



Section 19
**Care and Supervision
of Children**



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Centre operators

This section looks at staffing requirements. Operators must have:

- enough staff on duty to meet prescribed child to staff ratios, and maximum group sizes
- at least two staff on duty when there are more than six children in the facility

It also discusses other conditions that must be met:

- the name of the primary staff person who is the contact between the facility and the Director
- the name of the primary staff person in charge of the daily operation of the facility

Family day home operators

This section explains:

- the maximum number of children of any given age, including the operator's own children
- the requirements for a substitute to supervise the children for short periods of time, or in an emergency

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50(1)

Every operator shall identify, in writing submitted to the Director, one primary staff person as:

- (a) the contact person for communications between the child day care facility and the Director; and
- (b) the person in charge of the day to day operation of the child day care facility.

50(2)

The operator shall immediately inform the Director, in writing, of any change to the person named under subsection (1).

Regulation 50(1) and (2)

Notification to the Director of Staff Contact Persons

Why

- The Director and Regional Early Childhood Officer need to know who to communicate with about the centre, and who is in charge of the daily operation of the centre.

What it means

- The operator must identify (a) a primary staff person as the main contact for the Regional Early Childhood Officer and (b) the person in charge of the day-to-day operations.
- The same primary staff person could be identified for both (a) and (b), or it could be two different people.
- If either of the people identified for (a) and (b) change, the operator must notify the Director immediately.

How

- Choose your most experienced and competent staff person(s) to communicate with the Director and oversee the day-to-day operation of the facility.
- Provide the name or names to the Regional Early Childhood Officer who will pass the information on to the Director.
- If there are any changes to the contact person or person in charge of the day-to-day operation of the facility inform the Regional Early Childhood Officer right away.

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Every operator shall ensure that no child attending a child day care facility is left without staff supervision.

Regulation 56

Minimum Supervision of Children, and Supervision of Volunteers

Why

- To ensure that all children are supervised at all times by staff

What it means

- All children must be supervised at all times by a staff member.

How

- Take the time to read and understand the regulations which explain staffing and supervision requirements
- Remember that parents are volunteers and they must be directly supervised by a staff person if they are working with children, other than their own child.
- If you need help ask the Regional Early Childhood Officer.

57(1)

Every operator shall provide for the minimum staff to child ratio, maximum group size and maximum number of children in a room as set out in the Schedule.

Regulation 57(1) and (2) and (3)

Staff to Child Ratios and Group Sizes in a Centre

Why

- To ensure that there are enough staff to provide adequate care, instruction and supervision for all children at all times
- To ensure that there are enough staff to quickly evacuate the facility or handle any other emergency
- To set a limit on the number of children that can be present in a room when it is operating

57(2)

The maximum group size and the maximum number of children allowed in a room referred to in the Schedule does not apply when children are having meals, taking naps or taking part in special activities.

What it means

- This regulation applies only to operators of centres.
- The Regulations include a Schedule that explains the number of staff needed and the maximum group size. (The Schedule is at the end of the Regulations.)
- The operator must ensure that there are enough staff on duty to meet the staff to child ratio and maximum group size required by the Schedule. (See example after the Schedule.)

57(3)

Volunteers may be included in the minimum staff to child ratio referred to in the Schedule upon approval of the Director.

- The maximum group size does not apply during meal, nap and special activity times – in other words the operator can have more children in a group than the Schedule permits, but only during naps, meals or special activities. (Note: The number of staff required during meal, nap and special activity times does NOT change. There must always be the number of staff required by the Schedule.)
- Examples of special activities include seasonal parties and guest visitors.
- If the operator wants to count volunteers in the staff to child ratio they must get approval from the Director beforehand.
- The license states the number of children that can attend the early childhood program, at any given time. (Two part-time children could share the same licensed space, as long as they are not there at the same time.)
- The maximum number includes the operator's own children.

The Schedule

If children are cared for in single age groupings

Age of children	Minimum staff to child ratio	Maximum group size	Maximum number of children in a room
1 – 12 months	1:3	6	9
13 – 24 months	1:4	8	12
25 – 36 months	1:6	12	18
3 years	1:8	16	25
4 years	1:9	18	27
5 – 11 years	1:10	20	30

- Using children from 1–12 months as an example, the Schedule means there must be:
 - one staff person for every three children aged 1-12 months.
 - > If there are 4 children there must be two staff persons.
 - not more than 6 children aged 1-12 months in a group.
 - > If there are seven children they must be in two groups.

If children are cared for in mixed age groupings

Age of children	Minimum staff to child ratio	Maximum group size
0 – 24 months	1:4	8
25 months – 6 years (child is not required to enroll in school for the full day)	1:8	16
5 years 8 months (child started kindergarten) – 11 years	1:10	30

How

- Take the time to review the number of children in each age group and calculate the number of staff you need. For example:

Age of children	Number of children	Ratio	Number of staff required
6 – 24 months	3	1:4	$3 \text{ children} / 4 = .75$
25 months – 5 years (and not in school full day)	12	1:8	$12 \text{ children} / 8 = 1.5$
Total	17		2.25*

You must always 'round up' the number of staff needed. The operator of the facility in this example would need 3 staff on duty.

- Ask the Regional Early Childhood Officer for help if needed.
- Make sure that all staff and volunteers are aware of the requirements of the Schedule.
- Include staffing ratio information in the parent handbook.
- Have a list of "subs" that you can call on if a staff person is sick. Be clear about what you expect a sub to do, and what you do not want them to do. Orient them to the facility, program and emergency procedures.
- Make sure subs give you a criminal record check, a recommended vulnerable sector search, and a recommended statement regarding outstanding criminal charges.
- During mealtimes, nap times, and special activities, all staff must be in close proximity to the children to assist if needed.

58(1)

In addition to the requirements established in the Schedule, every operator shall ensure that at least two staff persons are on duty when more than six children are present at the child day care facility.

58(2)

One of the two staff persons referred to in subsection (1) must have no responsibilities other than care of the children attending the facility.

Regulation 58(1) and (2)

Minimum Number of Staff on Duty in a Centre

Why

- To ensure that there are enough staff to provide adequate care, instruction and supervision of all children at all times

What it means

- This regulation applies only to operators of centres.
- This regulation is *in addition to* the requirements of the Schedule. It does not replace or contradict the Schedule.
- This regulation applies whenever there are seven or more children in the centre.
- For example: If there are seven children in the facility, all between the ages of 25 months and 5 years, the operator must have 2 staff on duty – even though the Schedule says that the staff to child ratio for this age group is 1:8.
- One staff person must be doing nothing other than taking care of the children – no snack prep, no phone calls, no administrative tasks, etc.

How

- Make sure there are at least two staff on duty whenever there are seven or more children in the facility.
- Monitor when children arrive and depart to help decide when a second staff person will be needed. For example, if the facility opens at 7:00 AM, two children arrive before 8:00 AM, and the rest arrive between 8:00 AM and 9:00 AM, then only one staff person is needed for that first hour.

59(1)

Notwithstanding the requirements established in the Schedule and section 58, a family home day care facility operator may provide child day care services to a maximum of eight children, including the operator's own children, where

- (a) not more than six of the children, including the operator's own children, are children five years of age or under;
- (b) not more than three of the children, including the operator's own children, are under three years of age; and
- (c) not more than two children, including the operator's own children, are children under two years of age.

Regulation 59(1)

Maximum Number of Children in a Family Day Home

Why

- To ensure the adequate care, instruction and supervision of all children at all times
- To ensure that the number of children in a family day home is eight or less

What it means

- This regulation applies only to operators of family day homes.
- When the Director issues a license, the license will state the number of children that can be at the child care facility at any given time.
- Two or more part time children could share the same licensed space, as long as they are not at the centre or family day home at the same time.
- The maximum number of children in a family day home is eight, including the operator's own children:
 - up to six can be less than six years old,
 - up to three can be less than three years old, and
 - up to two can be less than two years old.
- The operator of a family day home does not have to meet the staffing ratios required by the Schedule.

59(2)

Every operator of a family home day care facility shall ensure that children attending the facility are supervised at all times by:

- (a) the operator; or
- (b) for short periods of time or in the case of an emergency, by a substitute who has been approved by the Director.

Regulation 59(2)

Supervision in a Family Day Home**Why**

- To ensure that all children are supervised at all times

What it means

- This regulation applies only to operators of family day homes.
- The family day home operator must supervise children at all times.
- The family day home operator must have a back-up person, approved by the Director, who can supervise the children for short periods of time, or in the event of an emergency.

How

- Identify a back-up person who can fill in for you for occasional short periods of time or during an emergency – for example if you have a medical appointment or if you cut yourself badly and have to go the hospital or health centre for stitches.
- Schedule personal appointments, such as hair appointments, outside the hours of operation of the family day home.
- Make sure your back-up person gives you a criminal record check.
- It is recommended that they give you a vulnerable sector search, and a statement regarding outstanding criminal charges.
- It is recommended that the person provides updates of these – every five years for a criminal record check and every year for a statement of outstanding criminal charges.
- Give the name of a back-up person to the Regional Early Childhood Officer for approval by the Director.