

New, stricter rules could see child-care centres lose licences over missing background checks ^[1]

Changes come one year after concerns raised by P.E.I.'s auditor general

Author: Campbell, Kerry

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P.E.I Auditor General Report ^[3]

EXCERPTS

P.E.I.'s Department of Education will roll out a new, more stringent regime for licensing and inspecting child-care centres on April 1.

The move will come more than a year after the province's auditor general laid out concerns she said could allow centres to continue to operate even while failing to meet provincial criteria meant to protect the health and well-being of children.

At a meeting of the province's public accounts committee Tuesday, director of early childhood education Doreen Gillis told MLAs that starting April 1, the department will no longer remain "flexible" with centres applying for a licence renewal without providing all necessary documentation, including staff criminal record and vulnerable sector checks.

Gillis explained that in the past, the province would "work with those centres" that applied for a licence renewal without providing all necessary documentation, allowing them to continue to operate even past their date of renewal.

"So we wouldn't suspend their licence, but we wouldn't issue their renewal," Gillis said. "We would just hang onto it until we received all that information."

Stricter policy

But starting April 1, Gillis said a centre that reaches the cut-off date for its three-year licence renewal without submitting all necessary documentation will have its licence expire and have to work with the department to have it reinstated.

That would rob a centre of provincial funding and limit it to providing care to five to seven children, the maximum allowed at an unlicensed daycare on P.E.I.

Criminal record and vulnerable sector checks have been required under legislation for all child-care centre staff since 2017. But in her 2019 report, P.E.I.'s Auditor General Jane MacAdam found 30 per cent of licence applications were approved even though the operators did not submit checks for all staff.

Some other key findings from the AG's report:

- Licensed child-care centres were not inspected on a timely basis. In one-third of licence renewals granted by the province the centre had not been inspected for more than a year.
- There was no policy to guide inspectors regarding what possible infractions should result in an overall finding of unsatisfactory in an inspection report.
- Thirty per cent of centres tested by the AG's staff could not produce documentation to show a fire inspection had been passed within one year of their most recent licence approval. In five other cases there were fire code violations on file, but no documentation to show those violations had been addressed.

New policies now specify child-care centres are to be inspected every 12 months, and lay out "key violations" which lead to an unsatisfactory inspection report, including:

- Failing to maintain current personnel records on file including criminal record and vulnerable sector checks for each employee.
- Failing to meet legislated staffing requirements and staff-to-child ratios.
- Leaving children unsupervised.
- Hazards deemed to pose an "immediate danger" during an inspection will lead to an overall unsatisfactory rating.

Centres with one or more key violations during an inspection will have to post the report for parents to see, and provide the department with a written plan of action to address the issue within one to three business days.

Gillis said the department is still working on a policy to ensure all licensed child-care centres maintain current, satisfactory fire inspection reports. MLAs were told that policy will be completed in early 2020.

The province has organized a series of meetings to go over the new policies with child-care centre operators. The first such meeting is scheduled for Tuesday evening with French operators.

Still some concerns

Opposition education critic Karla Bernard, who attended Tuesday's committee meeting, raised concerns that criminal record checks are only required with staff at licensed child-care centres. There is no similar requirement for operators of unlicensed centres.

"Anything you do these days requires a criminal record check if you're going into the schools," said Bernard in an interview after the meeting. "I think the same would be applied to employees trying to work with children every single day."

Gillis said the only stipulation the province has put on unlicensed child-care centres is that they provide care for a maximum of five to seven children, depending on their age.

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