# Home Child Care Agency Policy for Monitoring Compliance and Contraventions

Name of Home Child Care Agency: Click here to enter text.

Date Policy and Procedures Established: Click here to enter text.

Date Policy and Procedures Updated: Click here to enter text.

## Purpose

This policy sets out the process that will be followed to monitor the implementation of our policies, procedures and individualized plans on an ongoing basis.

The policy sets out how compliance and contraventions (non-compliance) with the policies, procedures and individualized plans listed below will be monitored, recorded and addressed.

This document is intended to fulfill the obligations set out under Ontario Regulation 137/15 for written policies and procedures for monitoring, recording and addressing compliance and non-compliance with policies, procedures and individualized plans for child care centres.

Policies and procedures required under the *Child Care and Early Years Act, 2014*:

* Provision of Equipment
* Standing Bodies of Water
* Anaphylactic policy
* Sanitary Practices
* Sleep Supervision
* Serious Occurrence
* Drug and Medication Administration
* Supervision of Volunteers and Students
* Program Statement Implementation
* Staff Training and Development
* Police Record Check
* Fire Evacuation
* Waiting List
* Parent Issues and Concerns

Individualized plans required under the *Child Care and Early Years Act, 2014*:

* Anaphylaxis
* Special Needs
* Medical Needs

Other policies and procedures developed by the home child care agency:

* [insert additional policies and procedures]

Note: definitions for terms used throughout this policy are provided in a Glossary at the end of the document.

## Policy and Procedures for Monitoring Compliance and Contraventions

1. Monitoring and Observations

* [Name of home child care agency] will monitor each home child care agency staff, provider, student, volunteer and other person regularly present or ordinarily resident at a premises is to assess whether policies, procedures and individualized plans are being implemented, as follows:
* [Insert role] will observe and monitor the home child care provider
* [Insert role] will observe and monitor placement students;
* [Insert role] will observe and monitor volunteers; and
* [Insert role] will observe and monitor the other persons regularly present or ordinarily resident in a home child care premises.
* Monitoring and observations will be conducted on an ongoing basis through various means including, but not limited to:
* participating regularly and informally in the program at a home child care premises;
* collecting feedback provided from families; and
* reviewing written documentation (e.g. medication administration forms, daily written record, attendance records, etc.).
* Home child care agency staff, students, volunteers, home child care providers and other persons regularly present or ordinarily resident at a home child care premises are encouraged to raise questions or concerns to the home visitor about their own observations of others in order to encourage ongoing learning and constructive feedback.
* Monitoring will be conducted at different times of the day (e.g. morning, afternoon, periods of arrival/departure, rest periods, meal times, outdoor play periods, transitions, etc.) to observe that policies, procedures and individualized plans are being implemented as required for different parts of the program and daily routines.
* [insert additional monitoring and observation requirements]

1. Documentation and Records

* Monitoring and observations will be recorded. Records of monitoring and observations may be documented using the template found in Appendix A or the Standard Home Visitor Checklist.
* Documentation of observations will be completed at the time the observations are made or at least [insert frequency] times a year and will include concrete examples of observed compliance and non-compliance.
* All records will be stored in [insert secure location] for at least three years from the date they are created.
* [insert additional monitoring and record requirements]

1. Follow-up

* Any areas of concern with an individual’s ability to comply with policies, procedures and individualized plans will be brought forward to [Insert role].
* [Insert role] will address their observations through a review and discussion with the individuals observed and will seek to or provide them with supports to achieve compliance as needed (e.g. additional training).
* [insert additional follow-up requirements]

1. Dealing with Contraventions of Policies, Procedures or Individualized Plans:

* [Name of home child care agency] will make every effort to clarify expectations, and encourages home child care agency staff, students, volunteers, home child care providers and other persons regularly present or ordinarily resident at a home child care premises to raise their questions and concerns about implementing policies, procedures and individual plans on an ongoing basis. However, these individuals need to understand that all non-compliances will be recorded and addressed.
* Progressive discipline, up to and including dismissal or agreement termination, may be used to address observed non-compliance with policies, procedures and individualized plans, taking into consideration the nature and severity of the incident, and the individual’s history of previous non-compliances.
* Where a home child care visitor, student or volunteer is observed to be non-compliant, the home child care agency will take one or more of the following actions:
* Inform the individual that a non-compliance was observed, including the review of records or documentation that provide evidence of the non-compliance;
* Re-review the relevant policies, procedures, and/or individualized plans with the individual;
* Issue a verbal warning;
* Issue a written warning;
* Inform any relevant parties (e.g. College of Early Childhood Educators, College of Teachers, College of Social Work and Social Services, the contact person for the program from which a student has been placed, CAS, police, etc.); and/or
* Report violations with the College of Early Childhood Educators’ Code of Ethics to the College.
* [insert additional follow-up actions]
* Where a provider and/or a person regularly present and/or ordinarily resident at a premises is observed to be non-compliant, the home child care agency will take one or more of the following actions:
* Inform the individual that a non-compliance was observed, including the review of records or documentation that provide evidence of the non-compliance;
* Re-review the relevant policies, procedures, and/or individualized plans with the individual;
* Issue a verbal warning;
* Issue a written warning;
* Temporarily close the home child care premises for [insert amount of time, based on severity];
* Terminate the active agreement with the home child care provider; and/or
* Inform any relevant parties (e.g. College of Early Childhood Educators, College of Teachers, College of Social Work and Social Services, the contact person for the program from which a student has been placed, CAS, police, etc.);
* [insert additional follow-up actions]
* Where an observed non-compliance meets the criteria for a reportable serious occurrence (e.g. an allegation of abuse or neglect), the serious occurrence policy and procedures will be followed.
* Where appropriate, the home child care agency will follow up with the family of a child in accordance with our policies and procedures on parent issues and concerns.
* [insert additional policies and procedures]

### Additional Policies and Procedures

Consider including additional policies and procedures, where applicable, e.g. relevant information from collective agreements, the process and frequency for reviewing policies, procedures and individualized plans, the process for reviewing observations with individuals including frequency of review, how to address observations brought forward by other persons (e.g. neighbours, children), what additional measures and/or training will be undertaken to ensure compliance with policies, procedures and individual plans, etc.

Click here to enter text.

## Glossary

*Licensee*: The individual or corporation named on the licence issued by the Ministry of Education responsible for the operation and management of the home child care agency.

*Student*: Individual enrolled in an education program/school and is completing a placement.

*Volunteer:* Any individual who is engaged in the child care program and interacts with the children in care, but is not paid by the licensee.

[insert additional definitions here]

### Regulatory Requirement - Ontario Regulation 137/15:

6.1

1. Every licensee of a child care centre or home child care agency shall have written policies and procedures that set out,
2. how compliance with the policies, procedures and individualized plans will be monitored on an ongoing basis, recorded and addressed; and
3. how contraventions of the policies, procedures and individualized plans will be monitored on an ongoing basis, recorded and addressed.
4. Every licensee shall ensure that records of compliance or contraventions are kept in accordance with section 82.

**Disclaimer:** This document is a sample of a process that has been prepared to assist licensees in understanding their obligations under the CCEYA and O. Reg. 137/15. It is the responsibility of the licensee to ensure that the information included in this document is appropriately modified to reflect the individual circumstances and needs of each home child care agency it operates and each premises where the licensee oversees the provision of home child care.

Please be advised that this document does not constitute legal advice and should not be relied on as such. The information provided in this document does not impact the Ministry’s authority to enforce the CCEYA and its regulations. Ministry staff will continue to enforce such legislation based on the facts as they may find them at the time of any inspection or investigation.

It is the responsibility of the licensee to ensure compliance with all applicable legislation. If the licensee requires assistance with respect to the interpretation of the legislation and its application, the licensee may wish to consult legal counsel.