

Ontario to close private school daycare loophole ^[1]

Author: Chown Oved, Marco; Ballingall, Alex & Monsebraaten, Laurie

Source: Toronto Star

Format: Article

Publication Date: 3 Dec 2013

EXCERPTS

The provincial government is taking action to close the loophole that allows some daycares associated with private schools to operate without a licence, the Star has learned.

In legislation to be introduced Tuesday, the minority Liberal government will be making several changes to the Day Nurseries Act, which governs all child care in the province.

According to a non-government source who was briefed on the legislation, the reforms will include ending the licensing exception for daycares associated with private schools that have been operating since before 1993, a loophole highlighted in an article published over the weekend.

Under the exception, those daycares are able to operate without any rules whatsoever. This puts them in stark contrast to licensed child-care centres, which must follow a laundry list of regulations and even unlicensed daycares, which are limited to taking care of five children under the age of 10 other the caregiver's own.

Currently, licensed child-care centres only have enough room for 20 per cent of children under 12 in the province, leaving parents of the other 80 per cent to seek out unregulated care, where there is little oversight and less enforcement of scant rules.

Progressive Conservative education critic Rob Leone says the government has been dragging its heels on an issue that affects the safety of our children.

"The government identified the problem several months ago and they've taken so long to actually try to solve that problem, and it's completely unacceptable because we have our children's safety at risk," he said.

This lack of oversight has been the subject of four public inquiries since the 1980s, although the province has not acted on any of their recommendations.

The issue flared up again in July, after two toddlers, Allison Tucker and Eva Ravikovich, died in unlicensed care in the Toronto area. The Ministry of Education admitted it had neglected to follow up on four complaints about the Vaughan home where Eva died and suspended two employees, prompting the 2-year-old's parents to file a \$3.5-million lawsuit against the province and the owners and operators of the unlicensed daycare business.

A third child, Aspen Juliet Moore, was found dead in an unlicensed home daycare in Markham last month.

At the request of the provincial NDP, Ontario ombudsman André Marin is reviewing the education ministry's handling of unlicensed daycare complaints, going back to July 2012, when the ministry took on responsibility for child care.

The education ministry only inspects unlicensed daycares when it receives complaints, and only has power to enforce the number of children in attendance. To increase transparency, the Liberal government has promised to create an online database where parents can search to see whether unlicensed daycare providers have been found to be illegally overcrowded in the past. The Ministry of Education has said this information will be available online by "winter 2014."

The database, however, will not include details of inspections carried out by the ministry, or by officials from public health and bylaw agencies. Documents obtained by the Star, which detailed nearly 300 unlicensed daycare inspections from July 2012 to July 2013, revealed a number of health and safety concerns that were flagged at daycare businesses deemed legal because they weren't looking after more than five kids under age 10. These included children sleeping on a wet mattress in a stuffy room, unfenced backyard pools and apparent lack of proper supervision.

The province employs 54 "program advisers" who are responsible for investigating unlicensed daycares. Since 2000, courts have imposed 55 fines on illegal daycares in Ontario, ranging between \$250 and at least \$3,000 for having too many kids. The ministry receives between 200 and 300 complaints about unlicensed daycares each year, according to a spokesperson.

NDP Children and Youth Services critic Monique Taylor, who hasn't yet seen the proposed legislation, said the private school loophole is "absolutely unacceptable."

"Affordable, safe child care is what we need," she said. "We have to make sure we have a system that families can count on."

In the long run, Taylor said she would like to see all daycares in the province brought under some sort of regulatory system.

"There has to be some form of regulation across the board because yes, there are good people doing great work out there, but there are people who abuse it," she said. "Parents need to know that they can rely on a system that's safe. And, as it sits right now, parents have no idea of what's safe and what's not. They're taking things at face value and that doesn't seem to be working."

The Conservatives don't support mandatory regulation of all child care, but Leone says minimum safeguards still need to be in place everywhere.

....

- reprinted from the Toronto Star

Region: Ontario ^[2]

Source URL (modified on 27 Jan 2022): <https://childcarecanada.org/documents/child-care-news/13/12/ontario-close-private-school-daycare-loophole>
Links

[1] <https://childcarecanada.org/documents/child-care-news/13/12/ontario-close-private-school-daycare-loophole> [2]

<https://childcarecanada.org/taxonomy/term/7856>