Serious Occurrences
What Child Care Centres and Home Child Care Agencies Need to Know

The new Child Care and Early Years Act, 2014 (CCEYA) and its regulations include provisions to ensure that there is a plan to deal with any serious incidents that may affect the health, safety and well-being of children and that these serious incidents are reported to the Ministry of Education, tracked and followed up on.

What type of incident is considered to be a serious occurrence?

A serious occurrence is defined under the CCEYA as:

a) the death of a child who receives child care at a licensed home premises or child care centre;

b) abuse, neglect or an allegation of abuse or neglect of a child while receiving child care at a home premises or child care centre;

c) a life-threatening injury to or a life-threatening illness of a child who receives child care at a home premises or child care centre;

d) an incident where a child who is receiving child care at a home premise or child care centre goes missing or is temporarily unsupervised, or

e) an unplanned disruption of the normal operations of a home child care premises or child care centre that poses a risk to the health, safety or well-being of children receiving care at a home child care premises or child care centre.
Why did the Ministry of Education remove complaints about operational, physical or safety standards at a home child care premises or child care centre from the definition of a serious occurrence?

Licensees are responsible for managing complaints that they receive. If a licensee receives a complaint about an incident that relates to a defined serious occurrence category, the incident should be reported to the Ministry of Education under the appropriate category. The complaint itself does not need to be reported to the ministry.

The Ministry of Education follows up on all complaints received from the public and other regulatory authorities about licensed child care programs. These complaints are tracked separately in the Child Care Licensing System.

Effective September 1, 2017, the Ministry of Education will require licensees to have a conflict resolution policy in place to support open discussions between licensed child care providers and parents through a fair and transparent process. This new requirement is intended to set out clear and consistent standards for licensed child care providers to ensure issues and concerns are addressed in a timely and transparent manner. This is not intended to replace requirements ministry processes related to reporting serious occurrences, but rather support communication and positive relationships between licensees and parents.

Who needs to report a serious occurrence to the Ministry of Education?

Licensees, designates, or supervisors are required to report any serious occurrence to the Ministry of Education within 24 hours of becoming aware of the incident. It is important to note that the 24-hour window to report a serious occurrence begins as soon as the licensee, delegate, or supervisor becomes aware of the incident.
How do I report a serious occurrence?

Licensees, designates, or supervisors are required to notify their program advisor of any serious occurrences through the Child Care Licensing System (CCLS). If the individual cannot access the CCLS, they must notify their program advisor via telephone or email within 24 hours of becoming aware of the incident and complete a Serious Occurrence report in the CCLS as soon as the system becomes available.

Do licensed home child care providers need to report serious occurrences that involve privately-enrolled children to home child care agencies?

Yes, in the event of a serious occurrence in a home, regardless of whether or not the affected child was enrolled by the agency, providers must report the occurrence to the agency and the agency is required to report the serious occurrence to the Ministry of Education. Reporting the event will provide the home child care agency and the Ministry of Education with a better understanding of the events occurring in a licensed home child care premises.

Are there other serious occurrence requirements?

Yes, licensees are required to conduct an annual analysis of all serious occurrences as a method of identifying issues and/or trends. As part of this analysis, they must also document the actions taken in response to the analysis, and maintain a record of this analysis. Ministry of Education licensing staff will review the annual reports during licensing inspections.

Licensees are also required to have a serious occurrence policy that addresses how to identify a serious occurrence; respond to a serious occurrence; and report a serious occurrence. Furthermore, licensees are required to ensure that all legislated policies and procedures are implemented, and reviewed and monitored on a regular basis. When licensed child care providers, employees, volunteers, and students regularly review and monitor policies and procedures that support the delivery of the program, they are more aware of their roles and responsibilities and are better equipped to provide for the health, safety, and well-being of children receiving child care.
How long are licensees required to keep records for serious occurrences?

Licensed child care centres and home child care agencies must ensure that their record keeping is up-to-date and that all records related to children, including those related to serious occurrences such as notification forms and annual analysis report are kept in a secure location for a minimum of three years from the date the records were made. However, records created under the *Day Nurseries Act* must be kept for two years from the date the record was made.

Do I have to report a situation where a child discloses abuse that occurred outside of child care?

Licensees and staff members should be aware of and understand the reporting obligations imposed by section 72 of the *Child and Family Services Act*, which requires that a person with reasonable grounds to suspect that a child is or may be in need of protection must report that to a Children’s Aid Society.

For more information on the Child and Family Services Act and the duty to report, see *Reporting Child Abuse and Neglect: It’s Your Duty*.

Licensees should only report a serious occurrence if the allegation of abuse or neglect has been made against an employee of the child care centre or a provider at a home child care premises, or any other person while the child is present at a child care centre or home child care premises.

Where can I find more information?

To access the Child Care Centre Licensing Manual, sample forms, and other resources please visit the *Child Care Licensing Portal*.

You may reach the licensed child care helpdesk at 1-877-510-5333.