

Alberta issued 91 stop work orders to unlicensed daycares in two years ^[1]

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Excerpts

The provincial government issued 91 stop orders to unlicensed day homes between February 2021 and December 2022, including 21 that cited an “imminent threat” to children in care.

The numbers were released in a freedom of information response to the advocacy group Mackenzy’s Legacy. The documents showed 71 stop orders were issued for overcapacity issues and 21 for imminent threat — one was issued for both. Jen Woolfsmith, co-founder of Mackenzy’s Legacy, called the numbers shocking and heartbreaking.

Woolfsmith is the mother of Mackenzy Woolfsmith, a 22-month-old girl who died in 2012 after suffering multiple blunt-force trauma injuries while in the care of a private daycare operator.

“In my mind, I would have expected a couple (of stop orders), a handful — no more than 10 a year,” said Woolfsmith. “This is a complaint-driven process, it’s entirely voluntary, so it probably represents the tip of the iceberg of what’s actually happening.”

‘We have to stop ignoring unlicensed care’

Under provincial regulations that came into effect in February 2021, after legislation around child care was amended, the provincial government has the authority to investigate unlicensed daycares when there is a complaint that there are more than six children being looked after, or if there is an imminent threat to the “health, safety or welfare of any children.” Children’s services can issue and enforce a stop order if either of those concerns are confirmed.

A stop order issued over an imminent threat if the conduct of a provider or the conditions of the daycare environment poses a threat to the health, safety or well-being. Examples of such threats include environmental safety hazards, physical punishment or a lack of supervision or medical care.

Shelby Stewart, co-founder of Mackenzy’s Legacy, said the stop order system is reactive rather than one that proactively stops children from being put in harm’s way. Stewart and Woolfsmith said that while legislation around child care was amended in 2021, they feel as though unlicensed practices are being put on the back burner and safety issues at such locations still need to be addressed.

“The majority of our kids are currently in this care and will be for the foreseeable future. With the way our child-care system is set up, we have to stop ignoring unlicensed care,” said Stewart. “We have always said, from the beginning of our advocacy work, we do support unlicensed care — we see the value in it, it fits for families . . . but we have an obligation to make sure there’s oversight and regulation for that type of care. We cannot be sending our children into homes where we have no idea who’s running it, who’s providing the care or what their background is.”

Province urged to adopt safety measures

Woolfsmith said it has been 11 years since her daughter died and four years since a judge issued recommendations to improve safety at day homes following a fatality inquiry into Mackenzy’s death, but that the latest data show children are still being harmed.

She said there needs to be a barrier to enter the space for operators, such as a business licence requirement, as well as a background check and CPR training requirements. Woolfsmith said operators also need to be supported in the work they do.

“You can’t just have a fly-by or a pop-up day home situation where somebody’s perhaps strapped for cash and, on a Thursday night, can say, ‘Oh, I’ll put an ad on Kijiji and I’ll have a full roster of kids in my home by Monday,’ ” said Woolfsmith.

After lobbying efforts by Mackenzie’s Legacy, the City of Calgary adopted a bylaw last September requiring day home operators to have a business licence and to meet a number of other basic requirements. A group of councillors are now leading an effort to have the province adopt such measures provincially.

Smith and Woolfsmith are hopeful the province is open to improving standards at such locations. They said they have not met with

Children's Services Minister Mickey Amery, but said protecting children's safety should be a non-partisan issue.

They are urging the province to continue implementing the recommendations from Mackenzy's fatality inquiry. Those recommendations called for improvements around staffing levels, supports for operators and creating a proactive enforcement environment, among other measures.

Chinenye Anokwuru, Amery's press secretary, said the government has taken a number of steps to address recommendations coming from the fatality inquiry, including the legislation allowing for stop work orders, creating a child care telephone line and increasing requirements for licensed daycares to report to inform parents of safety issues.

"If a stop order is issued, subsequent surveillance or inspections must take place to confirm compliance with the stop order. Children's Services conducts follow-up surveillance until a complaint has been confirmed or refuted, and until the provider complies with a stop order and ceases operation," said Anokwuru. "If a provider continues to provide child care after a stop order has been issued, a court-issued stop order may be required. If it is determined the threat has been remedied, Children's Services can rescind the stop order."

She said if parents have a concern or complaint about a child-care centre they can call Child Care Connect toll-free.

Region: Alberta ^[3]

Tags: unlicensed ^[4]

home child care ^[5]

safety ^[6]

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