

# Home Child Care Agency Serious Occurrence Policy and Procedures

**Name of Home Child Care Agency: Little Lambs Home Daycare Inc.**

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**Date Policy and Procedures Established: January 1, 2020**

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**Date Policy and Procedures Updated: annually**

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## Purpose

The purpose of this policy and the procedures within is to provide clear instructions for home child care providers and home child care agency staff to follow for how to identify, respond to and report a serious occurrence. It ensures that there is a plan to deal with any serious incidents that may affect the health, safety and well-being of children and those working directly with children, and that these serious incidents are addressed by home child care provider and reported to the Ministry of Education for review.

This policy is intended to fulfill the obligations set out under Ontario Regulation 137/15 for policies and procedures with respect to serious occurrences for home child care agencies and premises.

Note: definitions for terms used throughout this policy are provided in a Glossary at the end of the document.

## Policy

### How to Identify a Serious Occurrence

- Under the *Child Care and Early Years Act, 2014*, serious occurrences are defined as:
  1. the death of a child who received child care at a home child care premises,
  2. abuse, neglect or an allegation of abuse or neglect of a child while receiving child care at a home child care premises,
  3. a life-threatening injury to or a life-threatening illness of a child who receives child care at a home child care premises,
  4. an incident where a child who is receiving child care at a home child care premises goes missing or is temporarily unsupervised, or
  5. an unplanned disruption of the normal operations of a child care centre that poses a risk to the health, safety or well-being of children receiving child care at a home child care premises. (fire, flood, gas leak, detection of carbon monoxide, outbreak, lockdown, other emergency relocation or temporary closure)

- Note: Appendix A provides examples and scenarios of reportable and non-reportable incidents.

## **Reporting a Serious Occurrence**

- The home child care provider will notify the agency of a serious occurrence as soon as they become aware of the incident.
- All serious occurrences will be reported to the Ministry of Education in the Child Care Licensing System (CCLS) within 24 hours of the licensee or designate becoming aware of the occurrence.
- Identifying information such as children, home child care agency staff or provider names will not be included in any serious occurrence report.
- If CCLS cannot be accessed (e.g. where CCLS or an internet connection is unavailable), the home child care agency will notify the Ministry of Education program advisor (PA) about the incident by email or by telephone within 24 hours of becoming aware of the incident. A serious occurrence report will be submitted in CCLS as soon as the system can be accessed.
- Where a Ministry of Education PA cannot be reached by telephone, a voicemail message will be left to notify the PA of the incident.
- All updates to serious occurrences will be reported in CCLS through update reports until the serious occurrence has been closed by the Ministry of Education.
- Where the Ministry of Education requests updates to a serious occurrence in CCLS, these will be provided as soon as possible through update reports.
- Serious occurrences reported to the Ministry of Education will be documented in the daily written record.

## **Posting a Serious Occurrence Summary (Notification Form)**

- Within 24 hours of becoming aware of a serious occurrence, the Director will complete a Serious Occurrence Notification Form in either CCLS or using the form available in Appendix B.
- The form will provide a summary of the serious occurrence and of any action taken by the home child care agency.
- The summary will not include identifying information (e.g. names and ages of children, staff, or program rooms) and will contain gender-neutral language.
- The summary will be posted at the home child care premises where the incident took place in a place that is visible and accessible to parents for a minimum of 10 business days regardless of the serious occurrence type and the status of any related investigation.
- All serious occurrence summaries will be retained for 3 years from the date they are created or last updated (whichever date is most recent).

- An annual analysis of all serious occurrences that occurred in the previous calendar year will be completed by (the form available in Appendix C may be used for this purpose).
- The annual analysis will be used to identify issues, trends and actions taken.
- The analysis and record of actions in response to the analysis will be kept on file for Ministry of Education review and retained for 3 years from the date the analysis and record of actions were created.

### **Concerns about the Suspected Abuse or Neglect of a child**

- If any person, including a person who performs professional duties with respect to children, has reasonable grounds to suspect that a child has suffered, or is at risk to suffer, physical or emotional harm or sexual exploitation or molestation inflicted by the person having charge of the child, the person will report the suspicion directly to a children's aid society (CAS).
- Suspected abuse or neglect that will be reported will include physical, emotional and sexual abuse and/or neglect.
- Where a parent expresses concerns that a child is being abused or neglected, the parent will be advised to contact their local CAS directly. The person who becomes aware of these concerns is also required to report the concerns to the local CAS.

### **Additional Policy Statements**

In the event of a serious occurrence the agency will conduct an internal investigation. The Director and RECE Home Visitor will meet with the home child care provider and all those involved to discuss the serious occurrence and depending on the circumstances and particulars discern if external support would be beneficial.

- If the home child care provider is found to be guilty or "at-fault" of negligent behaviour or behaviour causing harm or potential harm to children their child care agreement with Little Lambs will be terminated effective immediately.
- If a person ordinarily present or who resides at the premises of the home child care provider is found guilty or "at fault" of negligent behaviour or behaviour causing harm or potential harm to children, the Home child care providers agreement with Little Lambs will be terminated effective immediately.
- If a student, employee or RECE Home visitor is found guilty or "at fault" of negligent behaviour or behaviour causing harm or potential harm to children their contract will be terminated effective immediately.
- In the event that a serious occurrence is the result of an emergency where no person affiliated with Little Lambs Home Daycare is guilty or "at fault" and the situation has caused or could cause anxiety or mental health concerns external support will be brought in to support those involved in the incident.

# Procedures to Respond to a Serious Occurrence

## Steps to Follow for All Serious Occurrences

### STEPS REQUIRED BY THE PROVIDER:

#### 1. Immediately:

- Request for assistance from other persons at the premises, students, or volunteers.
- Provide immediate medical assistance, if applicable, according to Standard First Aid and CPR training, where applicable.
- Call emergency services and follow direction from emergency services personnel, where applicable.
- Ensure that other children are removed from the scene and do not have access to the area, where applicable.
- Address any risks to the health or safety of the child and/or other children present to prevent the risk of further harm.
- Notify the home child care agency.

#### 2. Ongoing and after the incident:

- Follow any direction provided by third-party authorities (e.g. police, CAS, public health, etc.)
- Ensure that children are supervised at all times.

#### 3. Within the same day

- Document the incident in:
  - a) the daily written record;
  - b) the child's record of symptoms of illness, if applicable; and/or
  - c) in an accident report, if applicable.
  - d) Where an accident report is created, provide a signed copy to a parent of the child.

#### 4. Post a summary of the serious occurrence and of any action taken by the home child care agency in a place that is visible and accessible to parents.

## **STEPS REQUIRED BY THE AGENCY:**

### **1. Immediately:**

- Send a home child care visitor to the premises to provide assistance and support to the provider and children, where required.
- Provide assistance to children, students, volunteers, other persons at the premises and families.
- Call emergency services and follow direction from emergency services personnel, where applicable.

### **2. Within 24 hours of becoming aware of the incident:**

- Collect all pertinent information to report the incident to the Ministry of Education as a serious occurrence, including
  - A description of the incident;
  - The date, time, place where it occurred, actions taken and outcome;
  - The current status of the incident and child/parties involved; and
  - All other parties notified (e.g., emergency services, CAS, parents).

### **3. Report the serious occurrence in CCLS or notify the Ministry of Education program advisor by telephone or email where CCLS is not available. **Note:** Where CCLS is not available, a serious occurrence report will be submitted in CCLS as soon as it becomes available.**

### **4. Provide the home child care provider with a summary of the serious occurrence that they must post at the premises.**

### **5. Ongoing and after the incident:**

- Follow any direction provided by third-party authorities (e.g. police, CAS, public health, etc.)
- Maintain confidentiality at all times.
- Update the serious occurrence report in CCLS, as required.
- Conduct an internal review of the occurrence with the home child care provider, students and volunteers to establish next steps and reduce probability of repeat occurrences.
- Provide children, parents, home child care provider, students and/or volunteers with supports, if needed.
- Review with the provider, students and volunteers the home child care agency's program statement policies and procedures that set out prohibited practices and expectations of promoting the health, safety, nutrition and well-being of all children.

## Steps to Follow According to Specific Serious Occurrence Categories

### **SERIOUS OCCURRENCE: Death of a Child**

#### **STEPS REQUIRED BY THE PROVIDER**

**Death occurs while a child is receiving care at a premises with which Little Lambs Home Daycare has an active agreement:**

See 'Steps to Follow for All Serious Occurrences' for the provider

#### **STEPS REQUIRED BY THE AGENCY**

See 'Steps to Follow for All Serious Occurrences' for the agency, and

**a) Death occurs while a child is receiving care at a premises with which Little Lambs Home Daycare has an active agreement:**

**1. Immediately upon becoming aware of the incident:**

- Send a home child care visitor to the premises to provide assistance and support to the provider and children.
- Contact a parent of the child, or where a parent cannot be reached, contact the child's emergency contact.

**2. Ongoing and after the incident:**

- Contact local Children's Aid Society (CAS) or police services to find out if there is an investigation. If an investigation is ongoing, conduct an internal investigation after CAS or polices services have completed, if applicable.

**SERIOUS OCCURRENCE: Allegation of Abuse and/or Neglect****STEPS REQUIRED BY THE PROVIDER**

See 'Steps to Follow for All Serious Occurrences' for the provider, and

**Where there is a concern about the abuse or neglect of a child by any person:**

**1. Immediately:**

- Report concerns to the local Children's Aid Society (CAS) as per the duty to report obligations under the *Child, Youth and Family Services Act, 2017 (CYFSA)*.
- Document the conversation with CAS and follow their recommendations.
- Notify the home child care agency of the incident and the report made to CAS, where appropriate.
- Refrain from discussing the allegation with others.
- Maintain confidentiality at all times.

**STEPS REQUIRED BY THE AGENCY**

See 'Steps to Follow for All Serious Occurrences' for the agency, and

**Where there is a concern about the abuse or neglect of a child by a home child care provider, home child care visitor, student or volunteer, or where a person has otherwise reported alleged abuse/neglect concerns to the home child care agency:**

**1. Immediately:**

- Notify the person who reported concerns about their duty to report obligations under the *Child, Youth and Family Services Act, 2017 (CYFSA)*.
- Report the concerns to the local Children's Aid Society (CAS) as per the duty to report obligations under the CYFSA, unless it is confirmed that a report has already been made to CAS.
- Document the concerns.
- Contact and notify a parent of the child, where appropriate.
- Based on the nature of the allegation and/or the direction of CAS and/or internal policies, determine next steps such as disciplinary measures and additional actions, such as an internal investigation to protect children in care.
- Determine whether the individual alleged to have abused/neglected a child is registered with a professional regulatory body (e.g. College of Early Childhood Educators, Ontario College of Teachers, etc.). If so:
  - Report the allegation of abuse to the appropriate regulatory body;
  - Report to the College of Early Childhood Educators if the employment of a registered early childhood educator (RECE) is suspended or terminated or if the RECE resigns.

- Refrain from discussing the allegation with others.
- Maintain confidentiality at all times.

**2. After all external investigations are complete (e.g. by police and/or CAS), if applicable:**

- Update the serious occurrence report in CCLS, as required.
- Update all other authorities to whom the allegation was reported (e.g. College of Early Childhood Educators, Ontario College of Teachers, CAS, etc.).

**SERIOUS OCCURRENCE: Life-threatening Injury or Illness**

**STEPS REQUIRED BY THE PROVIDER**

See 'Steps to Follow for Each Serious Occurrence' for the provider.

**STEPS REQUIRED BY THE AGENCY**

See 'Steps to Follow for All Serious Occurrences' for the agency.

**SERIOUS OCCURRENCE: Missing or Unsupervised Child(ren)**

**STEPS REQUIRED BY THE PROVIDER**

See 'Steps to Follow for All Serious Occurrences' for the provider, and

**1. Immediately, upon becoming aware that a child or children are missing:**

- Alert all other persons at the home child care premises.
- Search the entire premises, including outdoor areas (e.g. hallways, washrooms, bedrooms, yards, etc.).
- Ensure that remaining children are supervised at all times.

**a) Where the child or children are not found after being deemed missing:**

- Call emergency services and follow direction from emergency services personnel.
- Continue to search the premises.
- Update the home child care agency.
- Notify the child(ren)'s parent(s) or emergency contact, where the parent(s) cannot be reached.

**b) Where the child or children are are found after being deemed missing:**

- Update the home child care agency.
- Update the child(ren)'s parent(s) or emergency contact, where the parent(s) cannot be reached.



## STEPS REQUIRED BY THE AGENCY

See 'Steps to Follow for All Serious Occurrences' for the agency, and

### 1. Immediately, upon becoming aware that a child is missing:

- Call emergency services and follow direction from emergency services personnel.
- Contact the child(ren)'s parent(s), or where a parent cannot be reached, contact the child's emergency contact.

## **SERIOUS OCCURRENCE: Unplanned Disruption of Normal Operations:**

- **Fire**
- **Flood**
- **Gas Leak**
- **Detection of Carbon Monoxide**
- **Outbreak**
- **Lockdown**
- **Other Emergency Relocation or Temporary Closure**

## STEPS REQUIRED BY THE PROVIDER

See 'Steps to Follow for All Serious Occurrences' for the provider, and

### a) Where the incident is suspected to be an outbreak:

#### 1. Immediately:

- Separate children who are showing symptoms of illness from other children.
- Contact the local public health department and follow any directions provided by the local health authority.
- Contact the home child care agency.

#### 2. Within the same day:

- Record symptoms of ill health in the affected child(ren)'s records,
- document the incident and any local public health recommendations in the daily written record
- Post an outbreak posting from the local Medical Officer of Health in an area easily accessible for parents.

### b) Where the incident is not an outbreak (all other disruptions of normal operations), immediately:

- Follow the premises' fire evacuation or emergency plans.
- Call emergency services and follow direction from emergency services personnel.
- Notify the home child care agency.

## STEPS REQUIRED BY THE AGENCY

See 'Steps to Follow for All Serious Occurrences' for the agency, and

### a) Where the incident is deemed an outbreak by the local public health department:

#### 1. Immediately:

- Contact all the parents of all children receiving care at the home child care premises.
- Arrange for alternative care (e.g. replacement provider) or request parents to pick up their children.
- Follow instructions from the local public health department.
- Close the home child care premises until the outbreak is cleared.
- Provide an outbreak posting from the local Medical Officer of Health to the home child care provider to post in an area that is easily accessible for parents.

#### 2. Where the incident is not an outbreak (all other disruptions of normal operations), immediately:

- Contact all the parents of children receiving care at the home child care premises and ensure that affected child(ren) are picked up by their parent(s) and/or taken to hospital.

**Note:** a hold and secure (an external threat in the area) is not a reportable serious occurrence.

## Additional Procedures

### Important:

Registered ECE's are expected to be accountable for their actions as early childhood educators and to abide by the College of Early Childhood Educators' "*Code of Ethics and Standards of Practice*" as well as applicable legislation, regulations, bylaws, policies that are relevant to their professional practice. RECE's should familiarize themselves with reporting requirements under the Child and Family Services Act, and abide by them as the failure to do so is contrary to the law and may constitute in professional misconduct.

## Glossary

*Active Agreement:* A current contract with an agency.

*Children's Aid Society (CAS):* Child protection agency.

*Emergency:* An urgent or pressing situation in which immediate action is required to ensure the safety of children and adults in the contracted home child care premises.

*Home Child Care Provider:* The person in charge of the children in a location where home child care is provided.

*Home Child Care Visitor:* An employee of the home child care agency who will provide support at and monitor each premises and will be responsible to the licensee.

*Interact:* To be or become involved in communication, social activity or work with somebody else or one another (Source: Encarta Dictionary). Examples of interactions with children include conversing, playing, directing, intervening, supervising or assisting in fulfilling their needs (e.g. food/drink consumption, toilet use).

*Licensee:* The individual or corporation named on the licence issued by the Ministry of Education responsible for the operation and management of the home child care agency.

*Lockdown:* A threat inside the building that will restrict movement within the home child care premises.

*Ordinarily a Resident of the Premises:* Individuals who may have access to children in care (including supervised access) because they use the premises as a primary residence for at least some period during the year (e.g., the provider's spouse, adult children, adult dependents, etc.).

*Parent:* A person having lawful custody of a child or a person who has demonstrated a settled intention to treat a child as a child of his or her family (all references to parent include legal guardians, but will only be referred to as "parent" in this policy).

*Premises:* a building, together with its land (for example, the backyard) where the home child care provider primarily resides.

*Regularly at the premises:* An individual who is present at the premises during hours in which care is provided often enough that children in care are able to recognize the individual. This would include persons who are present frequently during a short period of time (e.g., visit family members) or repeatedly (e.g., the provider's friend who visits the premises once a week, or a neighbour who visits the premises every other month to provide tutoring to the provider's own child).

## **Regulatory Requirements: Ontario Regulation 137/15**

### **SERIOUS OCCURRENCES**

**38.**

(1) Every licensee shall ensure that,

- (a) there are written policies and procedures with respect to serious occurrences in each child care centre operated by the licensee and each premises where it oversees the provision of home child care, that address, at a minimum, how to identify, respond to and report a serious occurrence;
- (b) a report is provided to a program adviser of any serious occurrence in any child care centre operated by the licensee or any premises where it oversees the provision of home child care within 24 hours of the licensee or supervisor becoming aware of the occurrence;
- (c) a summary of the report provided under clause (b) and of any action taken as a result is posted for at least 10 business days in a conspicuous place at the child care centre or home child care premises; and
- (d) the report is kept in accordance with section 82.