

Alberta Child Care Licensing Handbook



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Introduction

If you are a child care program licence holder or a prospective licence holder, you may find this handbook helpful. When used in conjunction with the Child Care Licensing Act and Regulation, the handbook can be an important point of reference. This handbook does not supersede the Act or Regulation. The handbook provides information about terms used in the legislation, how you can apply for or renew a child care licence, as well as what is involved in the inspection and monitoring of licensed child care programs in Alberta.

The handbook provides information about the tools available to licence holders during the term of their licence, as well as what to expect when a program is in non-compliance to the legislation and enforcement action is taken. Additional information about the application and licensing process, the Act and Regulation and general information about licensed child care programs in Alberta may be obtained from the Alberta Human Services website by visiting www.humanservices.alberta.ca/family-community/child-care.html.

The Act gives Alberta Human Services the authority to licence, inspect and monitor child care programs. Alberta's Child and Family Services (CFSs) are responsible for carrying out this role. Your local CFS can be found through the Alberta Human Services website by visiting www.humanservices.alberta.ca and are listed on the last page of this handbook.

The Regulation sets out the requirements that licence holders must follow to help protect the safety and well-being of children attending licensed child care programs. Child Care licensing staff are trained to monitor child care program's compliance with the legislation. Licensing staff are also available to provide assistance and answer questions.

Licence holders are responsible for being familiar with the legislative requirements set out for a licensed program and ensuring that their program adheres to the legislation.

Terms

This section outlines phrases and terms used in the *Child Care Licensing Act* and Child Care Licensing Regulation.

Accident

An unexpected or unintended occurrence that results in injury to a child or staff member of a child care program. When an accident has occurred, necessary medical attention must be given to the child and parents must be notified immediately.

If the accident results in serious injury requiring emergency medical attention or overnight hospitalization it must be reported as an incident to the regional licensing office.

Adequate

Sufficient to meet the particular needs of each child and/or staff member.

After hours

Outside the program's official hours of service, as stated in the program plan.

After hours emergency program contact

A telephone number to contact a licence holder or representative in the event of an emergency, incident or an unusual occurrence. The contact number must be for someone who will be able to effectively respond in an emergency or unusual event.

Attendance records

These are the records that detail the arrival and departure time(s) of each child and primary staff member. In the case of staff, attendance records must specify the number of hours spent caring for children. There is no prescribed format for recording or

maintaining attendance records.

However, licensing staff must be able to determine from the records whether the program is meeting staff to child ratios and staffing requirements.

Child and Family Services (CFSs)

The 7 CFSs are part of the Ministry of Human Services. They deliver Ministry programs including child care licensing, subsidy and the provincial family day home program.

Child discipline

The approach and methods used by a child care program to help children learn appropriate behaviours, develop self-control, and make good choices.

Positive discipline gives children a sense of security, protection and creates positive, safe and appropriate environments for children. Any discipline used must be reasonable in the circumstances.

Community resources

Local resources that offer recreational, educational or therapeutic services for children in the program.

Child care philosophy

A description of the licence holder's vision of a child care program; the beliefs and values on which the program will be based; how the staff and children interact; and how the program will challenge children to develop socially, physically, emotionally, intellectually and creatively.

Terms

Diarrhea

A condition in which feces are discharged from the bowels frequently and in liquid form.

Easily accessible washrooms

Washrooms that children can access from both indoor and outdoor activities. Staff must be able to adequately supervise while children are using washrooms. In accordance with their developmental needs, children can use washrooms privately and independently.

Emotional deprivation

Emotional deprivation can include withholding appropriate affection, comfort or cognitive stimulation to a child. The Regulation prohibits the use of emotional deprivation as a form of child discipline.

Extended absence

An absence that is longer than 21 days in length.

First aid certification acceptable to the Director

An up-to-date first aid certificate is required. Some examples of first aid courses that may be suitable can be found at www.work.alberta.ca by searching for first aid or by calling 310-0000 (toll-free across Alberta). The courses found at this site are intended to support the first aid requirements of workplaces under the Occupational Health and Safety Act, Regulation, and Code.

Group

A given number of children assigned to a primary staff member.

Health care

The provision of a treatment or care, excluding first aid, that is intended for children with a chronic disability or illness and can include feeding through a tube, special diets, and administration of emergency medication.

Home address

The official address to enable the location of the person's residence in an emergency.

Ill Child

A child is considered ill when they exhibit any of the following signs or symptoms: vomiting, fever, diarrhea or a new unexplained rash or cough. A child can also be considered ill if they require greater care and attention that cannot be provided without compromising the care of other children or if a staff member knows or believes the child poses a health risk to other persons on the program premises.

In ratio

Primary staff member(s) are in ratio when they actively provide care and supervision to a group of children.

Incident

An emergency or an unusual occurrence or event during the program's hours of operation that affects a child's safety or that causes or has the potential to cause harm to a child's health or well-being. See Part 3 for a list of incidents that must be reported to the local licensing office.

Terms

Licensed capacity

The maximum number of children allowed to be cared for on the program premises at one time. This is not necessarily the sum of each program type's capacity but rather the largest number of children that could be cared for at one time on the program's premises. The capacity indicated on a licence to operate a child care program may differ from the capacity approved by other authorities such as fire, health or building. Licence holders are responsible for complying with all requirements.

Medication

Includes prescription drugs, over the counter drugs and/or herbal remedies.

Medication needed in an emergency

Either a prescribed drug or over the counter drug.

Non-compliance

Failure or refusal to comply with the requirements outlined in the Child Care Licensing Act or Regulation.

On duty

A staff person or volunteer of a licensed child care program who is readily available to meet minimum staffing and general supervision requirements.

On premises

An employee of a licensed child care program who is on the program property, inside the building or outside on the grounds.

On staff

A current employee or volunteer of a licensed child care program.

Overnight care

Typically considered to be the provision of child care that spans the hours between 12:01 a.m. and 5:00 a.m.

Parent Volunteer

A person who is a child's parent or guardian and who is performing a service at no cost to the program. The service may include the provision of child care.

Physical punishment

The Regulation prohibits the use of physical punishment as a form of child discipline. Physical punishment is any form of child discipline that employs the non-accidental application of force or an agent to a child's body. It can include: striking (directly or with an object), shaking, pushing, grabbing, shoving, slapping, spanking, choking, stabbing or burning a child.

Physical restraint, confinement or isolation

The Regulation prohibits the use of physical restraint, confinement or isolation as a form of child discipline. Restraining, confining or isolating a child includes tying or taping a child to an object and isolating a child from a group of children. Physically restraining a child by a staff member or volunteer may be permitted if it is reasonable in the circumstances, i.e., a child's behaviour or actions present a risk to staff or children's safety.

Terms

Portable record

Contains emergency information on each child as required in the Regulation. The portable record is easily transported and readily available to program staff in the event of an emergency.

Primary staff member

A staff member of a child care program whose primary duty is child care and who is actively engaged in the supervision of children.

Primary play space

The physical space set aside for children for playing, learning, eating, resting and sleeping (does not include staff and administrative space, kitchen or bathrooms).

Private residence

A place where the person resides and uses as their primary place for living, eating and sleeping.

Program premises

The premises where a child care program is offered. It includes any physical structure used by the program and any adjacent outdoor play space.

Program supervisor

A child care program staff member whose primary duty is to supervise the daily provision of the child care program at the program premises.

Proper hand washing procedures

Procedures to properly wash hands as described in the Ministry's publication Healthy Child Care, Healthy Child: A Guide to Promoting Health and Preventing Illness in Early Learning and Child Care Settings are available at www.humanservices.alberta.ca/family-community/child-care.html under publications. They should be posted in a prominent place. The licence, inspection reports, any enforcement actions issued to the program, menus and approved exemptions must be posted in a prominent place. This means a location that is easily viewed by parents, program staff and Ministry licensing staff.

Safe and easy walking distance

A determination of what represents a safe and easy walking distance will be approved by the licensing officer when considering a request to exempt the space from regulatory requirements. For children's safety and ease, consideration will be given to the needs of the youngest child in the group, as well as the developmental needs of all children in the group.

School property

Includes all buildings used for instruction, the playground and the parking lot. It does not include municipal or private land that may be adjacent to a school.

Serious illness

Sickness or poor health that keeps a child from participating in the daily program and may require medical or emergency attention.

Terms

Supervision of children

Actively participating in or guiding children's activities, while being attentive, alert and watchful of each child, as well as engaged with an entire group. Supervision is adjusted to the specifics of the child care environment and the individual needs of children attending the program. A licence holder must demonstrate that children are safe and are supervised in accordance with their developmental needs and that primary staff are aware of children at all times. There are a variety of methods to adequately supervise children.

Staff member

An individual who is employed by the child care

Serious accident or illness

When a child requires the program to contact emergency medical attention, first aid is administered by a staff member or volunteer and/or results in overnight hospitalization and/or death of a child, during operating hours.

Sick child

A child who is unable to participate in the child care program due to illness.

Unsupervised access to children

Staff who are allowed to care for children without the benefit of regular monitoring, support and guidance from a designated staff member who is on duty.

Verbal or physical degradation

The Regulation prohibits the use of verbal or physical degradation as a form of child discipline. It includes

any harsh, belittling, threatening or degrading response by any adult (parent, staff member, volunteer), that humiliates or undermines a child's self-respect. It includes inappropriate exposure to sexual contact, activity or behaviour, force-feeding, exposure to profanity or exposure to violence between parents or staff members including volunteers or other adults.

Volunteer

A person who is performing a service at no cost to the program. The service may include the provision of child care. Volunteers include practicum students or volunteers referred or placed in the program by a community agency.

Written consent of parent

Program must acquire parent's written consent for the provision of health care, administration of medication or a child's participation in off-site activities. Written consent must include the parent's name, signature and date of consent. Additional specific requirements for written consent include:

- Consent for medication – must include the child's name, name of medication, the length of time medication will be administered and a statement that the medication is only administered according to labeled directions.
- Consent for off-site activity – must include child's name, description of activity, duration of activity, transportation and supervision arrangements.
- Consent for health care – must include child's name, description of health care, details on the provision of the health care including specific training arrangements for staff, and the length of time health care will be administered to the child by the program.

PART I

The Application Process

Applying for a Child Care Program Licence

Alberta Child Care Licensing Handbook



The Application Process

First, you will need to determine whether your child care program requires a licence. If you plan to provide child care for fewer than seven children, you do not need a licence. However, you will require a licence if the primary purpose of your program is to provide child care for seven or more children.

The following steps will help guide you through the process of applying for a child care program licence.

Step 1: Complete the Licence Holder Information Session.

The licence holder information session must be completed by all new applicants for a licence. Licence holders who have already completed the information session, or who currently hold a licence, do not have to complete the session. However, they may complete the information session if they choose.

The licence holder information session will provide useful information in determining what type of licence you should apply for and the type of space you need. The session will also provide an outline of the Child Care Licensing Act and the Child Care Licensing Regulation. You may complete the session as a self-study guide through your CFS or online by visiting www.humanservices.alberta.ca/family-community/child-care.html, and searching for Licence Holder Information Session. Before a new child care program licence can be issued, proof of session completion is required.

Step 2: Determine the category of program you wish to operate.

When determining the category of child care program you will operate, you may wish to consider the following:

- What ages of children would you like to care for in your program?
- How many hours per day will the program operate?
- Will the program be in your private residence or another location?
- Will you have seven or more children in your program?
- How many caregivers will be needed in order to meet requirements?
- What are the staff qualifications needed to operate your program?

The Application Process

Alberta has five categories of child care programs:

Day Care Program

Any child care program provided to seven or more children for four or more consecutive hours in each day the program is provided and operates in accordance with Schedule 1 of the Child Care Licensing Regulation.

Group Family Child Care Program

A child care program where two child care providers offer child care to not more than 10 children, including the licence holder's own children, in the private residence of the licence holder and operates in accordance with Schedule 2 of the Child Care Licensing Regulation.

Innovative Child Care Program

A child care program approved by the Director that is designed to meet the unique child care needs of the community in which the program is provided and operates in accordance with Schedule 3 of the Child Care Licensing Regulation.

Out-of-School Care Program

A child care program caring for seven or more kindergarten and school-aged children before and after school, during the lunch hour and/or when schools are closed and operates in accordance with Schedule 4 of the Child Care Licensing Regulation.

Preschool Program

A child care program provided to preschool and kindergarten children for less than four hours per child in each day the program is provided and operates in accordance with Schedule 5 of the Child Care Licensing Regulation.

For further information on requirements for each of these program categories, refer to Schedules 1 through 5 in the Child Care Licensing Regulation. This information will help determine which program category or categories you wish to operate.

The Application Process

Step 3: Gather information and review the application package.

If you are interested in opening a child care program in Alberta, you may begin by visiting the Human Services website at www.humanservices.alberta.ca/family-community/child-care.html to learn how to obtain a child care program licence. On the website, you will find an electronic copy of the Child Care Licensing Act and Regulation. You may also obtain an Application/ Application Renewal for a Child Care Licence, as well as Program Plan templates, which outline what is required in the development of your program plan.

For additional information, you may also wish to contact your local CFS office by telephone, letter or in person (a list of CFS offices can be found on the last page of this handbook). A CFS representative will respond to you within five working days to give you a licensing application package that includes the following items:

- A. Child Care Licensing Handbook
- B. Application/Application Renewal for a child care program licence.
- C. Program plan template, which outlines required submissions for your staffing plan and administrative policies and procedures.
- D. Subsidy Grant Agreement, which is a funding agreement should you be receiving subsidy benefits on behalf of parents or guardians who qualify for subsidy.

This package will provide enough information to get you started with the application process.

Step 4: Prepare your application for submission.

Once you have determined the category of program you wish to operate and reviewed the application package, begin preparing all required documentation for submission. Before you submit your application package you will need to complete the following:

Program Plan: In developing your program plan, use the template provided in your application package. It may be helpful to review the sample program plan for what is required. You will want to consider your program's child care philosophy and how you intend to provide activities, toys and equipment, interactions and an overall environment that will meet each child's social, intellectual, physical, emotional and creative needs.

Program Premises and Municipal Approvals: You will need to have a location for your child care program in mind in order to ensure the premises are suitable for child care and to demonstrate compliance to all applicable zoning, health and safety legislation. Applicants will need to submit a copy of their permits or approvals from the appropriate zoning, health and safety authorities prior to the issuance of a licence.

The Application Process

Licensed child care programs in Alberta must demonstrate compliance to the Safety Codes Act and its various codes (e.g. Fire, Building, etc.). Alberta Municipal Affairs, an accredited municipality, or an accredited agency issues approval permits to the Safety Codes Act. To determine how to acquire a permit, you may contact your local municipality or search for contact information at www.municipalaffairs.gov.ab.ca/cp_permit_information.cfm in order to complete this process.

A child care program may require zoning approval (development permit) from a local municipality. To determine if you require zoning approval, contact your local municipality's planning or building department or go to www.bizpal.ca.

Child care programs in Alberta must also comply with the Public Health Act and the Institutions Regulation. Contact your local Alberta Health Services office and ask to speak to an Environmental Health officer to arrange an inspection for health approval. You can find contact information at www.albertahealthservices.ca and search for Environmental Public Health - Social Care.

Licence Capacity: The program premises (see definition) need to be measured in order to provide a description of how the space will be used. Preschool and out-of-school care programs require 2.5 square metres of play space per child and day care programs require 3 square metres. You will need to measure the space where children rest, eat and play to calculate the total net floor area.

This total is then divided by the number of required square metres per child to determine the licence capacity.

For example, the play space of 50 square metres is divided by 3 square metres per child to equal a licence capacity for 16 children. This number reflects the highest number of children who can be cared for on your program premises at any one time. You may wish to draw a diagram to illustrate the measurements and how the space will be used. Alternatively, you can provide a written description detailing your calculations and use of the space in your application.

Note: Day care programs and Group Family Child Care programs are required to have an enclosed outdoor play space. Out-of-School Care programs are also required to have access to an appropriate outdoor play space. For specific requirements for outdoor play, please refer to the respective Schedule in the Child Care Licensing Regulation.

Other documentation: Written confirmation of current liability insurance for staff and children, evidence of corporate status from corporate registries, criminal record checks for individual applicant(s), staffing plan and administrative policies and procedures (see Program Plan Template, Forms, p.24) are also necessary as part of the application. It is important to review the application package carefully to ensure all required documentation is attached and the application is complete. If the application is not complete, or required attachments are missing, the application will be returned to you.

The Application Process

Step 5: Submit your application.

Send your completed application and the application fee to your local CFS. The initial application fee is \$200 and the renewal fee is \$100. Be sure to complete and include all required documents including: program plan, staffing plan, administrative policies and procedures, results of criminal record check (for individual licence holders), evidence of corporate status, general liability insurance and written evidence of zoning, health and safety approvals.

If there is information missing from the application form or the required fee and attachments are not included, your application will be returned to you within 10 days. The licensing officer will inform you of what is missing and your application will not be processed until it is complete.

Incomplete applications will be returned after six months of inactivity and applicants will be required to submit a new application.

Once a complete application (which includes all the required documents) is received, it will take up to 90 days to process and make a decision to issue a licence.

Step 6: Prepare for an inspection of the program premises.

Before you may be issued a child care program licence, licensing staff must complete an on-site inspection of the program premises to make sure it meets the requirements of the Child Care Licensing Act and Regulation. A licensing officer will contact you to schedule a date and time for the inspection.

For more information about this inspection please see PART III, "How to Prepare for an Inspection" on page 18 of this handbook.

Once the application and on-site inspection are complete, the licensing officer or licensing supervisor will be responsible for reviewing and approving your application. They will determine whether to issue the licence or not. You will be notified in writing of the decision either way.

Note: If an application for an initial licence is not complete and there has been no activity with respect to the application (e.g., submission of required documents) within six months from the date of the initial submission, the application will be returned to the applicant.

PART I

During the Term of the Licence

Once you have a child care program licence, you need to know your responsibilities and what to expect, as well as the tools that are available to you should you wish to request a change. The following is important information:

Displaying the Licence

Alberta child care program licence holders are required to display their licence in a clearly visible and prominent place on their program premises, such as on a bulletin board in the entrance where it is easily visible to parents, licensing staff and the general public.

Note: If a program ceases operation during the term of a licence, the licence holder must notify their local CFS office.

Licence Term

Initially, a licence is granted for a one-year period. At the time a licence holder applies for a renewal of the licence, a child care program licence is issued for either a one- or three-year term. The term of the licence is determined by the licence holder's compliance history (e.g., history of non-compliances, complaints, incidents or enforcement actions).

Note: If four or more enforcement actions have been issued in the previous 12 months of the licence term, the licence holder will not be eligible for a three-year licence.

Conditions

In rare circumstances, a licence may be granted with a condition. Typically, a condition is placed on a licence if the applicant is temporarily not able to meet certain regulations, due to circumstances beyond the licence holder's control. For example, if an applicant requires a licence in winter and cannot construct the required outdoor play space until spring, a condition may be placed on the licence until June, when outdoor play space construction can be completed. The licensing officer may require additional documents from the applicant or modifications to the proposed program plan, staffing plan or administrative policies and procedures in order to determine whether a condition is suitable under the circumstances.

Varying the Licence

Licence holders may request to change the program category offered under the licence, maximum capacity, location of the child care premises, or the term of the licence. In order to vary the licence, the licence holder completes a "Licence Holder Request for Variation of Licence Form" (see Forms, p.28 of this handbook for additional information on how to access this form) and submits it to the licensing officer for approval. The licensing officer will determine whether a variance is necessary and appropriate under the circumstances and if so, may complete an inspection to ensure requirements are being followed.

PART I

During the Term of the Licence

Exemption Requests

Licence holders may request to be exempt from specific requirements of the Regulation. Exemptions are allowable under certain circumstances for transportation of children, cribs, outdoor play spaces, mixed age groups and staff qualifications. When requesting an exemption, the licence holder or applicant will be asked to demonstrate the need for the exemption, length of time the exemption is needed, and how the need for an exemption will be addressed, in order to achieve compliance to the Regulation.

To request exemptions for transporting children, cribs, outdoor play spaces and mixed age groups submit a completed “Transportation, Crib, Outdoor Play Space and Mixed Age Group Exemption Request” form to the local licensing office.

Exemptions to staff qualification requirements are requested using the “Staff Qualification Exemption Request” form. Forms are submitted to your licensing officer for review and approval. The completed form is submitted to the local licensing office.

Approval is given if the exemption criteria are satisfied.

PART 2

Inspection Visits

Licensing Inspections, Monitoring and Enforcement

Alberta Child Care Licensing Handbook



Inspection Visits

Once you have obtained a child care program licence you will be subject to licensing inspections. This section will inform you about what to expect during a licensing inspection, as well as how to be prepared.

PART I Purpose of Inspection Visits

All licensed child care programs are inspected. Inspection visits are intended to ensure all licensed child care programs adhere to the Child Care Licensing Act and Regulation. Licensed child care programs will generally receive a minimum of two licensing inspections during a 12-month-period. However, if non-compliances are identified or incidents/complaint investigations take place, licensing staff may complete additional inspections as required for follow up.

PART II Types of Inspections

The following are different types of licensing inspections.

Initial Licence Inspection

This inspection type occurs during the initial application process when the prospective licence holder is applying for a new child care program licence. The visit will be scheduled in advance by the licensing officer, who will complete the inspection to ensure all areas of the Act and Regulation are satisfied.

Complaint Investigations

Licensing staff investigate complaints received by the CFS. You may receive an unscheduled inspection from a licensing officer who will gather information in regard to a complaint that has been made about your program. As part of their investigation, the licensing officer will gather the necessary information in order to determine the cause of the complaint. The licensing officer may visit the program premises, look at records and documents, take photographs or interview the child care program staff, parent(s), children or other relevant people. The licensing officer has the authority to do so without the consent of the licence holder. *(Note: Interviews with children are only done with the consent of the child's parent or guardian.)*

The licensing officer will document the details of the investigation. If records are removed, you will be left with a signed form outlining what has been removed and when they will be returned. You will be notified in writing of the outcome of the complaint investigation.

If a licence holder is required to take measures to remedy the non-compliance(s) as a result of the complaint investigation, the licensing officer will complete a follow-up inspection to confirm that the non-compliance(s) have been remedied.

Inspection Visits

Principles of Complaint Investigations

The Ministry will protect the identity of a complainant with important exceptions: if there is an appeal, criminal charges, or civil litigation, confidentiality cannot be guaranteed. The licence holder will be given an opportunity to respond to the allegations. Written parental consent is required for interviews with children.

Consultation

Licensing staff may provide information to a licensed program on the Act and/or Regulation, provide referrals to community or government resources and/or provide presentation to staff, volunteers, parents or others on the legislation.

Incident Investigation

Licensing staff may inspect a program in response to the receipt of an incident report from a program. The licensing officer will gather information about the particulars of the incident and may use a variety of means including observations, interviews and review of records to complete their assessment. These inspections may be either scheduled or unscheduled.

Regular Inspection

This inspection is an unannounced inspection that occurs at least once every year. The purpose is to assess the program's compliance to the legislation. The length and detail of the inspection will vary depending on the focus of the inspection and history of the program.

Renewal Licence Inspection

This inspection type occurs when the current licence is expiring and the licence holder is applying to renew the licence. This visit is also scheduled in advance by the licensing officer.

Varying a Licence

A licensing officer may inspect the program premises when a request to vary the current child care program licence has been made. For example, when a licence holder requests an increase to the maximum licence capacity, changes location, or adds or deletes a program on the licence (e.g., adding out-of-school care).

Inspection Visits

PART III How to prepare for an inspection

You may be more comfortable with a licensing inspection if you have some understanding of what to expect. The purpose of an inspection is to determine whether your program is complying with the legislation. To make sure you are always ready for an inspection, ask your staff daily, “If an inspection were to take place today would we be ready?”

Recommended preparation for an inspection includes the following:

Know the Child Care Licensing Regulation

It is important that you and your staff know the Regulation in order to ensure your program meets the legislated requirements at all times. If you have questions or need clarification, licensing officers are available at your local CFS to answer questions.

Review the Inspection Checklist form

You may wish to review the appropriate “Inspection Checklist” form (see Forms, p.28) used by licensing officers during inspection visits. This will allow you to be familiar with what licensing officers will focus on during an inspection. A copy of the checklist is available through your local CFS. The licensing officer will also leave a copy of the checklist at the end of the inspection, or forward one to you, when completed.

Review previous inspection visits

Review the previous Inspection Checklist or Inspection Visit Summary that is provided by the licensing office, if there has been a previous visit. Ensure any previous concerns

or non-compliances have been rectified and consider how

Review records and documentation

Check to see that all records and required documentation are complete and up-to-date. Also, make sure all required administrative records and postings are organized and accessible for review. The licensing officer may ask to see a copy of the policies and procedures, program plan, licence application, children’s records, staff and children’s attendance, portable records, staff certification list and first aid certification.

Have children’s and administrative records ready

Your licensing officer will request a list of all children enrolled in the program and primary staff employed with the program. Licence holders must make their records available to the licensing officer. They will select a random sample of records to inspect from this list.

Talk with your staff

You may wish to speak to your staff about the licensing inspection in order to ease their minds about the process. It is important for staff members to be familiar with the Regulation and understand what the licensing officer may be looking for. They should feel free to speak with the licensing officer and to ask questions. Speaking openly with staff about licensing may help them feel more comfortable with the licensing officer and the inspection process.

Inspection Visits

PART IV What to Expect During an Inspection

During an inspection, licensing staff will record notes, complete observations, ask questions, review records and postings and speak with the program supervisor or designated person in charge. Once the licensing officer has completed the inspection, he or she will determine whether the program meets the requirements and will explain his or her findings. These findings will be noted on a report that will be provided to the licence holder.

If your program and premises meet all the requirements, the licensing officer will review the results with you at the conclusion of the inspection. The licensing officer will either leave a copy of the report or forward one to you at a later date. Display your copy in a clearly visible and prominent place on your program premises, such as a bulletin board near the entrance.

If your program does not meet all the requirements, the licensing officer may take enforcement action. As outlined in the following section of this handbook, enforcement actions range from an order to remedy to cancelling the program licence (see Enforcement, p.20). The licensing officer will determine the appropriate enforcement action and notify you in writing.

All reports completed by the licensing officer must be posted in a clearly visible and prominent place on the child care program premises.

Enforcement

When a non-compliance to the Act or Regulation is identified, licensing staff are authorized to take enforcement action. Licensing officers determine the level of enforcement based on the history of the program, likelihood of reoccurrence and identified risk to children. The enforcement action will state the date the licence holder must demonstrate compliance.

The following are the types of enforcement action that may be taken:

Condition on the Licence

A condition may be placed on the licence. The condition will require action to be taken by a specific date. You will note that conditions are also described in the section, “During the Term of the Licence” as a tool to allow a licence to be issued with a condition attached (See section 5 “Conditions precedent to issuing licence” of the Regulation). Conditions are generally imposed when there is minimal or no risk to children and the licence holder is unable to comply due to circumstances beyond their control. When a condition is imposed, you may still operate your child care program, while you work toward meeting the condition and having it removed from your licence.

Order to Remedy

If you are found to be in non-compliance you may be given an order to remedy the non-compliance(s) within a specified time period. The order to remedy will specify the corrective action needed, as well as the date by which the non-compliance is to be remedied. If non-compliance(s) are not remedied within the specified period of time, the licensing officer will consider the need to issue further enforcement action.

Varying a Licence

As described in the section, “During the Term of the Licence”, licence holders may request to vary their licence (See section 6(2) of the Act). Licensing officers may also vary the licence as an enforcement action. Depending on the non-compliance(s) identified, the licence may be varied in four ways: term, capacity, location and category. The length of the licence may be reduced, the number of children cared for may be reduced, the category of program may be changed or the location of the premises where the program is provided may be changed.

Warnings

A licensing officer may issue a verbal warning to a licence holder regarding an identified non-compliance. The warning will specify the timeline to address the non-compliance. These are typically issued for non-compliances that present a low risk to children’s health and safety (e.g. maintenance of administrative records).

Enforcement

Suspension of Licence/Probationary Licence

The current licence may be suspended when there is a history of non-compliance and/or identified significant risk to children. When a licence is suspended, a probationary licence is issued in its place. The term of the probationary licence must not be more than three months and must not exceed the unexpired term of the original licence that was suspended, whichever is the shorter period. During the term of the probationary licence, all identified non-compliances need to be rectified in order for the suspended licence to be reinstated. Should non-compliances not be rectified by the time the probationary licence expires, the suspended licence is not reinstated. At that point, the licence holder no longer holds a valid licence and is ineligible to apply for a child care program licence for two years after the date of the director's refusal to reinstate the suspended licence.

Cancellation of Licence

A licence may be cancelled immediately where there is imminent danger to the health, safety or well-being of a child. A licence may also be cancelled 15 days after the day on which the notice of cancellation is served where risk to children's health, safety or well-being is high and/or there is a history of non-compliance to legislation. Licence holders who have had their licence cancelled are ineligible to apply for a child care program licence for two years after the date of the cancellation.

Appeals

The Appeal Panel

The Child Care Licensing Act allows the Minister of Human Services to establish Appeal Panels to hear appeals related to the Act. Appeal Panels are citizen boards that offer licence holders access to a fair and independent review of the decisions that affect them.

In accordance with the Act, the Panel hears appeals and makes decisions that confirm, change or reverse the decision of the Director. The panel ensures all parties involved in the appeal process have an equal opportunity to present their case and provides a written decision that presents their findings and reasons for the decision.

Appealable Decisions

Appeal Panels can confirm, change or reverse the following enforcement actions:

- refuse to issue or renew a licence;
- vary or not vary a licence;
- impose conditions on a licence;
- issue an order to remedy;
- suspend a licence and issue a probationary licence;
- refuse to reinstate a suspended licence; and/or
- cancel a licence.

See section 21 of the *Act* for greater detail.

How to Appeal

Licence holders have 30 days from receiving enforcement decisions to make an application to appeal. To make an application, fill out the form **Notice of Appeal to an Appeal Panel**, and submit it to your local CFS office. A copy of the appeal form is available online at www.humanservices.alberta.ca/family-community/child-care.html. The CFS office then has 10 days to deliver the application to the Chair of the Appeal Panel.

For more information about the Appeal Panels and the appeal hearing process, please contact the Appeal Secretariat office at 780-422-2775 or toll-free by first dialing 310-0000 then 780-422-2775.

PART 3

Reporting Incidents

Alberta Child Care Licensing Handbook



Incidents

Licence holders are required to immediately report any incident listed below that occurs while a child is attending the program or any other incident that occurs while a child is attending the program that may seriously affect the health or safety of the child. An initial report may be made by telephone to the local Child and Family Services' licensing office. Within two (2) days of the incident's occurrence, an Incident Report form must be completed and submitted to the local licensing office. Copies of the form are available at www.humanservices.alberta.ca/family-community/child-care.html under the Forms link.

The following incidents must be reported:

- an emergency evacuation;
- unexpected program closure;
- an intruder on the program's premises;
- a serious illness or injury to a child that requires the program to request emergency health care and/or requires the child to remain in hospital overnight;
- an error in the administration of medication by a program staff or volunteer resulting in the child becoming seriously injured or ill and requiring first aid, or the program requesting emergency health care and/or requires the child to remain in hospital overnight;
- the death of a child;
- an unexpected absence of a child from the program (i.e., lost child);
- a child removed from the program by a non-custodial parent or guardian;
- an allegation of physical, sexual, emotional abuse and/or neglect of a child by a program staff member or volunteer;
- the commission by a child of an offence under an Act of Canada or Alberta; and/or
- a child left on the premises outside of the program's operating hours.

Licensing staff will review the report and in response may conduct an investigation, which may include an inspection of the premises. Licensing staff will inform licence holders of what action will be taken in response to the incident report.

Once per year, licence holders will be required to submit to their local licensing office an annual summary of all incidents that have occurred in their program. This summary will be reviewed by a licensing officer to determine if it is complete and if further information is required from a licence holder, or if licensing staff need to follow-up on any information provided in the summary. A form for this summary is provided to licence holders by the Child and Family Services.

PART 4

Certification

Alberta Child Care Licensing Handbook



Certification

Under the Child Care Licensing Regulation, staff who work directly with children in licensed child care programs are required to be certified. Training standards for certification are regulated under Part 3 of the Child Care Licensing Regulation.

How to Apply

An applicant may visit our website at www.humanservices.alberta.ca/family-community/child-care-forms-guides.html to review the Child Care Certification Guide and complete an application. Your application will be assessed and you will be assigned a registration number. This registration number is important to remember as you will need it whenever you contact the Child Care Staff Certification office regarding your application.

Levels of Child Care Certification

The Child Care Staff Certification office will review your application and determine your certification level. One of three child care certification levels may be given, depending on the degree of training and education of the applicant.

For more detailed descriptions of the certification levels listed below, visit www.humanservices.alberta.ca/family-community/child-care-providers-staff-certification.html.

An applicant for certification as a **Child Development Supervisor** has obtained a diploma in the field of child development from a public college or private vocational school or has completed course work equivalent to the course work required or a child development diploma.

An applicant for certification as a **Child Development Worker** has obtained a certificate in the field of child development from a public or private vocational school, or has competencies, completed course work, or a combination of both that would be considered equivalent to the case work required for a child development certificate.

An applicant for certification as a **Child Development Assistant** has completed a course in child care such as the Child Care Orientation Course or has competencies equivalent to a course in child care.

Child Care Program Requirements

Each of the child care program categories described in this handbook have specific requirements for staff working in the program. These requirements are outlined in the appropriate schedule of the Child Care Licensing Regulation. The Regulation allows a maximum of six months for a staff person to obtain certification upon commencement of employment; however, the staff person must not have unsupervised access to children.

A general description of the requirements are as follows:

Day Care Program (Schedule 1)

- The Program Supervisor must hold a child development supervisor certificate. In an extended absence of the program supervisor, a person with certification at minimum as a child development worker must be designated to assume the responsibilities of the program supervisor.
- At least one in every three primary staff working directly with children between the hours of 8:30 a.m. and 4:30 p.m. must hold at least a child development worker certificate.
- All other primary staff working directly with children at any time of day must hold at least a child development assistant certificate. The Regulation allows a maximum of six months for staff to obtain certification upon commencement of employment; however, the staff person must not have unsupervised access to children.

Group Family Child Care Program (Schedule 2)

- The licence holder or each additional care provider must be certified at minimum as a Child Development Worker.

Out-of-School Care Program (Schedule 4)

- One in every four staff working directly with children at any time of day must hold at least a child development worker certificate.
- The Regulation allows a maximum of six months for staff to obtain certification upon commencement of employment; however, the staff person must not have unsupervised access to children.

Preschool Program (Schedule 5)

- One in every four staff working directly with children at any time of day must hold, at a minimum, a child development worker certificate.

Contact Information

You may contact the Child Care Staff Certification office

Phone

Toll free 1-800-661-9754 (Alberta only), or
In Edmonton and outside of Alberta: 780-422-

Fax 780-427-1258

In person/by mail

Alberta Human Services
Child Care Staff Certification Office
6th Floor, Sterling Place
9940 – 106 St.
Edmonton, Alberta T5K 2N2

Forms

The following forms can be found on the Ministry's website at www.humanservices.alberta.ca/family-community/child-care.html and selecting the link Forms or by contacting your local Child and Family Services office.

Appeal form, CDEV 3979

Application/Renewal for a Child Care Licence, CDEV 1762

Day Care Inspection Checklist, CDEV 4030

Group Family Child Care Inspection Checklist, CDEV 4033

Incident Report form, CDEV 4029

Incident Reporting Annual Summary and Analysis
Report - CDEV0001

Licence Holder Request for Variation of Licence form,
CDEV4038

Out-of-School Care Inspection Checklist, CDEV 4031

Preschool Program Inspection Checklist, CDEV 4032

Program Plan Template - Day Care, CDEV 4018

Program Plan Template - Group Family Child
Care, CDEV 4019

Program Plan Template - Out-of-School Care, CDEV
4020

Staff Qualifications Exemption Request form, CDEV
4028

Transportation, Crib, Outdoor Play Space and Mixed
Age Group Exemption Request form, CDEV 4027

Child and Family Services Offices

SOUTH ALBERTA

709, Lethbridge Centre Tower
400 4 Avenue S
Lethbridge, Alberta T1J 4E1
Phone: 403-381-5543
Fax: 403-381-5791

Rm 101, 346 3 Street SE
Medicine Hat, Alberta T1A 0G7
Phone: 403-529-3753
Fax: 403-528-5244

CALGARY AND AREA

Westmount Regional Office
140, 4820 Richard Rd. SW Calgary,
Alberta T3E 6L1
Phone: 403-297-8033
Fax: 403-297-7340

CENTRAL ALBERTA

3rd Floor, Bishop's Place
4826 Ross Street
Red Deer, Alberta T4N 1X4
Phone: 403-341-8640
Fax: 403-340-7673

EDMONTON AND AREA

7th Floor, 108 Street Building
9942 108 Street
Edmonton, Alberta T5K 2J5
Phone: 780-427-0444
Fax: 780-427-1622

NORTH CENTRAL ALBERTA

Box 4742,
2nd Floor, Administrative Building
5143-50 Street
Barrhead, Alberta T7N 1A6
Phone: 780-305-2440
Fax: 780-305-2439

NORTHWEST ALBERTA

4th Floor, 214 Place South
10130-99 Avenue
Grande Prairie, Alberta T8V 3N4
Phone: 780-538-5148
Fax: 780-538-5137

NORTHEAST ALBERTA

4th Floor, Provincial Building
9915 Franklin Avenue
Fort McMurray, Alberta T9H 2K4
Phone: 780-743-7449
Fax: 780-743-7474