff/care providers can provide information and address parent questions at the time of arrival and departure. Parents are provided with a copy of the daily record, if requested.

An "atypical response" refers to a reaction by a particular child that is not the norm for that child. For example, a child refusing to eat meat when they generally do or a child who is all of a sudden resistant to having their diaper changed.

"Unusual Occurrences" mean events or situations that do not happen daily or that may have had an impact on children such as: fire drill interrupted sleep, visitor came with puppets, fear of a dog on a walk. It may be something that happened to the whole group of children or just to an individual child.

► **Best Practice**

A primary caregiver system, where one educator is responsible for the majority of the personal care and routines of a particular infant/toddler, is used to build relationships with both children and families and assist with effective communication. More information on primary caregiver systems can be provided by contacting the Early Childhood Development Consultant.

Supervision

Regulation 33A

A facility director, agency director or care provider must ensure that every child is accounted for at all times during operating hours, including during outings and field trips, and that no child leaves the indoor or outdoor play space or the facility or, in the case of a family home child care program, the play group space or family home without the knowledge of the staff or care provider.

► Intent

To ensure children's safety, health and well-being while in group care.

► In Practice

During indoor and outdoor play, ensure that all children are supervised and accounted for at all times. Take extra precaution when supervising children during transition times (e.g., bathroom routine, outside/inside).

Staff is aware of all children in a group, even when attending to an individual child. Staff frequently scans the room, keep attendance sheets updated, and ensures area not visible are supervised.

During outings and field trips, the staff to children ratios as governed by the Day Care Act are maintained.

► Best Practice

Refer to *Guidelines for Outdoor Play in Child Care Settings* for more information on the supervision of children. If you have not received a copy of the Guidelines, please contact your Early Childhood Development Consultant.

Daily log book requirement

Regulation 33

A facility director or, in the case of a family home day care program, a care provider must keep a daily logbook to record information about any absence of a child due to illness and any unusual or special events in the facility or family day care home.

▶ Intent

To ensure adherence to the *Health Protection Act and the Notifiable Diseases and Conditions Regulations* and the *Guidelines for Communicable Disease Prevention and Control for Child Care Settings*.

▶ In Practice

Licensees ensure that a system is in place for the daily completion of the log book. Staff and care providers are aware of their responsibility in maintaining the daily log book. Daily Log books are bound and completed in ink ensuring the date (day, month, and year) is recorded. Children's illnesses are recorded on the daily attendance sheet and in the daily log book.

Special events could be, but are not limited to:

- ✓ visitors to the program;
- ✓ special food served (refer to the *Standards for Food and Nutrition in Regulated Child Care Settings*); or
- ✓ activities presented to children

Unusual events could be, but are not limited to:

- ✓ temporary evacuation of a facility;
- ✓ loss of power; or
- ✓ loss of water

▶ Best Practice

A log book is maintained in each activity/play room. The daily log book can also be used to record changes to the schedule and routine due to inclement weather or other unforeseen events (staff substitutes). A licensee may wish to require that staffing and staff changes be recorded in the log book as a mechanism for documenting compliance with ratio and training requirements.

Staff-to-children ratios

Regulation 34(1)

Except as provided in subsection (2) and (2A), the number of staff present and working directly with the children in a day care program must meet the staff-to-children ratios set out in the following table at all times when children are in attendance:

Table of Staff-to-Children Ratios	
Category of Children in Group	Staff-to-Children Ratio
Full-Day Program	
Infant	1 to 4
Toddler	1 to 6
Preschooler	1 to 8
Mixed ages	ratio applying to youngest child
Part-Day Program	
Toddler older than 30 months old	1 to 12
Preschooler	1 to 12
School-Age Program	
School-age only	1 to 15
School-age and fewer than 8 pre-primary children	1 to 15
School-age and 8 or more pre-primary children	1 to 12
Pre-primary children only	1 to 12
Family Home Child Care Program	
Any age* (*subject to the restrictions in subsection 15A(2))	1 to 6
Infants	1 to 3
School-age only	1 to 8

► Intent

To ensure children's health, safety and well-being while in group care.

► In Practice

Licensees ensure that staff are scheduled as required considering the facility's enrolment/attendance, hours of operation and program type. In order to be included in ratio, the staff must be working directly with the children. Volunteers and students cannot be included in ratio.

Licensees ensure that the required child/staff ratio and group size are maintained during the operating hours of the child care facility, except as prescribed in 34(2) regarding nap time. Ratio is maintained during arrival/departure times and during morning/afternoon breaks, if offered to staff. There is no other provision for reduced ratio during the day other than as provided in Regulation 34(2).

Ratio is determined by the following:

- ✓ Total number of children in the group divided by the required ratio, based on the youngest child in the group.

For example, in a group of 18 children, aged 18 months to 3 years the required ratio of staff to children is 1:6. 18 divided by 6 = 3. As a result, 3 staff are required.

- ✓ The number of staff required is not rounded down. Having one extra child in a group requires an additional staff person.

For example, in a group of 13 children, aged 18 months to 3 years the required ratio of staff to children is 1:6. 13 divided by 6 = 2.16. As a result, 3 staff are required.

Licensee ensures that staff understand the requirement for ratio and know how to ensure that ratio is maintained at all times (e.g., if a staff person is late for work and children are arriving, or when staff become ill). Staff conduct frequent head counts indoors and outdoors to ensure children's safety.

Procedures are in place for field trips and outings. Early Childhood Development Services has developed the *Guidelines for Field Trips and Outings* to assist licensees in ensuring children's safety. Licensees contact their Early Childhood Development Consultant for a copy of the *Guidelines*.

A list of substitutes is available to ensure the ratio will be maintained in the event a staff member has to leave, or is unable to work.

When a program is operated for long or extended hours, a staffing plan will be required to ensure that, in accordance with the facility's enrollment/attendance, ratio is met for the entire day. With the provision of additional staff, staff fatigue will be prevented and staff retention may possibly be strengthened.

Licensees who employ additional staff as part of the Inclusion Support Grant (ISG) ensure that the staff are not required to meet ratio. If the additional staff is counted in ratio, the hours worked in ratio cannot be claimed from the ISG funding.

A licensee may combine two or more age groups either for short periods of time or as a program option. When two or more age groups are mixed, the ratio and group size for the youngest child in the group is applied.

Example: Group of 18 children ages 18 months to 5 years would require three staff to meet the six-to-one ratio of the toddlers.

► Please Note

A full-day program may offer a separate part-day program for children if the children enrolled in the part-day program are in attendance at the facility for fewer than 4 consecutive hours a day. In this case, the child-to-staff ratio can be one to twelve. However, if children from the full-day program are included in the part-day program the child-to-staff ratio must be one to eight.

Regulation 34(2)

The staff-to-children ratio for children in a particular group in a full-day program may be reduced during the children's rest period, if the total number of staff on site in the facility is sufficient to meet the staff-to-children ratio for all children in the facility and the children's health and safety is not compromised by the reduction.

Regulation 34(2A)

If there are any pre-primary children in attendance on a school-age program being offered during a school or pre-primary program closure, holiday, or in-service day, the staff-to- children ratio for the school-age program must be 1 to 10.

► Intent

To specify that the staff-to-child ratio can only be reduced during the rest period under certain conditions.

► In Practice

Licensee ensures that the total number of staff remains on site, during lunch breaks, to meet the staff/child ratio for all groups of children in the facility in case an emergency evacuation is required.

Licensee ensures that staff lunch breaks are scheduled by taking into consideration the napping/sleeping patterns of children. During rest time, if children are sleeping and/or resting, it is acceptable for one staff to supervise a group, provided that the number of children who wake does not exceed the required staff/child ratio of the age group.

Requiring children to sleep or rest in order for staff to have breaks or lunch is inappropriate. If children are unable to sleep or rest comfortably, they are to have the opportunity to participate in developmentally appropriate, quiet time activities. Staff are available to join the group as children awaken to ensure that the staff-to-children ratios are met.

Early riser times are staffed according to ratio requirements to meet the needs of children who do not sleep and/or for those who rise early. If there is a risk to the health and safety of children, ratios are not reduced (e.g., a child is having a difficult time settling, a sick child requires comfort, and several children wake early).

Regulation 34(3)

The number of children in a children’s indoor play space at any time must not exceed the maximum group sizes specified in the following table:

Table of Maximum Group Sizes for Indoor Play Spaces	
Category of Children in Group	Maximum in Play Space
Full-Day Program	
Infant	10
Toddler	18
Preschooler	24
Mixed ages	maximum group size applying to youngest child
Part-Day Program	
Toddler older than 30 months old	24
Preschooler	24
School-Age Program	
School-age only	30
School-age and pre-primary children	30
Pre-primary children only	30

Regulation 34(4)

If there are groups of children from more than 1 category set out in the tables in subsections (1) and (3) in a single room in a facility, then the ratio and group size for all children in the room must not exceed the staff-to-children ratio and maximum group size applicable to the youngest child in the room.

► **Intent**

To ensure children’s health and well-being is maintained through adequate supervision.

▶ **In Practice**

A licensee strives to provide consistent care for children and maintains the same groups with the same staff each day.

▶ **Best Practice**

When possible, children are subdivided into smaller groups to allow for smaller group activities and to reduce the possibility of over stimulation. It is not expected that all children will be engaged in the same activities all day long. Example: Group of 24 preschoolers is subdivided into 8 children who stay in and 16 who go outside to participate in small group activities.

Facility must be administered by director

Regulation 35(1)

Each full-day program, part-day program and school-age program must be administered by a facility director who supervises and manages the facility.

Regulation 35(2)

A facility director must designate a staff member who is qualified in accordance with Section 40 to serve as an acting facility director at times when the facility director is absent from the facility.

Regulation 35(3)

A facility director or acting facility director must be present at the facility at all times during its operating hours.

► Intent

To ensure there is an identified, qualified person onsite at all times.

► In Practice

The licensee ensures that the director and the director's designate have the required level of training and that either the director or the designate is on-site at all times during operating hours. All staff at the facility are informed as to whom holds the positions of director and the director's designate.

Directors who have obtained a level 1 classification, and who were employed in the position of director prior to May 1, 2012, may continue to be considered qualified for the position they currently hold. In order to receive this recognition, directors would have completed an *Information to Recognize a level 1 Director* form. A copy of this form is maintained on file at the facility.

Staff who have obtained a level 1 classification prior to May 1, 2012 may fulfill the role of designate. A copy of the level 1 classification, dated prior to May 1, 2012, must be on file at the facility.

Those who begin working in the position of director or as the director's designate after

May 1, 2012, will be required to have a level 2 or level 3 classification. In the case of school-age programs, the director and designate will be required to have level 2 or 3 or School-age Training Approval.

Please refer to Regulation 40 for information on classification.

► **Best Practice**

There are comprehensive job descriptions for the director and the designate (typically, the assistant director). Performance appraisals are completed regularly.

All staff, volunteers, substitutes, practicum students and parents are introduced to the director and the designate and advised of the days/times when the director will not be available.

Facility Staffing Requirements

Regulation 36(1)

Facility staff must be at least 16 years old to be included in the staff-to-children ratios for the facility.

Subsection 36(2) repealed

▶ Intent

To establish a minimum age for staff responsible for a group of children.

▶ In Practice

Licensee has developed employee hiring policies and procedures. The application for hire includes a question inquiring as to whether the applicant has reached 16 years of age.

▶ Best Practice

All staff required to meet ratio have reached the age of majority (are 19 years of age or older). Licensees who employ a person who has not reached the age of majority, are to carefully consider the types of responsibilities that will be given to this employee (e.g., whether they will be responsible for, or left unattended, with one or more children).

▶ Please Note

Under the provision of *The Human Rights Act*, employers are not permitted to ask age or birthdates of individuals during the application process. They may ask if the applicant has reached 16 years of age.

Subsection 36(3) repealed

Regulation 36(4)

Except as provided in subsection (6), a facility must be staffed in accordance with the following requirements:

(a) at least 2/3 of the staff working directly with children in a full-day program or a part-day program must have a level 1, level 2 or level 3 classification;

(b) at least 2/3 of the staff working directly with children in a school-age program must have a level 1, level 2 or level 3 classification or school-age training approval.

Regulation 36(5)

Despite subsection (4), in a facility with only 2 staff working directly with children, 1 staff member must have a level 1, level 2 or level 3 classification or school-age training approval.

▶ Intent

To specify the level of training staff are required to have.

▶ In Practice

Licensee ensures that a minimum of 2/3 of staff required to meet ratio in the facility have the required classification level.

In order to determine the 2/3 requirement, the following formula can be applied:
Number of staff required based on ratio for attendance x 0.66 = number of trained staff required. The required number, if not even, is rounded up if it's 0.5 or higher and down if it's 0.4 or lower.

Example

A centre that has 10 infants, 18 toddlers and 24 preschoolers would require 9 staff to meet ratio requirements. To determine the number of trained staff, apply the following formula: 9 staff x 0.66 = 5.94 staff. As a result, 6 trained staff are required.

A centre that has 8 infants, 18 toddlers and 24 preschoolers would require 8 staff to meet ratio requirements. To determine the number of trained staff, apply the following formula: 8 staff x 0.66 = 5.28 staff. As a result, 5 trained staff are required.

Licensee ensures staff files contain proof of classification prior to the first day of employment. Licensee has contingency plans in place to deal with staffing in the event of long term absences and unplanned staffing changes (e.g., less than 2/3 staff meet training requirements).

Staff attendance is recorded and can be used to verify that at least 2/3rd of the staff

working directly with children have the appropriate classification. Staff attendance may be documented on its own sheet or on the daily attendance sheet in the activity rooms.

► **Best Practice**

Licensees record staff attendance and document that training requirements are met at all times. Staff attendance may be documented on its own sheet or on the daily attendance sheet in the activity/play rooms.

A policy that all staff are trained in early childhood education for ratio positions is in place. This will help to ensure that the program remains in compliance at times of staff illness, leaves or turn over. In addition, professional development is encouraged to ensure that staff stay current with information and best practices in the field of early childhood education.

Staff who have a level 1 classification are encouraged to work towards completion of a diploma or degree in early childhood education.

Regulation 36(6)

The Minister may approve temporary facility staffing that is different to the requirements in the subsection (4) on the condition that the licensee demonstrates all of the following to the satisfaction of the Minister:

- a) The licensee is unable to hire staff who have the qualifications needed for the license to meet the requirements of subsection (4):
- b) The licensee has hired staff who are working towards completing the required training or qualifications and the licensee has establish, in a form approved by the Minister, a temporary staffing plan that includes a timeline and conditions for the staff to complete the training or qualifications;
- c) The facility staffing approved will no adversely affect the safety of children in the program or the quality of the services and program.

Regulation 36(7)

The minister may amend or revoke an approval under subsection (6) if, in the Minister's opinion, any of the conditions set out in subsection (6) are not being met.

Staff classification and school-age training approval

Orientation training

Regulation 37(1)

A facility staff person who works directly with children must complete 1 of the following and provide proof of completion to the Minister:

- a) orientation training;
- b) post-secondary courses in early childhood education that, in the option of the Minister, are comparable to the orientation training;

Regulation 37(2)

A facility staff person who has not met the requirements of subsection (1) on their date of employment must complete, and provide proof of completion of, the orientation training by the following applicable date:

- a) for staff hired on or before August 31st, 2018, no later than 1 year after their date of employment;
- b) for staff hired on or after September 1, 2018, no later than 6 months after their date of employment.

Application for classification or school- age training approval

Regulation 37(A)

A person seeking an entry level, level 1, level 2 or level 3 classification or school-age training approval must apply to the Minister.

Entry level classification

Regulation 37(B)

The Minister may issue an entry level classification to a facility staff person who meets the requirements of subsection 37(1).

▶ **Intent**

To specify the process for seeking a classification under these regulations.

▶ **In Practice**

Upon completion of the *Orientation for Staff Working in Licensed Child Care Facilities* training, individuals must apply for an entry level classification, if they wish to receive an entry level classification.

Upon completion of the level 1 training requirements, individuals apply for level 1 classification.

Upon graduation from an early childhood education program, individuals apply for level 2 or 3 classification.

A classification level is maintained by completing the professional development requirements outlined in Regulation 38.

▶ **Please Note**

More information on classification and school-age training approval and the application process is available in *Child Care Staff Classification Services: A Guide to Classification and School-age Approval* and online at the Early Childhood Development Services website at:

http://www.ednet.ns.ca/earlyyears/documents/pd/A_Guide_to_Classification_and_School_Age_Approval.pdf

Upon receipt of the application, it will be reviewed to determine eligibility. The review process may require four to six weeks to complete.

▶ **Best Practice**

A person applies for classification prior to employment in a child care facility or family home child care agency.

Level 1 classification

Regulation 37(C)

The Minister may issue a level 1 classification to an applicant who has any of the following qualifications:

- (a) they meet the requirements in subsection 37(1) and have completed any course work and workplace training specified by standards set by the Minister;
- (b) a 1-year certificate in early childhood development or early childhood education from a training program recognized by the Director;

Level 2 classification

Regulation 37(D)

The Minister may issue a level 2 classification to an applicant who has either of the following qualifications:

- (a) they hold a diploma in early childhood education from a program approved by the Director;
- (b) they hold a 1-year early childhood education certificate obtained before May 31, 2000, on completion of a training program in early childhood education, as defined in the former regulations;
- (c) they have successfully completed the recognition of prior learning program.

Level 3 classification

Regulation 37(E)

The Minister may issue a level 3 classification to an applicant who has either of the following qualifications:

- (a) they hold a bachelor's degree from a post-secondary institution approved by the Director in any of the following:
 - (i) early childhood education,
 - (ii) an area of study that qualifies a person to plan and deliver early childhood education programming for children;
- (b) the qualifications of clause 37D(a) and a bachelor's degree in any discipline from a post-secondary institution recognized by the Director.

School- age training approval

Regulation 37(F) (1)

The Minister may grant approval of school-age training to a person who has either of the following qualifications:

- (a) they have completed 1 of the following:
 - (i) a bachelor's degree in early [childhood] or elementary education from a post-secondary institution recognized by the Director,
 - (ii) A program at a post- secondary institution recognized by the Director, that qualifies a person to plan and deliver developmentally appropriate programming for school-age children;
- (b) they meet the requirements in subsection 37(1).

Regulation 37(F) (2)

Despite subsection (1) the Minister may grant a 6-month conditional approval of school-age training to a person if the Minister determines that the person meets the requirements in clause (1)(a), on the condition that they meet the requirements in clause (1)(b) no later than 6 months after the date the conditional approval is granted.

Regulation 37(F) (3)

A conditional approval granted under subsection (2) expires the earlier of the following dates:

- a) 6 months after the conditional approval is granted
- b) The date the person is granted approval of school-age training, having met the qualifications in clause (1)(b).

Regulation 37(F) (4)

A person granted a conditional approval under subsection (2) may reapply to the Minister for a further 6- month conditional approval if they are not able to meet the qualifications in clause (1)(b) within 6 months from the date the conditional approval was granted.

Regulation 37(F) (5)

The Minister may, at the Minister's sole discretion, grant a further 6-month conditional approval to a person who reapplies under subsection (4).

Regulation 37(F) (6)

For the purposes of the facility staffing requirement in clause 36(4)(b), a person granted a conditional approval under this Section is deemed to hold school-age training approval for the duration of their conditional approval.

▶ Intent

To detail the requirements necessary to enable the Minister to issue a classification.

▶ In Practice

The process for reviewing and determining eligibility towards one of the four designations for employment in a licensed child care facility and family home child care agency are identified in the *Child Care Staff Classification Services: A Guide to Classification and School-age Approval*.

To receive recognition for the training requirements completed, individuals must apply to the Minister to receive an entry level, level 1, level 2, level 3 classification or school-age training approval.

▶ Best Practice

Individuals with a level 1 classification are encouraged to enhance their training and engage in an Early Childhood Education training program.

▶ Intent

To ensure that untrained staff receive basic information to prepare them to work with young children in a licensed child care facility.

▶ In Practice

All staff working directly with children and who do not have a classification must complete the *Orientation for Staff Working in Licensed Child Care Facilities* training.

Persons who have completed the orientation training or post-secondary courses in early childhood education, comparable to the orientation training, must apply to Child Care Staff Classification Services, in order to receive an entry level classification.

► **Best Practice**

Child care facility job postings and descriptions for untrained staff indicate requirements for completion of orientation training within a year of hiring.

Staff scheduling, and assignment ensures that untrained staff are teamed with trained staff so that, as much as possible, there is always at least one trained staff member working directly with each group of children.

Seasonal staff (e.g., child care facilities that do not operate the full year) who do not have a classification participate in the orientation training.

Individuals with an entry level classification are encouraged to pursue training in an Early Childhood Education training program.

Continuing professional development for facility staff

Regulation 38

A person who is issued a classification or granted school-age training approval under these regulations must

- (a) complete at least 30 hours of professional development to enhance skills and knowledge specific to early childhood care and education in every 3-year period following the date their classification was issued or approval was granted; and
- (b) provide the Minister with proof of completion of the required hours of professional development.

► Intent

To establish that any person with a classification or a school-age training approval must fulfill the requirements of continuous professional development as a condition of maintaining classification or school-age training approval.

► In Practice

At least 30 hours of professional development specific to early childhood care and education in a three- year period is required of all staff and directors who hold any of the following classifications:

- a) Entry Level Classification
- b) Level 1 Classification
- c) Level 2 Classification
- d) Level 3 Classification
- e) School-Age Training Approval

Professional development opportunities empower individuals to enhance their competencies and self-confidence and assists in developing a support network.

Professional development provides opportunities to learn new skills, enhance existing skills and build upon one's knowledge in the general areas of: child development, family support, and programming, guiding behavior, health, safety, nutrition, special needs, communication and administration.

Each facility/agency staff person and/or facility/agency director is responsible for completing the required professional development and for providing proof of completion. For this purpose, *Record of Professional Development* form must be submitted to the Department, prior to the end of the three-year period of a person's classification or school-age approval.

If documentation is not received, or the professional development form is incomplete, an individual's classification or school-age approval may be cancelled (Regulation 39(1)). Individuals will be provided with a written confirmation that professional development hours have been approved or to advise that additional information is required. The *Record of Professional Development* form can be found on the Department of Education and Early Childhood Development website at: <http://www.ednet.ns.ca/earlyyears/pd/ClassificationforStaff.shtml>

Individuals provide a copy of their professional development confirmation to licensees to verify that their classification level or school-age approval is current.

Cancellation of classification or school-age training approval

Regulation 39(1)

The Minister may cancel a person's classification or a school-age training approval in any of the following circumstances:

- (a) the classification was issued or the school-age training approval based on false or inaccurate information;
- (b) the person has been found guilty of a criminal offense by a court of law;
- (c) the person has not complied with the requirements of Section 38 respecting continuing professional development.

Regulation 39(2)

On cancelling a person's classification or school-age training approval, the Minister must provide written notice to the person, including the reasons for the cancellation.

► Intent

To detail when a classification or school-age approval may be cancelled by the Minister.

► In Practice

An individual will receive written notice, detailing the reasons for a cancellation. If appropriate, information will be included on what steps must be made to reapply for classification.

► Best Practice

It is recommended that a facility or agency's employee handbook includes a statement indicating that an employee is responsible for notifying the employer of any change in status of their classification or school-age approval.

Qualifications for facility directors and designates

Regulation 40(1)

Except as otherwise provided in this Section, a facility director must have the following qualifications:

- (a) for a facility that offers programming for all ages, a level 2 or level 3 classification;
- (b) for a facility that offers only school-age programming a level 2 or level 3 classification or school-age training approval.

Regulation 40(2)

A facility director who began working as a facility director before May 1, 2012, must have a level 1 classification.

Regulation 40(3)

An acting facility director designated to cover an absence by the facility director of fewer than 3 consecutive weeks must have the following qualifications:

- (a) for a facility that offers programming for all ages, a level 1, level 2 or level 3 classification;
- (b) for a facility that offers only school- age programming, a level 1, level 2, level 3 classification or school-age training approval.

Regulation 40(4)

An acting facility director designated to cover an absence by the facility director of 3 or more consecutive weeks must meet 1 of the following:

- a) the qualifications required for a facility director in subsection (1);
- b) a level 1 classification obtained before May 1, 2012;
- c) approval from the Minister to be designated as the acting facility director

▶ **Intent**

To specify the training requirements for the director of a facility.

▶ **In Practice**

The facility director or designate (the person acting as the facility director in the director's absence) has training that fulfills the required supervisory and administrative roles. The facility director or designate is familiar with *Day Care Act* and the *Standards for the Daily Program in Licensed Child Care Facilities*; the *Compliance and Enforcement Standards*; the facility's/agency's policies; and licensing inspection checklists.

The facility director collaborates with staff, children and parents. When involved in direct child care responsibilities, the facility director leads by example.

The facility director supervises and manages all aspects of the child care facility or family home child care agency, including financial management.

The facility director is involved in the hiring and regular performance reviews of facility and agency staff members.

The facility director has the experience and training required to provide support and leadership to the staff and parents.

▶ **Please Note**

The duties of the director designate may vary amongst child care facilities. It is recommended that the designate discuss the expectations of the position with the director/operator or Board of Directors of the child care facility.

▶ **Best Practice**

Licensee supports a facility and/or agency director or designate, who holds a level 1 classification, to participate in professional development, to enhance their qualifications (e.g., level 2 or 3 classification).

Qualifications for family home consultants

Regulation 41(1)

Until May 1, 2012, a family home consultant must have all of the following qualifications:

- (a) a 2-year diploma in early childhood education from a recognized training program approved by the Director;
- (b) at least 2 years' experience working in an early learning and childcare program.

Regulation 41(2)

Effective May 1, 2012, a family home consultant must have all of the following qualifications:

- (a) a level 2 or level 3 classification;
- (b) at least 2 years' experience working in an early learning and childcare program.

▶ Intent

To specify the training requirements for a family home consultant.

▶ In Practice

Licensee maintains up to date files on each family home consultant employed by the agency. The file includes a copy of their training/classification and a resume, indicating at least two years of experience in the field of early learning and child care programs.

▶ Please Note

Two years of work experience is equivalent to approximately 3,000 hours.

Requirements for care providers

Regulation 42(1)

A care provider must be at least 18 years old.

Regulation 42(2)

A care provider must do all of the following:

- (a) complete a family home day care training course approved by the Minister no later than 1 year after the date their family day care home is approved; and
- (b) complete annual professional development workshops, as specified by the Minister;
- (c) permit a family home consultant to visit the family day care home at least once every 30 days to provide services and support as specified in clause 14(c);
- (d) co-operate with the agency during the annual assessment process.

► Intent

To establish minimum requirements for family home child care providers.

► In Practice

The family home child care agency's Application for Family Home Child Care Approval ensures that a care provider has reached 18 years of age. Under *The Human Rights Act*, employers are not permitted to ask age or birthdates of individuals during the application process. However, they may ask if the applicant has reached 18 years of age.

Licensees ensure that home visit reports and annual assessment reports contain the required information and are up-to-date.

A level 1 of the *Canadian Child Care Federation Family Home Child Care Training*, with the accompanying updates (e.g., nutrition requirements) provided by the Department, meets the requirement for 42(2)(a).

Licensee ensures that care providers complete 5 hours of professional development annually.

A care provider co-operates with the agency during the annual assessment process and allows a family home consultant to visit monthly or more often as required.

The family home consultant maintains a positive relationship with all care providers and tailors the consulting process to meet the needs of each care provider, the agency and the requirements of the Regulations and the Standards.

The family home consultant and the agency maintain documentation as required.

▶ **Best Practice**

Licensee supports (e.g., via funding for professional development) a care provider who wishes to complete level 2 and 3 of the *Canadian Child Care Federation Family Home Child Care Training* program as part of their annual professional development requirements.

Record checks

Regulation 43(1)

In this section,

“child abuse register check” means a search of the Child Abuse Register conducted in accordance with the Children and Family Services Act;

“police agency” has the same meaning as “agency” in the Police Act;

“record check”, when no specific record or register is referred to, means a vulnerable sector check or a child abuse register check;

“vulnerable sector check” means a record check conducted by a police agency and consisting of

- (i) a search of the national repository of records of criminal convictions,
- (ii) a search of locally imposed convictions, and
- (iii) a search record suspensions related to records for sexual offences;

Regulation 43(2) *repealed*

Regulation 43(3)

A vulnerable sector check is required in accordance with this Section for a person who is 18 years or older in any of the following circumstances:

- (a) the person has or will have contact with children attending a licensed day care program or approved family home day care program, including volunteers;
- (b) the person lives in a home where there is a license facility or that us a family day care home

Regulation 43(4)

A child abuse register check is required in accordance with this Section for a person who is 13 years old or older in any circumstances set out in clauses (3)(a) to (b).

Regulation 43(5)

A person who obtains a record check as required by this Section must provide the results to the licensee that operates the day care program or family home day care program where the person works, volunteers or lives.

Regulation 43(6)

A new employee of a licensee must provide the results of a required record check to the licensee before the date that the employee begins work, and the record checks must have been conducted less than 2 years before that date.

Regulation 43(7)

A person who requires a vulnerable sector check under this Section must obtain a new vulnerable sector check and provide the updated results to the licensee no later than 5 years after the date of the most recent check, and every 5 years after that.

Regulation 43(8) repealed

Regulation 43(9)

A person who requires a child abuse register check under this Section must obtain a new child abuse register check and provide the updated results to the licensee no later than 3 years after the date of the most recent check, and every 3 years after that.

Regulation 43(10)

A person who is required by this Section to obtain a record check must have no contact with children enrolled in the licensed day care program or approved family home day care program until

- (a) the licensee has received the results of all required checks for the person; and
- (b) the licensee has determined that the results of the record checks for the person disclose no evidence of any conviction for child abuse or another offence respecting children and generally do not raise any issues concerning the appropriateness of employing the person at a facility or having a family home child care program in the home where the person lives.

► Intent

To ensure all persons who may have contact with children have been screened as required.

► In Practice

Licensees have policies to ensure that those who are required to be screened obtain a Vulnerable Sector Check (VSC) and a Child Abuse Registry (CAR) Check **before** working or volunteering with children. Staff are not permitted to have direct contact with the children until the licensee has received the required checks.

A screening/hiring policy includes the following, and may have further requirements as established by the licensee:

- ✓ when, in the hiring process, CAR and VSC are requested
- ✓ who is responsible for overseeing the process
- ✓ how hiring decisions are made
- ✓ what constitutes a satisfactory VSC screening
- ✓ how documentation is stored
- ✓ who is responsible for paying for the screening
- ✓ when re-screening of VSCs are required

Staff are not permitted to continue to have direct contact with the children until the licensee has received the required renewal checks.

Licensees ensure that their policy adheres to the *Human Rights Act*.

Child Abuse Registry

All staff, and persons who are in contact with children in a licensed child care facility or family home child care program must be screened through the Child Abuse Registry (CAR), prior to employment. The CAR must be completed every three years of employment. When a staff member(s) work at multiple locations, duplicate copies of the CAR are acceptable for the facility's file. The person would need to provide the original form to the licensee, then have him/her date and sign the photocopy, to indicate they have witnessed the original CAR. The process and forms are easily accessible, and can be printed from the Department of Education and Early Childhood Development website at <http://www.ednet.ns.ca/earlyyears/providers/>.

Vulnerable Sector Checks

All staff, and persons who are in contact with children in a licensed child care facility or family home child care program must require a vulnerable sector check, prior to employment. The VSC must be updated every five years. A VSC is an enhanced criminal record check used to determine the possible existence of a criminal record and/or a sexual offense for which an individual has received a pardon. .

When a staff member(s) work at multiple locations, duplicate copies of the VSC are acceptable for the facility's file. The person would need to provide the original form to the licensee, then have him/her date and sign the photocopy, to indicate they have witnessed the original VSC.

The existence of a VSC does not necessarily exclude an individual from being considered for positions in early childhood education. The licensee must determine if the criminal record is relevant to a child's health and safety. If the applicant is willing to disclose the offense(s) contained on the criminal record, the following questions may help the licensee to determine its relevance to the position being offered:

- ✓ How long ago did this happen?
- ✓ How old was the applicant at the time of conviction and is s/he at a different stage of life now?
- ✓ What has happened since the offence?
- ✓ Were there any special circumstances that help explain the crime, such as temporary emotional stress or poverty?
- ✓ When the applicant talks about the offense, is s/he remorseful or does s/he imply that s/he was unlucky to get caught?

The licensee maintains vulnerable sector check in separate envelopes in personnel files, marked "confidential" in a locked cabinet.

Additional information from the RCMP website regarding these checks can be found at <http://www.rcmp-grc.gc.ca/en/criminal-record-checks>

► Please Note

The VSC can be done via My Back Check (an online service) or at the nearest police department or RCMP detachment.

The licensee must decide to accept or not to accept a vulnerable sector check that has been completed out of province. Persons coming from outside of Canada must obtain a

VSC in Canada. Canada has agreements with many other countries and can complete checks for new Canadians, non-permanent residents and visitors.

Volunteers are those who provide regular volunteer services for the licensee. Parents who volunteer occasionally may not be required to be screened as they are not to be left unattended with children. The licensee should have a policy on the use of volunteer services in the centre (e.g., children are not left alone with a volunteer, volunteers are supervised while on site). Special guests who volunteer to share their expertise or experience (e.g., community helpers, professionals) are not required to be screened if they are not left unsupervised with children.

Those persons who have incidental contact with children may not be required to be screened by the licensee (e.g., delivery people, letter carriers, outside professionals, school officials) as they are not left unsupervised with children.

Persons visiting an approved home on a regular basis (e.g., caregiver's or their children's friends, relatives, neighbors) may not be required to be screened as they are not to be left unsupervised with children. If there is a possibility that they will be left unsupervised with children, screening is required. The agency should have policies in place to assist the provider in managing these situations.

Licensee should verify that students and interns have been screened by their sponsoring organization. If this cannot be verified, the licensee should require screening.

Individuals may screen themselves and share the document with their employer and/or with the volunteer organization.

Parent handbook

Regulation 44(1)

A licensee must have a parent handbook to assist parents in making informed decisions regarding the care of their children.

Regulation 44(2)

A parent handbook for a facility must include all of the following:

- (a)** a statement that all of the following are posted at a conspicuous place in the facility and an indication of where they are posted:
 - (i)** a copy of the Act and these regulations,
 - (ii)** a copy of the parent handbook,
 - (iii)** the license for the facility,
 - (iv)** a copy of the report of the most recent inspection of the facility,
 - (v)** a copy of the licensee's behavior guidance policy,
 - (vi)** a copy of the current menu,
 - (vii)** a copy of the daily program plan and routine,
 - (viii)** a list of the names of the current members of the parent committee,
 - (ix)** a copy of the most recent minutes of the parent committee,
 - (x)** notification of funding provided by the Minister;

- (b)** any information required by the Minister.

Regulation 44(3)

A parent handbook for a family home day care program must include all of the following:

- (a)** a statement that all of the following are posted at the agency, and an indication of where they are posted:
 - (i)** the license for the agency,
 - (ii)** a copy of the licensee's behavior guidance policy,
 - (iii)** a list of the names of the current members of the parent committee;

- (b)** a statement that all of the following are posted in a conspicuous place in the family day care home, and an indication of where they are posted:
 - (i)** a copy of the Act and these regulations,

- (ii) a copy of the parent handbook,
 - (iii) a copy of the most recent minutes of the parent committee,
 - (iv) a copy of the report of the most recent inspection of the family day care home by the agency,
 - (v) a copy of the agency's behavior guidance policy;
 - (vi) a copy of the current menu;
- (c) any information required by the Minister.

Regulation 44(4)

At the time a child is enrolled in a program, the licensee must provide the child's parent with

- (a) information about the services provided by the licensee and, in the case of a family home day care program, the care provider; and
- (b) the parent handbook.

Regulation 44(5)

A licensee must obtain written confirmation that a parent has received the parent handbook.

► Intent

To ensure that parents are aware of the licensee's services, requirements, policies and other pertinent information.

► In Practice

Licensee provides a parent handbook that informs parents of the services provided and any related policies or procedures. The parent handbook provides the required information in accordance with Regulations 44(2), 44(3), 44(4) and 44(5) and may include all or some of the following types of information:

- ✓ Mission statement
- ✓ Philosophy statement
- ✓ Inclusion statement
- ✓ Overview of program offered
- ✓ Hours of operations
- ✓ Fee structures and payments
- ✓ Administrative structure (including staffing requirements)
- ✓ Regulatory requirements
- ✓ Parent involvement
- ✓ Application; withdrawal and attendance
- ✓ Record keeping policies
- ✓ Drop-off and pick-up policy
- ✓ Health and safety policies
- ✓ Administration of medication policy
- ✓ Behavior guidance policy
- ✓ Nutrition policy
- ✓ Children's daily routines/schedules
- ✓ Outdoor play policy
- ✓ Children's needs
- ✓ Permission for outings, emergency, progress reports, media
- ✓ Obligation to report – refer to the Department of Education and Early Childhood Development *Reporting and Investigating Allegations of Abuse and Neglect: A Protocol and Handbook for Licensees, Child Care Staff and Care Providers in Regulated Child Care Settings*
- ✓ Other

The parent handbook is reviewed and updated on a regular basis. Information in the parent handbook describes where information is posted. The licensee decides where information will be posted as it relates to their program (e.g., the menu may be on a bulletin board posted outside the kitchen or posted in each activity room).

The licensee obtains written documentation that the parent has received a parent handbook. Written confirmation can be on the enrollment form or on a separate form.

Information required to be posted

Regulation 45(1)

A licensee other than an agency must post all of the items listed in clause 44(2)(a) in a conspicuous place in the facility, together with any additional information that the Minister requires.

Regulation 45(2)

An agency must post all of the items listed in clause 44(3)(a) in a conspicuous place in the agency, together with any additional information that the Minister requires.

Regulation 45(3)

A care provider must post all of the items listed in clause 44(3)(b) in a conspicuous place in the family day care home, together with any additional information that the Minister requires.

▶ Intent

To ensure that required information is available for the public.

▶ In Practice

“Conspicuous” means obvious, easily visible and noticeable.

Licensee ensures that the following information is posted in the facility and approved home in a conspicuous place, visible to the public as follows:

- ✓ The *Act and Regulations*, parent handbook, licensing inspection report, behavior guidance policy, menu, list of parent committee members, minutes of the most recent parent meeting, funding notifications; are all posted.
- ✓ The daily routine and plan are posted by the appropriate play rooms.
- ✓ The license is posted by the main parent entrance to the facility. Copies may be posted at other entrances, if appropriate.
- ✓ Any additional information the Minister requires to be posted.

Licensee ensures all required information is posted in the agency in the appropriate place as follows:

- ✓ The license, parent committee members and behavior guidance policy are posted near the main entrance to the facility.

The agency ensures that all required information is posted in the approved family child care home:

- ✓ The *Act and Regulations*, parent handbook, parent committee meeting minutes, behavior guidance policy, menu, and most recent agency inspection report is posted where parents enter and exit the home. Any information the Minister requires to be posted.

Licensee ensures that the information is maintained and updated when required.

Documents that are bulky or may present a conflict with fire requirements (e.g., amount of paper allowed on the walls) may be available to parents in another location of the facility, and a notice indicating where they are located may be posted for parents. If these documents are not posted, they must be in a place where they will be available to parents and the public at all times.

If programs are offered in shared spaces and must be dismantled on a regular basis, the licensee must ensure that the required information is available to parents and the public whenever the program is in session.

Notice to parents of significant changes

Regulation 46(1)

As soon as is practicable, a licensee must notify the parents of each child enrolled in the program operated by the licensee and, if applicable, each care provider in a family home day care program operated by the licensee, if any of the following occurs:

- (a) notice is received of impending suspension, cancellation or non-renewal of a license;
- (b) the facility or agency is sold or closed;
- (c) written information has been received from the Minister about the licensee's license or program for the purpose of sharing the information with parents;
- (d) if the licensee is an agency,
 - (i) a family day care home managed by the agency is sold or closed,
 - (ii) the agency cancels the approval of a care provider or a family day care
- (e) terms, conditions or restrictions are imposed on the license under subsection 5(3) of the Act;
- (f) the police or an agency established under the *Children and Family Services Act* have directed the licensee to inform the parents about a matter they are investigating.

Subsection 46(2) repealed

Regulation 46(3)

A notice given under this Section must be in writing and must be

- (a) sent by ordinary mail to the last known address of each person who is required to be notified;
- (b) posted in a conspicuous location in the facility or agency and, if applicable, the family day care home; and
- (c) copied to the Minister.

► **Intent**

To ensure that parents are made aware of changes that may affect the provision of care.

► **In Practice**

“As soon as is practicable” means when the licensee is aware of impending suspensions, cancellations or non-renewal of a license or when the licensee has made the decision to sell or close the facility.

Parents are informed of the pending changes in a timely manner.

Information is documented in parent committee meeting minutes, if appropriate. The licensee, facility director, and/or care provider meets with parents in person to discuss concerns and answer questions related to significant changes.

The licensee, facility director, and/or care provider is sensitive to families whose first language is different from the language used by the child care facility, or if there are any other barriers with respect to communication. Efforts are made to provide such families with additional assistance and information. Licensee maintains documentation that notification has been given to parents.

Licensee ensures that Licensing Services is notified, in writing, of any significant changes.

Agency staff and family home providers are also notified.

Parent Committee

Regulation 47(1)

A licensee must establish a parent committee to provide a forum in which parents provide input and receive notice of any matters of interest or concern to the parents.

Regulation 47(2)

If the licensee is a non-profit organization with a Board of Directors, the parent committee may be a sub-committee of the Board.

Regulation 47(3)

A parent committee must be established

(a) in the case of an agency, no later than 3 months after the date the agency approved the first family day care home under its management; or

(b) in the case of a facility, no later than 3 months after the date at which more than 6 children are enrolled.

Regulation 47(4)

A parent committee must be composed of at least 5 members, as follows:

(a) at least 3 parents of children currently enrolled in a program operated by the licensee;

(b) 1 representative of the licensee or its director, who must attend each meeting of the committee; and

(c) 1 representative of the staff who provide regular care for children or, in the case of a family home day care program, 1 care provider.

Regulation 47(5)

The majority of the members of a parent committee must be parents of children currently enrolled.

Regulation 47(6)

A licensee must provide the Minister with information about the composition of its parent committee.

Regulation 47(7)

A licensee must immediately notify the Minister of any changes in the composition of the parent committee.

Regulation 47(8)

The Minister may provide a parent committee chair and, if the Minister considers it necessary, other committee members with a copy of any notice or written information about the status of the license at the same time that the Minister gives it to the licensee.

▶ Intent

To ensure that a parent committee is established to provide a means for communication between parents, licensee and, when necessary, the Minister.

▶ In Practice

The parent committee provides parents with the opportunity to contribute to the child care program and receive important information regarding their children's child care experience.

Licensees who operate more than one facility may wish to have one committee. The licensee should ensure that parents from each facility are represented on the committee.

A parent committee may have more than the five required members. If the committee is larger than five, the licensee ensures it is composed of a majority of parents whose children are currently enrolled in the program.

The parent committee can be a sub-committee of the facility/agency's board of directors. It could also be the board of directors if the representation is as required and all requirements related to the committee are met.

Parents are informed of the roles and responsibilities involved in participating in the committee and are informed that, if they join, their contact information will be provided to the Minister. The parent will give written consent to the operator to forward their name and contact information to the Department. Licensing Services is informed of the parent committee membership.

Any committee vacancies are filled in a timely manner, and notification of change in membership is sent to Licensing Services.

Further information is available by contacting the Early Childhood Development Consultant or Licensing Officer.

▶ **Best Practice**

Parents are provided with information about the parent committee and the opportunity to join or contribute at the time of their child's enrollment. This information is included in the parent handbook.

A Terms of Reference of the parent committee, or similar document, to guide the committee is developed.

Parent Committee Meetings

Regulation 48(1)

A parent committee must meet at least 2 times a year.

Regulation 48(2)

A parent committee meeting must be open to all parents of enrolled children.

Regulation 48(3)

At least 2 weeks before the date of a parent committee meeting, the facility director or agency director must do all of the following:

- (a) give written notice of the meeting to the parents of all enrolled children;
- (b) post a notice of the meeting in a conspicuous location in the facility;
- (c) in the case of a family home day care program, provide a notice of the meeting to the care provider in each family day care home managed by the agency and request that it be posted in a conspicuous location in the family day care home.

Regulation 48(4)

A notice of a parent committee meeting must inform the parents that they may add items to the meeting's agenda.

Regulation 48(5)

A parent committee may discuss any matters of interest or concern to the parents, including the following:

- (a) the safety, care and well-being of the children;
- (b) the status of facility's or agency's license;
- (c) the programs provided by the licensee;
- (d) the equipment and materials available to children;
- (e) staffing patterns and staff qualifications.

▶ **Intent**

To detail the expectations for the parent committee.

▶ **In Practice**

The licensee develops a schedule to ensure that parent meetings are held as required.

A standing agenda is developed to ensure there is an opportunity for the parent committee to discuss the items indicated in Regulation 48(5), if they wish, as well as any additional agenda items.

Notification of a meeting is posted on the parent bulletin board and/or in other areas that are visible to parents. The meeting notice is dated and is posted at least two weeks in advance of the meeting date.

▶ **Best Practice**

Licensees provide ongoing updates on such items through newsletters, notices and additional parent gatherings.

Minutes of parent committee meetings

Regulation 49(1)

No later than 2 weeks after the date of a parent committee meeting, the facility director or agency director must produce minutes of the meeting.

Regulation 49(2)

A copy of the minutes from a parent committee meeting must

- (a) remain posted at the facility until the minutes of the next meeting are posted;
- (b) be kept on file by the licensee for inspection by the Department, as required; and
- (c) in the case of an agency, be distributed to each care provider associated with the agency.

► Intent

To document and provide a summary of the items discussed at the parent committee meetings.

► In Practice

A template for the minutes is created to ensure consistency in recording the meeting. The minutes are posted within two weeks of each meeting and identify the date on which they were posted. The following items are included in a template for recording minutes for a parent committee meeting:

- ✓ Date of the meeting;
- ✓ Time;
- ✓ Place;
- ✓ Attendees and regrets;
- ✓ A summary of major themes discussed under each agenda items;
- ✓ Date of next meeting; and
- ✓ Date of posting.

Minutes from the most recent meeting are posted. Minutes from past meeting are kept on file for two years and available for review.

Emergency evacuation and fire safety procedures

Regulation 50(1)

Each facility director and care provider must establish emergency rules and procedures, including an evacuation plan and escape routes to be used in the case of fire and other emergencies.

Regulation 50(2)

The evacuation plan must be posted at each designated play room exit and each exit from the facility or family day care home.

Regulation 50(3)

An evacuation plan must include all of the following:

- (a) a current list of emergency telephone numbers including 911, the local hospital emergency department and, poison control;
- (b) the specific evacuation duties of each staff member or care provider;
- (c) a diagram of all rooms in the facility or family day care home, with exits noted;
- (d) the location of a safe meeting place, which must be outside the facility or family day care home and known to the children, staff and care providers.

Regulation 50(4)

Each facility director and care provider must carry out an emergency evacuation drill at least once per month.

Regulation 50(5)

Each agency director who provides play groups at their location for children enrolled in the agency's family home day care program must comply with this Section.

► Intent

To ensure procedures are in place in the case of an emergency.

► **In Practice**

Evacuation plans are developed, posted and reviewed as required.

Evacuation plans for child care facilities may be developed in consultation with the fire inspector.

Evacuation plans for approved family child care homes should be developed in consultation with the agency.

All staff, care providers, volunteers, and students are provided with information and training on the plan during orientation. Staff duties and responsibilities are clearly identified and may include: attendance sheets, emergency contact information, head counts, positioning of staff and evacuation kit. The plan should define first and secondary meeting places and duties while out of the building. The plan may also indicate how support staff (e.g., administration, cooks, and enhanced ratio staff) will assist during evacuations.

A plan is in place to ensure the safe evacuation of children with special needs when they require additional assistance or support.

Emergency evacuation drills are completed and documented monthly. Drills should be completed at different times of the day to ensure that evacuation procedures are effective. Staff are encouraged to debrief after drills to ensure that any identified issues are addressed.

► **Best Practice**

Staff and care providers talk to children about emergency procedures in a developmentally appropriate way to prepare them as much as possible. Staff and care providers debrief children, when appropriate, about the drill after it has been conducted.

An emergency evacuation kit is developed and ready at all times. Kits may include: blankets, snacks, necessities (tissue, wipes), first aid supplies, books or activities that can be used to occupy children until they can return to the program or are picked-up. Kits are checked regularly and any perishables are replaced.

Transportation

Regulation 51(1)

The driver of a vehicle operated by or for a licensee to transport children must deliver each child transported in the vehicle to

- (a) a member of licensee's staff or the care provider;
- (b) the parent of the child; or
- (c) a person authorized by the child's parent in writing.

Regulation 51(2)

A licensee that provides transportation for enrolled children is responsible for the safety of the children while in transit.

▶ Intent

To ensure the safety of children when being transported.

▶ In Practice

All policies or procedures for transporting children must comply with provincial laws. For more information refer to The Nova Scotia Utility and Review Board ("NSUARB" or "Board") Motor Carrier Division (Public Passenger); the *Motor Carrier Act*, and the *Federal Motor Vehicle Transportation Act, 1987*.

▶ Best Practice

A written transportation policy is developed by every licensee and care provider who transports children. The policy indicates the procedures in place to protect children (e.g., use of seat belts, child restraint systems, supervision) while in transit, and when delivering them between child care and home.

Minister may make payments

Regulation 52(1)

The Minister may make payments in respect of day care in any amounts that are appropriated annually for this purpose.

Regulation 52(2)

The Minister may refuse to make payments in respect of a day care program for which a license has expired or has been cancelled, suspended or refused.

Regulation 52(3)

The Minister may recover from a licensee payments made by the Minister in error or based on false or misleading information supplied in the licensee's application, or that otherwise ought not to have been paid according to these regulations or any other law, and is entitled to use any legal recourse to recover these payments from a licensee.

Regulation 52(4)

The Minister may determine the terms and conditions for providing, refusing and recovering payments made to a licensee.

► Intent

To provide the Department with mechanisms to provide funding to licensees and to ensure accountabilities for funding are in place.

► In Practice

Licensees comply with conditions and requirements set out in Funding Agreements and associated Terms and Conditions documents.

Licensees advise the Department of any changes in circumstance that could lead to a funding adjustment.

Licensees advise the Department of any changes in information that was submitted through the funding application process.

Minister may approve demonstration projects

Regulation 53(1)

The Minister may approve demonstration projects designed to explore alternatives in day care services.

Regulation 53(2)

Approval for a demonstration project may be on any terms that the Minister considers reasonable.

► Intent

To allow for the development of special projects and pilot programs related to the provision of early learning and child care programs and services.

Minister may enter into agreements

Regulation 54(1)

The Minister may, on any terms or conditions that the Minister prescribes, enter into an agreement with a person, agency, organization, association, institution or other body in or outside the Province respecting fees, subsidization, capital costs, operating costs, or the establishment of facilities.

Regulation 54(2)

The Minister may enter into agreements with the Government of Canada respecting contributions to the cost of operating or providing day care in the Province.

► Intent

To authorize the Department, on behalf of the Minister, to receive and distribute funding on behalf of the Province, Government of Canada or other institutions, organizations or agencies.

► In Practice

The Department establishes clear communication and accountability requirements to ensure that funding provided to agencies and facilities is used appropriately and meets the intended outcomes.

Day care fee subsidies

Regulation 55(1)

A parent who pays another person for day care in a facility or an approved family day care home may apply to the Minister for a day care fee subsidy.

Regulation 55(2)

An application for a fee subsidy must be in the form approved by the Minister and must include all of the information required by subsection (4).

Regulation 55(3)

The Minister may determine the terms and conditions for a fee subsidy.

Regulation 55(4)

In order to determine the eligibility of a parent to receive a fee subsidy to verify information obtained from a parent in respect of their eligibility or ongoing eligibility to receive a fee subsidy, the parent must provide all of the following documentation and information at the time of application and at the request of the Minister at any time during which the parent is in receipt of a fee subsidy:

- (a) proof of age;
- (b) as applicable,
 - (i) proof of marriage,
 - (ii) proof of divorce,
 - (iii) proof of cohabitation;
- (c) proof of parentage or guardianship;
- (d) proof of citizenship or, if not a citizen, proof of residency;
- (e) proof of income;
- (f) proof of expenses;
- (g) proof of assets;
- (h) the social insurance number of each of the parents and, if applicable, the parent's spouse;
- (i) the income tax assessment form of each of the parents and, if applicable, the parent's spouse; and
- (j) an authorization for the release, obtaining or verifying of information about the parents and child, including information or documents

- (i) specified in clauses (a) to (i),
- (ii) respecting expenses,
- (iii) respecting income,
- (iv) respecting assets.**

Regulation 55(5)

If a parent refuses to provide the information, documentation or authorization required by subsection (4), the parent must be refused a fee subsidy or, if the parent is already receiving a fee subsidy, the fee subsidy must be discontinued.

Regulation 55(6)

The Minister may determine the terms and conditions for recovering a fee subsidy that was paid in error or based on false or misleading information supplied by a parent or otherwise ought not to have been paid according to these regulations or any other law, and is entitled to use any legal recourse to recover the fee subsidy from a parent.

► Intent

To allow the Minister to ensure monies expended for fee subsidies are allocated to eligible families in the manner they were intended.

► Please Note

The Child Care Subsidy Program is designed to assist Nova Scotia families with their child care expenses; to enable them to work, pursue employment, attend school, cope with family crisis, or provide for their children who have special developmental needs.

The clients of the program must meet the Child Care Subsidy eligibility criteria established by the Department of Education and Early Childhood Development.

Clients advise Department staff of any changes in their information that relates to their eligibility for Child Care Subsidy.

Annual reviews of subsidy clients are conducted by the Department. Child Care Subsidy claims submitted by facilities/agencies may be reviewed by the Department.

Advisory committee

Regulation 56

The minister may appoint a licensing review committee, a task force or an advisory committee as the Minister considers necessary for the proper administration of the Act and these regulations to carry out any duties that the minister directs.

► Intent

To provide the Minister with the authority to establish a committee, task force or an advisory committee on behalf of the Department.

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Appendix 1

Early Childhood Development Services Regional Offices

Central Region (Serves districts/counties: Halifax)

Department of Education and Early Childhood Development
Brunswick Place
2021 Brunswick Street
Halifax, Nova Scotia
B3J 2S9

Early Childhood and Community Development Specialist

Phone: (902) 424-2681

Early Childhood Development Consultants

Phone:902-717-7125
Phone:902-717-2666
Phone:902- 237-6348
Phone:902-717-2536
Phone:902-237-1772

Early Childhood Development Child Care Subsidy
General Inquiries and Intake Toll free 1-844-804-2084
General Inquiries and Intake Phone: 902-424-2084

Eastern Region (Serves districts/counties: Cape Breton, Richmond, Victoria and Inverness, Guysborough)

Department of Education and Early Childhood Development
Provincial Bldg., 218 MacSween Street Unit 3
Port Hawkesbury, NS B9A 2J9

Early Childhood and Community Development Specialist

Phone: (902) 578-1986

Early Childhood Development Consultant

Phone: (902) 565-3211

Early Childhood Development Child Care Subsidy Caseworker

Department of Education and Early Childhood Development

184 Commercial Street, Parsons Building

North Sydney, Nova Scotia B2A 3Y7

Phone: (902) 563-2750

Toll Free: 1-844-794-5110

Northern Region (Serves districts/counties: Antigonish, Pictou, Colchester, East Hants, Cumberland and Guysborough)

Department of Education and Early Childhood Development

60 Lorne Street, Room 100

Truro, Nova Scotia

B2N 3K3

Early Childhood and Community Development Specialist

Phone: (902) 578-1986

Early Childhood Development Consultants

Phone: (902) 890-8785

Phone: (902) 890-7252

Early Childhood Development Consultant Pre-primary

Phone: (902) 890-6550

Early Childhood Development Child Care Subsidy Caseworker

Phone: (902) 893-6167

Toll Free 1-844-893-6167

Western Region (Serves districts/counties: Annapolis, Digby, West Hants, Kings, Lunenburg, Queens, Shelburne and Yarmouth)

Department of Education and Early Childhood Development
460 Main Street
Kentville, Nova Scotia
B4N 1L2
Phone: (902) 679-6132

Early Childhood and Community Development Specialist

Phone: (902) 424-2681
(902) 478-0534

Early Childhood Development Consultants

Phone: (902) 599-2574
(902) 774-2334

Early Childhood Development Consultants, Pre-primary

Phone: (902) 742-0745
(902) 774-1827
Phone: (902) 483-6794 (French)

Early Childhood Development Child Care Subsidy Caseworkers

Phone: (902) 678-5108
Phone: (902) 742-0703
Toll Free: 1-877-442-4415

Phone: (902) 742-0703
Toll Free: 1-844-742-0703

Licensing Services Regional Offices - Contact Information

Halifax

PO Box 578, 2021 Brunswick Street
Halifax, NS B3J 2S9

Licensing Officers

Phone: (902) 478-4654

Phone: (902) 266-8055

Phone: (902) 456-6905

Sydney Regional Office

360 Prince Street, Suite 25,
Sydney, NS B1P 5L1

Licensing Officer

Phone: (902) 574-0460

New Glasgow District Office

161 Terra Cotta Drive
New Glasgow, NS B2H 6B6

Licensing Officer

Phone: (902) 921-1866

East Hants (Elmsdale)

15 Commerce Court, Suite 130
Elmsdale, NS B2S 3K5

Licensing Officer

Phone: (902) 751-2793

Kings District Office (Kentville)

460 Main Street
Kentville, NS B4N 1L2

Licensing Officer

Phone: (902) 670-4529

Digby District Office

84 Warwick Street
Digby, NS NS B0V 1A0

Licensing Officer

Phone: (902) 774-1432

Child Care Licensing Complaint Line 1-877-223-9555.