



# MONITORING COMPLIANCE AND CONTRAVENTIONS

## Policies and Procedures

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**Effective Date:** September 2015 (CCEYA)

**Revision Dates:** September 2016  
November 2016  
June 2017  
February 2024 - *Updated Mandatory Ministry Policies*  
- *Prohibited Practices Definitions*

**Attachment:** *Compliance & Contravention Observation Form*

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### Purpose

Policies and Procedures for Monitoring Compliance & Contravention were developed to document how employees, placement students and volunteers are monitored for compliance and contraventions of policies, procedures and individualized plans. The policy sets out the process on

1. How compliance with the policies, procedures and IPs will be monitored on an ongoing basis, recorded and addressed, and
2. How contraventions of the policies, procedures and IPs will be monitored on an ongoing basis, recorded and addressed.

The policy is intended to fulfill the obligations set out under Ontario Regulation 137/15 for written policies and procedures for monitoring, recording and addressing compliance and non-compliance with policies, procedures and individualized plans for child care centres. All observations are kept secured in the Employee's file for a minimum of three years.

### Review of Policies, Procedures and Individualized Plans

All educators, placement students and volunteers that are involved with Faith Infant and Early Education Centre will review all policies, procedures and individualized plans as set out by the Centre before employment or placement, before interacting with the children, upon any changes or modifications and annually after that.

The fifteen (15) mandatory policies and procedures required under the *Child Care and Early Years Act 2014* are as follows:

1. Administration of Drugs and Medication
2. Anaphylactic Policy, *including* Individualized Plan
3. Emergency Management
4. Fire Safety and Evacuation
5. Monitoring Compliance and Contraventions
6. Parent Issues and Concerns
7. Playground Safety
8. Police Record Checks and Vulnerable Sector Checks
9. Program Statement Implementation
10. Safe Arrival and Dismissal
11. Serious Occurrence
12. Sleep Supervision
13. Staff Training and Development
14. Supervision of Placement Students and Volunteers
15. Waiting List

Individualized Plans (IPs) required under the *Child Care and Early Years Act, 2014* are:

- Anaphylaxis
- Special Needs
- Medical Needs

Other policies and procedures developed by Faith Infant and Early Education Centre that are monitored and reviewed are:

- Attendance Records
- Child Abuse
- Children's Health Records
- Daily Journals
- Dress Code
- Information Technology at the Centre
- Field Trip Protocol
- Occupational Health and Safety
- Sanitary Practices

## **Monitoring Practices**

Faith Infant and Early Education Centre implements a wide range of monitoring practices to ensure the goals and approaches described in the Program Statement, all Ministry-mandated policies and procedures and individualized plans are implemented. Monitoring practices include, but are not limited to:

1. Monitoring of programs by the Supervisor to provide guidance, encouragement and direction for educators, placement students and volunteers.
2. Periodic revisions of the menus to ensure cultural diversity, seasonal produce and children's allergies/food restrictions.
3. Establishing communication standards for the staff to follow when interacting with families and children.
4. Providing coaching, guidance and opportunities for staff to engage in ongoing reflective practice and collaborative inquiry with the teaching teams.
5. Using third-party consultants to access health and safety practices or for program assessment and assistance.
6. Recording all mandatory and supplemental training completed by educators.
7. Weekly confirmation to ensure program daily journals and documentation panels are being completed.
8. Evaluations will be conducted and discussed with each staff member, placement student, and volunteer in regard to their compliance with the Program Statement, its implementation and the approaches that are being used in the program. Concrete examples will be documented.
9. *Compliance and Contravention Observation Forms* are, at minimum, two per year for full-time staff and at least one per year for part-time and supply staff.
10. Yearly staff evaluations are conducted and discussed with each staff member, including compliance, approaches, monitoring, recording and progress within the parameters of the Program Statement Policy.

## Roles and Responsibilities

### *The Management Team will:*

- Ensure that all employees, placement students and volunteers are oriented to the policies, procedures and best practices of Faith Infant and Early Education Centre, including the Program Statement Implementation Policy before they interact with the children, which includes a signature sheet signed by both parties.
- Review the Program Statement Implementation Policy and all other policies on an annual basis or at any other time a substantial change has been made to any, which includes a signature sheet signed by both parties.
- At the annual meeting, discuss suggestions regarding the practices in the implementation of the Program Statement and any updates or changes that need to be made as it is a 'living document.'
- Respond immediately to any concerns or commissions of prohibited practices observed or reported in consultation with the Board of Directors and appropriate authorities as needed.
- Discuss curriculum, Ministry of Education licensing and program observations with staff to develop a plan of action to be implemented and shared in all programs.
- Ensure that all signed observation records are kept on file for three years.

### *The Supervisor will:*

- Spend time daily within each program observing, assisting and offering direction to the staff, placement students and volunteers.
- Monitor all staff for compliance with the approaches set out in the Program

- Statement Implementation Policies and Procedures to ensure that they are implemented in the operation of the program.
- Ensure that a written observation for monitoring all employees is completed twice yearly regarding compliance and contraventions.
  - Conduct annual performance reviews with each staff using the document currently adopted by the Centre.
  - Provide coaching and guidance for staff to engage in ongoing reflective practice and collaborative inquiry with the staff teams through documentation, team and staff meetings.
  - Take time to meet with each educator to discuss the observations recorded on the Compliance and Contravention Observation Form.
  - Give immediate and ongoing guidance and reminders for educators during their learning process.
  - Provide staff with opportunities to attend all mandatory and supplemental training.
  - Give support to the program, make referrals and provide resources based on the children's and family's needs.
  - Immediately report any concerns or commission of any prohibited practices to the Administrator, who will, in turn, report to the appropriate stakeholders.

*The Educators will:*

- Engage in ongoing reflective practice and collaborative inquiry with the teaching team and staff.
- Participate fully in discussions regarding the curriculum, Ministry of Education licensing and program observations to develop a plan of action to be implemented and shared in all programs.
- Attend and participate in all mandatory and supplemental training.
- Make referrals and provide resources based on children's and families' needs.
- Immediately report concerns or commissions of any prohibited practices to the Management Team.
- Engage in discussions regarding the Program Statement Implementation Policies and Procedures, understanding that it is a 'living document' with expected change.

## Contraventions and Non-Compliance

*In the Event of Contraventions:*

Should an Employee, placement student or volunteer be observed or witnessed to contradict any of the prohibited practices listed, they will be *immediately relieved* of all their duties.

***Prohibited Practices:***

- Corporal punishment of the child, which may include but is not limited to hitting, spanking, slapping, pinching;
- Physical restraint of children, including but not limited to confining to a high chair, car seat, etc., for discipline or in lieu of supervision unless for the purposes

- described in the regulation, to prevent self-harm, harm to others and only until the risk of harm/injury is no longer imminent;
- Locking the exits of the child care centre for the purpose of confining the child or confining the child in an area without adult supervision, unless such confinement occurs during an emergency;
  - Use of harsh, degrading measures or threats or derogatory language directed at or used in the presence of a child that would humiliate, shame or frighten the child or undermine their self-respect, dignity or self-worth;
  - Depriving the child of basic needs, including food, drink, shelter, sleep, toilet use, clothing, bedding, or
  - Inflicting any bodily harm on children, including making children eat or drink against their will.

Per the *Employment Standards Act 2000*, an employer may terminate the employment of an Employee *without notice* if the employer,

1. Pays to the employee termination pay in a lump sum equal to the amount the Employee would have been entitled to receive and
2. Continues to make whatever benefit plan contributions would be required to be made to maintain the benefits to which the Employee would have been entitled during the period of notice.

*In the Event of Non-Compliance:*

Should an Employee, placement student or volunteer be observed or witnessed to contradict any part of the Program Statement Implementation Policies and Procedures, Ministry-mandated policies, individual plans or Centre policies and procedures, they will be subject to the following:

1. A meeting between the Supervisor and the Employee, placement student or volunteer to discuss the concerns;
2. Issues observed will be addressed, and an action plan, with a timeline from immediate to 3 months, will be created to help the Employee, placement student or volunteer succeed;
3. The action plan will involve more frequent monitoring, one-to-one mentoring, guidance and documentation of the Employee, placement student or volunteer by the Management Team, as well as colleagues or supervising teachers;
4. If the immediate corrective effort is not observed, a secondary meeting will be held to review the action plan and discuss the expectations and consequences of non-compliance and
5. Should, after the Centre has done its due diligence, there be no significant improvement in the performance of the Employee, placement student, or volunteer, the Centre will begin the process of termination or removal of placement.

**Implementation of policies, procedures and individualized plans**

**6.1** (1) Every licensee shall ensure that the policies, procedures and individualized plans it is required to have under this Regulation are implemented at each child care centre it operates and at each premises where it oversees the provision of home child care. O. Reg. 126/16, s. 6.

(2)-(6) REVOKED: O. Reg. 51/18, s. 4 (1).

(7) Every licensee of a child care centre or home child care agency shall have written policies and procedures that set out,

- (a) how compliance with the policies, procedures and individualized plans will be monitored on an ongoing basis, recorded and addressed; and
- (b) how contraventions of the policies, procedures and individualized plans will be monitored on an ongoing basis, recorded and addressed. O. Reg. 126/16, s. 6; O. Reg. 51/18, s. 4 (2).

(8) Every licensee shall ensure that records of compliance or contraventions are kept in accordance with section 82. O. Reg. 126/16, s. 6.