

No privacy concerns in releasing daycare complaints ^[1]

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EXCERPTS:

Ontario's privacy commissioner says there are no privacy concerns that would prevent the government from releasing complaints against unlicensed daycares to the public.

"My office recently spoke with the Ministry of Education and we clearly outlined that there are no privacy issues with releasing non-personal, business information regarding unlicensed daycare investigations or occurrences," Ann Cavoukian wrote in a statement emailed to the Star.

After the death of a 2-year-old girl at an unlicensed home daycare in Vaughan this month, it emerged that the province enforces a double standard when releasing complaints against daycares.

Complaint reports at licensed daycares are posted publicly for 10 days and are available by request from the Education ministry for two years after the incident.

Yet complaints made against unlicensed daycares - an unknown number of which care for an estimated 80 per cent of children in the province - were not being made public due to "privacy concerns."

After first saying that parents would have to file a Freedom of Information request to find out if their child's unlicensed daycare had received a complaint, Education Minister Liz Sandals now says parents can call their local Child Care Quality Assurance and Licensing Office, where the requests will be treated on a case-by-case basis.

But Cavoukian says this kind of caution is unnecessary and that the information should be made available proactively online.

"The Ministry should be able to release the same type of information from an unlicensed daycare (to the extent which they have collected it) as they would from a licensed daycare. This will lead to greater transparency and will create a culture of accountability - a win-win situation for everyone involved," she wrote.

Minister of Education spokesperson Lauren Ramey says the government has been studying changes to the Day Nurseries Act, which governs child care, for more than a year.

When reforms are brought in, complaint reports on licensed child care centres - called "serious incident notification forms" - will be posted online alongside the annual inspection reports currently available at the Licensed Child Care Website.

She could not say whether complaints against unlicensed daycares would also be posted, explaining that the new law will have to balance privacy with disclosure, but must also take into account the severity of the complaints against unlicensed daycares.

"Private unlicensed daycares are often ignorant of the law (that limits them to caring for five children under 10 other than their own)," Ramey said. After an inspection and immediate correction, she questioned whether it would be appropriate to post that complaint beside the more flagrant infractions found in Vaughan, where inspectors say 27 kids were present when one was found dead.

NDP children and youth services critic Monique Taylor says the government has been dragging its feet on reforming child-care law.

The vast majority of families in the province use unlicensed care and the NDP has called on the government to put all complaints against these centres into a database immediately, she said.

"They've already got the information; they've already got the system; all they have to do is plug it in," Taylor said. "The government needs to step up and say people have the right to this information . . . and give parents the tools they need to make decisions on the safety of their children."

-reprinted from the Toronto Star

Region: Ontario ^[2]

Tags: unregulated ^[3]

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