



**December 1, 2017**

Shannon Fuller  
c/o Early Years and Child Care Division  
Ministry of Education  
900 Bay Street, 24th floor Mowat Block  
Toronto, ON M7A 1L2

**RE: Proposed Regulatory Changes under the *Child Care and Early Years Act* posted on October 2, 2017**

Established in 1950, the Ontario Municipal Social Services Association (OMSSA) is a non-profit organization whose members are the Consolidated Municipal Service Managers (CMSMs) and District Social Services Administration Boards (DSSABs) across Ontario

The Ministry of Education has proposed new regulations for the *Child Care and Early Years Act* that will amend and add to O. Reg. 137/15 (General) and O. Reg. 138/15. OMSSA appreciates our relationship with the Child Care and Early Years division and our members have been consulted frequently as changes take place in the sector. OMSSA members are pleased with the new funding and the priority the government has placed on affordable quality child care in the Province of Ontario. On balance, OMSSA full supports the proposed regulation changes.

The Ministry is proposing regulatory changes in the following key areas:

- A. Reduction of Administration Burden
- B. Enhanced Enforcement
- C. Recreation
- D. Funding
- E. Age Groupings and Ratios
- F. Technical Amendments.

OMSSA applauds reducing the administrative burden for child care licensees and removing duplicative requirements. The changes add clarity to the regulations. Reducing the administrative burden and reporting requirements allows for more time to focus on providing affordable child care within Ontario communities.

The Ministry is proposing to remove administrative documented requirements around policies, procedures and individualized plans. With the removal of this regulatory requirement, licensees (child care centres) are not required to obtain a record of review (i.e. date and sign-off) from every individual with whom a review is conducted. This proposed change is in response to feedback the Ministry received from licensees regarding the administrative burden of obtaining records of review, particularly in a home child care setting. Licensees will continue to be responsible for ensuring the implementation of policies, procedures and individualized plans. Ministry staff will continue to monitor the implementation of policies, procedures and individualized plans by observation, and will evaluate compliance against policies, procedures and individualized plans by observation only.

OMSSA supports and encourages the evaluation of policy compliance, however, without sufficient and appropriate evidence and documentation, issues of policy non-compliance are difficult to address. It is considered a best practice that organizations have a documented process where significant policies and procedures are regularly reviewed and signed off to ensure understanding and acknowledgement of implementation implications and this is OMSSA's recommendation.

With respect to policies, procedures, and individualized plans (Section A), our members suggest that the Ministry should also eliminate the requirement for a separate anaphylaxis plan in order to further reduce duplication and streamline requirements for licensees. Any child with a severe allergy, and required actions, can be identified in the Individual Medical Plan, making the two plans redundant. This requirement also suggests that anaphylaxis is more important than other serious medical issues such as asthma and epilepsy.

With respect to federal legislation for cradles, cribs and play pens, some members are concerned around the potential impact on safety. The current wording provides more clarity on what is considered acceptable and what is not.

On the Chief Medical Officer of Health (MOH) Recommendations, OMSSA is supportive. However, with a timeline of July 1, 2018, our members are still required to have all staff comply with the region's MOH expectations for January 1, 2018. A timeline change to July 1, 2018 should be considered.

Removing the requirement for the Ministry to monitor the "clean condition" of play materials and equipment is a positive step towards reducing similar requirements between licensing standards and local public health expectations.

OMSSA overall is supportive with the proposed changes, however, specifically with regard to the \$1000 penalty, we question if this is reasonable. Sometimes, this may be out of the control of service managers. Flexibility under these circumstances should be considered when enforcing the penalty.

OMSSA supports the proposed changes for enhanced enforcement to safeguard the health and safety of children. Our members have no significant concerns with the proposed changes in this area.

OMSSA supports providing clarification on which recreation programs are required to have a child care license. Our members have no significant concerns with the proposed changes in this area.

OMSSA supports provisions to align current language in the regulations with existing funding policies and practices.

With respect to age ranges, ratios and group sizes, when previous changes in these areas have been proposed, some members have recommended more research and engagement as well as an evaluation framework. Because Schedule 2 was introduced without these critical steps, OMSSA supports its removal from the regulations. Members, including the City of Toronto, are willing to participate, with other partners, on future efforts to improve these licensing standards.

OMSSA supports the technical amendments proposed in the regulation changes.

Although not identified within this round of regulatory changes, it is recommended that the Ministry consider updates to the regulatory framework for child care fee subsidy. The current financial threshold for families to qualify for fee subsidy is \$20,000 in annual income. It is recommended that the financial threshold for families to qualify for child care fee subsidy be increased to match the Low Income Measure After-Tax (LIM-AT) thresholds, adjusted for family size and indexed to inflation. This will qualify additional children in need of child care support.

OMSSA appreciates the opportunity to provide feedback on the proposed regulations to the Child Care and Early Years Act. OMSSA stands ready to work as a partner towards implementing the proposed regulation changes and modernizing the child care sector in the Province of Ontario.

Personal regards,

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