

# Are Ontario daycares safer following rule changes? Depends who you ask <sup>[1]</sup>

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## EXCERPTS

It's been four years since two-year-old Eva Ravikovich died of heatstroke outside of her illegally-run daycare in Vaughan, and almost two years since Ontario rolled out the Child Care and Early Years Act to make sure deaths like hers never happen again.

So are Ontario children in daycare safer now? Depends who you ask.

Ontario Early Years and Child Care Minister Indira Naidoo-Harris said the government can't guarantee that what happened to Eva won't happen again.

"What we can do is ensure that our children are safe," she said. "We put safeguards in place; those safeguards are there right now."

Naidoo-Harris spoke to CBC News on Wednesday, the day after Olena Panfilova, who owned the Vaughan daycare Eva was enrolled in, pleaded guilty to criminal negligence causing death.

At the time of the girl's death, Panfilova was taking care of 35 children at her daycare. The toddler died on July 8, 2013 when she was forgotten in a hot SUV in front of the house.

Act upped penalties, created enforcement team

Naidoo-Harris said the act, which came into effect in September 2015, was introduced "to strengthen enforcement" by creating a team to investigate complaints and proactively seek out illegal daycares on platforms like Kijiji.

The act also increased penalties for infractions to up to \$250,000, created an "online searchable database of validated complaints" for parents to check, and limited the number of children under two that unlicensed daycares can look after, explained Ministry of Education spokesperson Heather Irwin in an email to CBC News.

In Ontario, both licensed and unlicensed daycares are legal, with each subject to their own regulations. Unlicensed daycares are currently permitted to take care of five children in total — including the care providers' own children — with no more than two children allowed under the age of two.

Irwin said since the act came into existence, the government has investigated 1,269 complaints in all, resulting in 236 compliance orders.

Impact of act is 'starting to ramp up'

These measures, said Don Giesbrecht, CEO of the Canadian Child Care Federation, put Ontario ahead of other provinces.

All provinces have unlicensed daycares, he explained, but no others have taken similar steps to enforce regulations.

"The impact as I see it is really starting to ramp up now, especially with the province's commitment to create 100,000 spaces," he told CBC Toronto.

Overall, he said, the act "sent a very significant signal to unlicensed providers that if you are operating outside of the regulations, here are some very serious consequences."

Giesbrecht said he had expected other provinces to follow suit, and pointed to the case of the Saini family in British Columbia as evidence that they still might.

That family, whose 15-month-old died in a Vancouver daycare, is now calling for a major overhaul of the B.C. daycare system, with a focus on "safety, accessibility, and affordability."

Unlicensed daycare coalition says act not doing its job

Heidi Higgins, co-founder of the Coalition of Independent Childcare Providers of Ontario, said the 2015 act took aim at the wrong group, introducing regulations that make it harder for unlicensed daycares to remain solvent without seriously addressing safety concerns or

taking steps to shut down illegal daycares.

"Unlicensed care was never unsafe. Illegal care was unsafe," she said. "It doesn't matter what kind of regulations you slap on people, it's not going to stop other people from breaking the law."

Higgins said unlicensed daycares have stronger safety records than licensed daycares, citing a 2014 Auditor General report that raised red flags about the number of incidents in licensed facilities and called for the Ministry of Education to do "significantly more" to keep children safe.

The sole result of the act, she said, is that unlicensed daycares providing valuable child care spots are being forced to shut down, unable to stay afloat because of the rule limiting the number of children they can care for.

"The only thing it did is it reduced the number of children under the age of two we could take on. It didn't require, and we lobbied for it to require; CPR, first aid, carbon monoxide detectors. And they said no to all of that."

Higgins believes the act was only brought in because licensed daycares were hurting financially as a result of the introduction of full-day kindergarten.

She also believes the Ministry of Education was under pressure following Eva Ravikovich's death, since they had failed to shut down Panfilova's daycare despite being aware that she was taking care of more than five children.

Parents need to 'look, listen and feel'

Higgins, Naidoo-Harris, and Giesbrecht all come at the daycare issue from different angles, but all three agree on one thing: regulation enforcement or no, it's incumbent on parents to thoroughly investigate daycares before signing up, whether licensed or not.

Giesbrecht's Canadian Child Care Federation suggests a "look, listen and feel" approach, encouraging parents to ask questions of the care providers, including about issues like first aid training and insurance.

It's up to the parents, agrees Higgins, to visit the daycare, pepper staff with questions, and look around to assess safety. "If it's disorganized and dirty... it's probably not a good candidate," she said.

Naidoo-Harris also reminded parents that they should be in touch with the government if anything seems off.

"Parents should pick up the phone if they are worried about something," she said.

"Let us know. We have teams in place."

-reprinted from CBC News

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