

# The Ontario government's plan to loosen child-care rules is dangerous <sup>[1]</sup>

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**Source:** The Conversation

**Format:** Article

**Publication Date:** 17 Dec 2018

## AVAILABILITY

Access online <sup>[2]</sup>

## EXCERPTS

The Ontario government's proposed changes to home child-care legislation would loosen the number and ages of children that providers can care for at any one time. This is dangerous and troubling.

These changes would impact the youngest and most vulnerable members of our society. The new proposed rules were recently introduced when Todd Smith, the province's minister of economic development, job creation and trade, tabled Bill 66, Restoring Ontario's Competitiveness Act.

The Toronto Star reported that in a note to care operators, Education Minister Lisa Thompson described the proposed changes as being part of a mandate to "make life easier for all families" across Ontario.

The view that child-care regulations are unnecessary restrictions, however, is wrongheaded. The primary purpose of regulations is to protect children. There is no way that care provided under the proposed circumstances will provide children with the safe, responsive and enriching care they deserve.

Instead of the proposed reforms, we suggest a different model: Replace the existing system with one where every home that regularly cares for unrelated children for a fee must be licensed.

Will children really be safe?

Right now in Ontario, home child care (HCC) is either delivered by providers associated with a licensed agency or by unlicensed individual providers who can legally operate as long as they adhere to number and age restrictions in the Child Care Modernization Act, 2014. The proposed legislative change would apply to both the licensed and unlicensed settings.

Licensed home child care is heavily regulated, but our research shows licensed agencies run only a small proportion of total home child care.

Under the proposed changes, care providers would be allowed to care for three children instead of two children under age two, and up to six children under the age of 13 (or up to five children in the case of unlicensed providers).

Rules around the age of a care provider's own children would also change: right now, the provider's children are not counted towards the maximum number of children allowed in the home if they are aged six or older.

But under proposed changes, any children of providers aged four and older would not be included in the count of total children in care. The new legislation also allows two caregivers to work together to care for double the number of children.

The resulting prospective care scenarios have left many advocates stunned.

Why regulations are needed

The purpose of child-care regulations in Ontario and elsewhere is to ensure that children are cared for in safe and healthy environments that promote their well-being and development. More regulation and support for providers is necessary to achieve this, not less.

As recent research documents, unlike licensed home child care, unlicensed providers aren't required to pass fire inspections or health inspections. Unlicensed providers are not monitored or supported. Under the current act, regulations are enforced only as a result of specific complaints. And as recent history proves, the results can be tragic.

While the previous Liberal government was reviewing child rules leading up to the passage of the Child Care Modernization Act, four infants and toddlers died in unlicensed child care in the Greater Toronto Area over a seven-month period.

Non-standard work, non-standard care

To try to understand this sector better, we used parent surveys from the General Social Survey of Canada (2011). We found that only about 12 per cent of children who attend home child care are with licensed care providers.

We also found that parents using unlicensed home child care tend to be lower-income, less-educated and have non-standard work schedules. At least one parent, if not both, work evenings and/or weekends, making finding regulated care difficult.

Thus children from less enriched backgrounds who could benefit the most from high-quality care are most likely to find themselves in unlicensed HCC.

When we analyzed data from the General Social Survey and the Ontario government, we found many more parents report that their children are in licensed home child care than is possible given data on the number of licensed spaces.

This finding is consistent with showing that parents have important gaps in their knowledge of their child's early childhood education and care services.

Parents' lack of knowledge is not surprising given the complexity of the child-care landscape and the fact that parents are already tasked with the challenge of finding care when it is often scarce.

Thus, the burden of quality assurance belongs with government, not parents. Appropriate regulations and their enforcement are necessary.

License everyone, strengthen services

A system that establishes standards and supports that allow all home child-care providers to be licensed individually would serve Ontario's children and families far better than what we now have and what the government proposes.

Such a system would take into account the circumstances under which the care is being delivered: For example, circumstances of providing care in rural or northern regions are very different from circumstances in the large urban areas.

We propose that to be eligible for a licence, the home must: have appropriate, up-to-date First Aid training; provide a developmentally appropriate child-care setting including regular access to an outdoor play area; undergo annual health and safety checks conducted by Public Health and Fire Prevention officials; and undergo annual in-home quality assessment conducted by independent, trained observers.

But licensing of individual homes alone is not enough.

We propose that, whenever practical, all home child-care providers must participate in regular visits to community-based early years sites (hubs) dedicated to supporting HCC providers. Support would be given through: professional development; registry and referral services; equipment loans; back-up service arrangements; administrative support including, potentially, fee collection. Scheduled and unscheduled home visits would also be required.

We estimate that, depending on the actual program configuration, the per child cost of our entire proposal would be between 30 and 40 per cent of the cost under the current licensed HCC agency system.

Given how little is known about home child care, licensed and unlicensed, as it's delivered in Ontario, it is time to find out the facts, learn from them and use them to guide future decisions.

It is not the time to relax the very limited regulations that are in place to protect our youngest citizens.

**Related link:**

**Region:** Ontario <sup>[3]</sup>

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