

Ministry of Community and Social Services

Ministère des Services sociaux et communautaires

Ministry of Children and Youth Services

Ministère des Services à l'enfance et à la jeunesse

Hamilton/Niagara Region

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**August 23, 2011**

**MEMORANDUM TO: Day Nursery and Private-Home Day Care Operators**

**FROM: Sandra Datars Bere, Regional Director**

**RE: New Policy Requirement - Serious Occurrence Notification Form Posting and Webinar Invitation**

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#### **PURPOSE**

All licensed child care programs are responsible for delivering services that promote the health, safety and well-being of children. Child care operators are accountable to the public and to the ministry to demonstrate that their services are consistent with relevant legislation, regulations and policies.

Serious occurrence reporting is one of many tools that provides licensed child care programs with an effective means of monitoring the appropriateness and quality of service delivery. Monitoring includes an ongoing review of practices, procedures, and training needs.

O. Reg. 262 under the *Day Nurseries Act* (DNA) provides that every operator shall ensure that,

- (a) there are written policies and procedures with respect to serious occurrences in each day nursery operated by the operator and each location where private-home day care is provided by the operator; and
- (b) a program adviser is notified of any serious occurrence in any day nursery operated by the operator or any location where private-home day care is provided by the operator within twenty-four hours of its happening.

Ministry of Community and Social Services (MCSS) / Ministry of Children and Youth Services (MCYS) *Serious Occurrence Reporting Procedures* have been established to provide information to operators on reporting serious occurrences to the ministry as required under the DNA.

Parents also benefit from information about the incidents that occur in licensed child care programs, the immediate actions taken to respond to incidents and any longer term actions the operator has taken to minimize the recurrence of the incident.

The intent of this memorandum is to advise operators of a new policy requiring the posting of serious occurrence information in child care to:

- 1) Help support the safety and well-being of children in licensed day nurseries and private-home day care homes monitored by a licensed agency.
- 2) Provide greater transparency for parents about serious occurrences that occur in the child care program.

The new requirement supports and is an addition to the current Serious Occurrence reporting requirements set out in O. Reg. 262 under the DNA and the MCSS / MCYS *2009 Serious Occurrence Reporting Procedures*. This means that operators will continue to follow all existing serious occurrence reporting requirements to MCYS.

To support implementation of the new requirement, two webinar sessions will be held on September 20, 2011 and October 12, 2011. Further details about the webinars are available at the end of the memorandum.

This is intended to be the first step in the posting of serious occurrence information for families in child care. The ministry is continuing to look into the online posting of serious occurrence information for child care on the Licensed Child Care Website. This aligns with the phased approach taken regarding the posting of licensing inspection information at the sites of child care programs initially and more recently, on the Licensed Child Care Website, to provide parents with information about child care licensing inspection findings.

### **NEW POLICY REQUIREMENT**

Effective November 1, 2011, all child care operators will be required to complete the following:

- Child care centres:
  - Post a high-level Serious Occurrence Notification Form at the day nursery when a serious occurrence has happened.
- Private-home day care agencies:
  - Post a high-level Serious Occurrence Notification Form at the home location where a serious occurrence has happened.
- Child care centre and private-home day care agency operators will update their serious occurrence policy to include the Serious Occurrence Notification Form posting requirement and review the updated policy with centre or agency staff and private-home day care agency providers.

### **NEW SERIOUS OCCURRENCE NOTIFICATION FORM**

#### **Posting Process and Key Timelines**

This document describes the process for posting the new Serious Occurrence Notification Form and provides guidelines to assist child care centres and private-home day care agencies with the completion of the form.

1. Following submission of the Serious Occurrence Initial Notification Report (INR) to the ministry and **within 24 hours of becoming aware of an occurrence or when the operator deems the occurrence to be serious** as set out under the MCSS / MCYS *2009 Serious Occurrence Reporting Procedures*, the operator will complete a Serious Occurrence Notification Form to communicate information to parents about serious occurrences that have occurred in their child care centre or in a home associated with a private-home day care agency.

**The exception is in the case of allegations of abuse or unverified complaints, which will be posted at the completion of follow up / investigation (see Allegations of Abuse, page 5).**

2. **In child care centres**, the Serious Occurrence Notification Form will be posted in a conspicuous place in the centre at or near an entrance commonly used by parents. The form will be posted near the child care licence and Licensing Summary chart.

**In private-home day care agencies**, the agency will complete the Serious Occurrence Notification Form and ensure that the provider posts the form in a conspicuous place in the home location where the serious occurrence has happened.

3. The Serious Occurrence Notification Form is updated as the operator takes additional actions or investigations are completed.
4. The Serious Occurrence Notification Form is posted for a **minimum of 10 business days**. If the form is updated with additional information such as additional actions taken by the operator, the form remains posted for 10 days from the date of the update.
5. Child care centre and private-home day care agency operators retain the Serious Occurrence Notification Form for at least two years from the date of the occurrence and make the forms available for current and prospective parents, licensing and municipal children's services staff upon request (consistent with current requirements for the availability of licensing documentation).

### ***Instructions for Completing the Serious Occurrence Notification Form***

The purpose of the Serious Occurrence Notification Form (see Appendix A, page 9) is to provide a brief overview of a serious occurrence for parents. The following are instructions for filling out the categories in the form.

#### **Category instructions:**

<b>Program Name:</b>	Provide the name of the child care centre or private-home day care agency.
<b>Date:</b>	Provide the date that the Serious Occurrence Notification Form is posted on site.
<b>Date of Occurrence:</b>	Provide the date that the serious occurrence happened.
<b>Type:</b>	<p>Provide the type of serious occurrence, according to the definitions set out in the MCSS / MCYS <i>2009 Serious Occurrence Reporting Procedures</i>. The operator uses one of the following terms:</p> <ul style="list-style-type: none"> <li>• Death of a child</li> <li>• Serious injury caused by service provider</li> <li>• Serious injury – accidental</li> <li>• Serious injury – self-inflicted/unexplained</li> <li>• Alleged abuse/mistreatment</li> <li>• Missing child</li> <li>• Disaster on the premises</li> <li>• Complaint about service standard</li> <li>• Other – complaint made by or about a child, or any other serious occurrence</li> </ul>
<b>Description:</b>	<ul style="list-style-type: none"> <li>• Provide a one sentence description of the occurrence.</li> <li>• Sample wording (not intended as a comprehensive list – for illustration purposes only):</li> </ul>

	<p>Serious injury caused by service provider: <i>A child was injured when a staff tripped on the playground and knocked over the child.</i></p> <p>Serious injury – accidental: <i>A child was injured while running in the playground.</i></p> <p>Serious injury – self-inflicted/unexplained: <i>A child was limping after outdoor playground play – no injury was observed.</i></p> <p>Alleged abuse/mistreatment (see page 5 for instructions related to the posting of allegations of abuse): <i>A staff member was alleged to have abused a child while participating in the child care program.</i></p> <p>Missing child: <i>A child was left on the playground unsupervised at the end of outdoor play.</i> <i>A child left the centre and was found later at home.</i> <i>A child walked to a friend's home after school. The parent and the centre did not know the child's whereabouts for one hour.</i></p> <p>Disaster on the premises: <i>Smoke was observed coming from the furnace room.</i></p> <p>Complaint about service standard: <i>A parent complained that not enough food is served at lunch.</i></p> <p>Other – complaint made by or about a child, or any other serious occurrence: <i>A parent complained that another child bullies their child.</i></p> <p><b>Note: physical restraint is not permitted in child care and is not a reportable child care serious occurrence category.</b></p>
<p><b>Action Taken by Operator / Outcome: (add update if applicable)</b></p>	<p>Provide a description of the action taken by the operator. This section will include the operator's longer term plans and additional outcomes to minimize recurrence of the occurrence, e.g. behaviour management training.</p> <p>Examples:</p> <ul style="list-style-type: none"> <li>• <i>The operator sought medical attention for the child's injury.</i></li> <li>• <i>The child was transported to hospital by ambulance, treated and released that day.</i></li> <li>• <i>Behaviour management monitoring will be conducted each month.</i></li> </ul> <p>If an update is made to add additional actions taken/outcomes, the operator will indicate the date of the update.</p>

<b>Signature:</b>	The operator or designate (e.g. the child care centre supervisor) signs the Serious Occurrence Notification Form.
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### Protection of Personal Information and Privacy

- Operators must ensure the information posted in the Serious Occurrence Notification Form protects personal information and privacy.
- To help support the protection of privacy and personal information, no child or staff names, initials, and age or birth date of child are to be used on the Serious Occurrence Notification Form.
- No age group identifiers are to be used, e.g. preschool room; toddler room.

### Allegations of Abuse

Timing of posting:

Serious Occurrence Notification Forms pertaining to allegations of abuse are posted when the following have been concluded:


- The Children's Aid Society (CAS) has concluded its investigation and the allegation is either verified or not verified; **or**
- CAS has determined that an investigation will not be conducted; **and**
- The Ministry has investigated any associated licensing non-compliances.

Information to be included:

- Once investigations are completed, the form should provide clear, concise information for the parent.
- The Description section will include information about whether CAS conducted an investigation into the report, and identify that the ministry conducted an investigation into compliance with related licensing requirements.
- The form will identify whether:
  - CAS verified the allegation;
  - CAS has not verified the allegation;
  - The operator has taken action on any other directions given by CAS, if applicable;
  - The operator has addressed any associated licensing non-compliances identified by the ministry, if applicable.

If operators are unsure about when to post the Serious Occurrence Notification form in situations of allegations of abuse, they are encouraged to contact their local MCYS regional office.

### Example Serious Occurrence Notification Form:

 <b>Serious Occurrence Notification Form</b>	
Program Name:	XXXX
Date:	November 29, 2011
Date of Occurrence:	November 14, 2011
Type:	Allegation of abuse
Description:	<ul style="list-style-type: none"> <li>• A staff was alleged to have abused a child.</li> </ul>


	<ul style="list-style-type: none"> <li>• A report was made to CAS</li> <li>• CAS conducted an investigation – the allegation was not verified.</li> <li>• The ministry determined there were no non-compliances related to behaviour management.</li> </ul>
Action Taken by Operator / Outcome: (add update if applicable)	<ul style="list-style-type: none"> <li>• No further action required.</li> </ul>
Signature:	

## COMPLAINTS

### Timing of posting:

- When the operator has filed a serious occurrence report about a complaint, verified the complaint and has taken actions to address the issue, the Serious Occurrence Notification Form is posted within 24 hours of the occurrence.
- When an operator has filed a serious occurrence report to the ministry about a complaint, but has not taken action because the complaint has not yet been verified, the serious occurrence will not be posted within 24 hours.
- Once the complaint has been verified or not verified, the Serious Occurrence Notification Form is posted.
- If operators are unsure about when to post the Serious Occurrence Notification form related to complaints, they are encouraged to contact their local MCYS regional office.

### Example Serious Occurrence Notification Form:

	
<b>Serious Occurrence Notification Form</b>	
Program Name:	XXXX
Date:	November 25, 2011
Date of Occurrence:	November 9, 2011
Type:	Complaint about service standard
Description:	<ul style="list-style-type: none"> <li>• A parent complained that her child is hungry and does not get enough food at lunch.</li> </ul>
Action Taken by Operator / Outcome: (add update if applicable)	<ul style="list-style-type: none"> <li>• The operator checked food quantities with the cook.</li> <li>• Larger quantities of meat/protein are being purchased to meet the DNA requirements.</li> <li>• Staff are monitoring food intake during lunch to help ensure that children have enough to satisfy their hunger.</li> </ul>
Signature:	

## **REQUIRED UPDATE TO THE CENTRE / AGENCY SERIOUS OCCURRENCE POLICY**

The update to the centre/agency's serious occurrence policy must include:

- The November 1, 2011 effective date for posting the Serious Occurrence Notification Form in child care centres and private-home day care when a serious occurrence happens;
- Posting location, timing and duration requirements;
- Directions pertaining to posting allegations of abuse and complaints;
- No identifying information is included in the Serious Occurrence Notification Form, e.g. child name; staff name; age or birth date of child; age group/room, e.g. preschool room.

## **PARENT HANDBOOK / PROGRAM STATEMENT**

Day nursery operators and private-home day care agencies will update the parent handbook / program statement to inform parents about the Serious Occurrence Notification Form posting.

## **PARENT LETTER**

A letter has been prepared to provide information to parents about the Serious Occurrence Notification Form posting. Please distribute the attached letter to parents by the end of September 2011 and have copies available for parents of newly enrolled children prior to the update of the parent handbook / program statement.

## **COMPLIANCE WITH THE POLICY MEMORANDUM**

By November 1, 2011, child care operators are required to:

- Update their serious occurrence policy to include the requirement to post the Serious Occurrence Notification Form;
- Review the updated policy with day nursery staff and private-home day care agency providers, as applicable; and
- Implement this policy requirement.

At the next licensing inspection after November 1, 2011, ministry licensing staff will review the serious occurrence policy and implementation of the Serious Occurrence Notification Form posting.

## **WEBINAR SESSIONS FOR OPERATORS**

To help support implementation of the new policy requirement, the Ministry of Education and the Ministry of Children and Youth Services are hosting webinars on two dates for child care operators, Consolidated Municipal Service Managers (CMSMs)/ District Social Services Administration Boards (DSSABs), and other interested stakeholders.

Dates: September 20, 2011 and/or October 12, 2011

Time: 1:00 to 3:00 p.m.

The webinars will be offered simultaneously in English and French.

View either webinar to hear about:

- The new policy requirement – Serious Occurrence Notification Form posting;
- Requirements for child care centres and private-home day care agencies;
- Instructions for completing the Serious Occurrence Notification Form and examples; and
- Key timelines.

There will also be an opportunity to have your questions answered.

Please go to the website up to 30 minutes in advance on either September 20, 2011 or October 12, 2011. Both webinars will go live at 1:00 p.m.

To view the webinar, please go to:

September 20, 2011 webinar:

<http://events.digitalmedia.telus.com/ontariochildcare/092011/index.php> and click on “Launch Webinar.”

October 12, 2011 webinar:

<http://events.digitalmedia.telus.com/ontariochildcare/101211/index.php> and click on “Launch Webinar.”

Teleconference lines will also be available for those experiencing technical difficulties:

<b>For the English teleconference:</b>	<b>For the French teleconference:</b>
Please dial: 1-877-353-9586 Passcode: 4565698	Please dial: 1-877-353-9586 Passcode: 8988403

For those who are not able to view either session, they will be archived and will be available afterwards at:

<http://events.digitalmedia.telus.com/ontariochildcare/092011/index.php>

<http://events.digitalmedia.telus.com/ontariochildcare/101211/index.php>

If you have any questions about the webinars, please contact Michael Pimento, 416-326-4011, michael.pimento@ontario.ca.


Further information about regional outreach will be provided in the near future.

Should you have any questions about this new policy requirement, please contact your Program Adviser.

Sandra Datars Bere  
Regional Director

Attachments

**APPENDIX A: Serious Occurrence Notification Form**

 <b>Ontario</b>	
<b>Serious Occurrence Notification Form</b>	
Program Name:	
Date:	
Date of Occurrence:	
Type:	
Description:	
Action Taken by Operator / Outcome: (add update if applicable)	
Signature:	

## APPENDIX B: PARENT LETTER

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### **NEW REQUIREMENT TO POST SERIOUS OCCURRENCES IN LICENSED CHILD CARE PROGRAMS**

Dear Parent/Guardian:

The safety and well-being of our children in licensed child care programs is the highest priority. Operators of licensed child care centres and private-home day care agencies work diligently to provide a safe, creative and nurturing environment for each child. In spite of all the best precautions, serious occurrences can sometimes take place.

The Ontario government has introduced a new policy that requires licensed child care centres and private-home day care agencies to post information about serious occurrences that happen at a centre or a home location effective November 1, 2011. To support increased transparency and access to information, a "Serious Occurrence Notification Form" must be posted at the centre or home location in a visible area for 10 days.

A serious occurrence could include:

- Serious injury to a child,
- Fire or other disaster on site,
- Complaint about service standard.

Licensed child care centres and private-home day care agencies are already required to report serious occurrences to the Ministry of Children and Youth Services, which is responsible for child care licensing. This new policy requires child care operators to post information in their facilities so that parents also have access to it.

This posting will give parents information about the incident and outline follow-up actions taken and the outcomes, while respecting the privacy of the individuals involved. Longer-term actions taken by the operator will also be included to help prevent similar incidents in the future, where applicable.

Many factors may lead to a serious occurrence report. A serious occurrence does not necessarily mean that an operator is out of compliance with licensing requirements or that children are at risk in the child care program.

This new policy supports the government's efforts to increase access to information about licensed child care programs in Ontario. This includes the recent launch of child care licensing inspection findings on the Licensed Child Care Website which is available at:

<http://www.ontario.ca/ONT/portal61/licensedchildcare>.

We encourage you to speak to the operator of your child care program for more information about serious occurrences and the new Serious Occurrence Notification form posting policy.

Sandra Datars Bere  
Regional Director