



Policy for Monitoring Compliance and Contraventions

Creation Date: August 16, 2016

Revision Date: May 25, 2017, May 8, 2018, May 30, 2019, March 17, 2020

Reference: Child Care and Early Years Act. 2014

Approved by Board: September 22, 2016, June 22, 2017

Purpose:

This policy sets out the process that will be followed to monitor the implementation of our policies, procedures and individualized plans on an ongoing basis.

The policy sets out how compliance and contraventions (non-compliance) with the policies, procedures and individualized plans listed below will be monitored, recorded and addressed.

This document 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.

Policies and procedures required under the *Child Care and Early Years Act, 2014*:

- Playground Safety
- Anaphylactic policy
- Sanitary Practices
- Sleep Supervision
- Serious Occurrence
- Medication Administration
- Supervision of Volunteers and Students
- Program Statement Implementation
- Staff Training and Development
- Vulnerable Sector Screening
- Fire Safety and Evacuation
- Waiting List
- Parent Issues and Concerns
- Emergency Management
- Monitoring Compliance and Contravention

Individualized plans required under the *Child Care and Early Years Act, 2014*:

- Anaphylaxis
- Individual Support Needs
- Medical Needs

And other policies and procedures developed by the Orde Day Care Centre and outlined on the annual sign off sheet

Policy and Procedures for Monitoring Compliance and Contraventions

Monitoring and Observations Compliance and Contravention of Anaphylactic/Medical/Individual Plan/all Ministry Required Policies will adhere to the following procedures:



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- All program staff and volunteers will be monitored by Supervisor
- Monitoring and observations will be conducted on an ongoing basis through various means including, but not limited to:
 - participating regularly and informally in the program;
 - collecting feedback provided from parents and families; and
 - reviewing written documentation (e.g., medication administration forms, daily written record, attendance records, review of policies and procedure, individual medical and support plans).
- Monitoring will be conducted at different times of the day (e.g., morning, afternoon, periods of arrival/departure, rest periods, meal times, outdoor play periods, transitions, etc.) to observe that policies, procedures and individualized plans are being implemented as required for different parts of the program and daily routines.
- If another staff member, student or volunteer witnesses an act on non-compliance, they are responsible for informing the Supervisor or Executive Director
- All supervisory staff will be monitored by the Executive Director through ongoing observation, implementation and adherences on an annual basis
- The Executive Director will be monitored by the Human Resources Committee members if there are any contraventions to the policies
- Placement students will be monitored by their cooperating staff, through the evaluation tools and weekly discussion. In the event of a non-compliance, the cooperating staff will inform the Supervisor. The Supervisor will then meet with the student to discuss the observation of non-compliance.

Documentation and Records

- Monitoring and observations will be recorded. Records of monitoring and observations will be documented using the Record of Policy and Compliance and Contraventions Monitoring Form
- Supervisors and Director will maintain a **Record of Policy Compliance and Contraventions Monitoring form** for each staff under their supervision per site.
- Monitoring forms will be stored in a binder at each site for logging these observations.
- This binder will be kept in a secure location, as it holds confidential information at each site and will be maintained for three years from the date they were completed.
- Documentation of observations will be completed at the time the observed compliance or noncompliance of the policy/plan and will include concrete examples of observed compliance and non-compliance



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Follow-up

- Any areas of concern with an individual’s ability to comply with policies, procedures and individualized plans will be brought forward to the supervisor or designate to discuss with the staff member/student/volunteer.
- The Supervisor/Executive Director will address their observations through a review and discussion with the individuals observed every year or as soon as possible if required and will seek to or provide them with appropriate supports to achieve and maintain compliance through additional training or mentoring
- An action plan will be devised with the staff, student of volunteer to address any observed non-compliances in conjunction with the Supervisor or designate

Dealing with Contraventions of Policies, Procedures or Individualized Plans:

- Orde Day Care will make every effort to clarify expectations and encourages staff, students and volunteers to raise their questions and concerns about implementing policies, procedures and individual plans on an ongoing basis to support clarity, learning, development and ongoing compliance.
- Progressive discipline may be used to address observed non-compliances with policies, procedures and individualized plans, taking into consideration the nature and severity of the incident, and the individual’s history of previous non-compliances.
- Where a staff, student or volunteer is observed to be non-compliant the Supervisor, Executive Director or designate will take one or more of the following actions:
 - Inform the individual that a non-compliance was observed, including the review of any pertinent records or documentation that provide evidence of the non-compliance;
 - Re-review the relevant policies, procedures, and/or individualized plans with the individual;
 - Issue the necessary discipline up to including verbal, written warnings, suspension up to including termination
 - Inform any relevant parties (e.g., College of Early Childhood Educators, College of Teachers, College of Social Work and Social Services, the contact person for the program from which a student has been placed, CAS, police, etc.); and/or
 - Report violations with the College of Early Childhood Educators’ Code of Ethics to the College.
 - Where an observed non-compliance meets the criteria for a reportable serious occurrence (e.g. an allegation of abuse or neglect), the serious occurrence policy and procedures will be followed.
 - Where appropriate, the Supervisor or designate will follow up with the family of a child in accordance with our policies and procedures on parent issues and concerns.

Staff Name:	Supervisor Name:
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Staff Signature:	Supervisor Signature:
Date:	Date:



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1. All Orde Day Care staff will be subject to discipline if there is an observed failure to comply with the direction of the plan or policy, up to including dismissal or removal from the program or premise
2. All Orde Day Care staff will be subject to discipline if the sign off was not completed within the required time span or within the annual review, after a reminder notice has been provided to the individual
3. All signed policies and sign off sheets for policies and individualized plans will be retained in a secure location for three years from the date it was created or signed.
4. All records of Policy Compliance and Contravention Monitoring will be kept secured in the staff files for a period of three years from the date of creation.



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- Where a staff, student or volunteer is observed to be non-compliant, the licensee, supervisor or designate will take one or more of the following actions:
 - Inform the individual that a non-compliance was observed, including the review of any pertinent records or documentation that provide evidence of the non-compliance;
 - Re-review the relevant policies, procedures, and/or individualized plans with the individual;
 - Issue a verbal warning;
 - Issue a written warning;
 - Temporarily suspend the individual from their position at the child care centre for terminate the individual from their position;
 - Inform any relevant parties (e.g. College of Early Childhood Educators, College of Teachers, College of Social Work and Social Services, the contact person for the program from which a student has been placed, CAS, police, etc.); and/or
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Application:

All new staff, volunteers and students must have a Prohibitive Practices Policy prior to working with the children. The policy must be reviewed and signed off annually.

Procedure:

Orde Day Care is committed to the principle of promoting positive interaction using age appropriate methods. Below is a list of the methods which promote positive interactions with children that must take into a consideration a child's or groups developmental level, abilities and needs and strengths when being implemented:

- Responding to their requests quickly
- Following their lead and interest during play
- Providing warm and responsive contact
- Engaging them in face to face interactions and/or discussions
- Actively listening to their thoughts, feeling and ideas.
- Using a pleasant, calm voice and language that is developmentally appropriate while making eye contact
- Helping children understand your expectations by providing simple but clear explanations and limits prior to activities and transitions (not by directing)
- Taking the time to engage children in the process of resolving problems and conflicts rather than reiterating classroom rules
- When children's behavior is challenging and disruptive, thinking about where and how they might have more success and redirect them there
- Fostering thoughtfulness and caring by listening to children and by encouraging them to listen to others and share ideas
- Being genuine in acknowledging children for their accomplishments and effort by clearly stating what it is they have done well
- Being patient and calm in your behavior actions, and responses
- Ensuring your expectations and activities meet the developmental ability of the child
- In any situation, being involved with the children without encroaching on their play
- Arranging the environment so that children are guarded against dangerous situations
- Arranging each area of the program in a way that can help prevent disputes from arising, i.e. have enough stimulating and interesting activities set up for the number of children in the room
- Observing children to see how to support the development of self-control and self-regulation
- Remembering each child is different, so your approach or method of dealing with a child may also vary, depending on that particular child's need in that particular situation
- Encouraging the children to verbalize their feelings, fears, and anxieties
- Being alert to the development of potentially difficult situations or disputes between children
- Following up when limits are broken
- Calling the supervisor or another staff member if a situation or child becomes too difficult to handle alone
- Recognizing that needing help is a strength, not a weakness

Procedure

The program staff will



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- Try to understand the child and reasons for the child's behavior **through observations of the child/children**
- Explain consequences in a calm manner
- Acknowledge and supports the positive behaviors exhibited by the child
- Use developmentally appropriate redirection strategies
- Provide an alternative activity or play materials to redirect child
- Consistently follow through with strategies, ie role modeling
- Consistently model sharing and turn taking
- Consider the physical environment anticipating problems and arrange the environment so that it is safe and comfortable for the children and conducive to appropriate behaviour by the child.
- Respect each child and consider the individual needs of each child in each situation.
- Develop a positive and trusting relationships with parents, staff and children.
- Encourages the children to develop independence, by promoting self-help skills and breaking tasks down to manageable steps
- Use problem solving techniques (i.e. logical consequences, peacemaking) to encourage the children to discuss what has happened, the children's feelings and other ways to communicate and provide input into resolution of problem.
- Deal with the situation in a positive manner and try to reflect the feelings of the children involved.
- Provide the children warnings about unsafe conduct and inappropriate behaviours, emphasizing what should be done

Prohibited Practices at Orde Day Care:

- Any form of corporal punishment (physical violence such as hitting, spanking, kicking, pushing, pulling, poking, shoving, grabbing, squeezing or picking up children by their arms/hands or **wrists**, pinching ears, or any other aggressive behavior exhibited toward a child)
- Physical restraint of the child, such as confining the child to a high chair, car seat, stroller or other device for the purpose of discipline or in lieu of supervision, unless the physical restraint is for the purpose of preventing a child from hurting himself, herself or someone else. This is used a last resort and only until the risk of 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 or room without adult supervision, unless such confinement occurs during an emergency and is required for Orde Day Care's emergency procedures, including lock down
- Use of harsh or degrading measures or threats or use of derogatory language directed or used in the presence of the child that would humiliate, shame or frighten the child or undermine his or her self-respect, dignity or self-worth
- Depriving or denying the child of any basic needs e.g. food, drink, shelter, sleep, toilet use, clothing or bedding
- Inflicting bodily harm on children including making children eat or drink against their will
- Time out

Procedure upon Contravention of Prohibitive Practices:

- 1) Any staff member observed using prohibitive practices that contravene the **Child Care and Early Years Act** and the Orde Day Care Centre Promoting Positive Interactions Policy, shall be reported immediately to the Director who will take immediate steps to investigate the alleged incident.
- 2) The Director and/or Supervisor will immediately speak privately to the staff member involved in



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order to assess the validity of the alleged incident. If necessary, appropriate action will be taken which may include disciplinary action depending on the nature of the contravention. The incident will be documented and kept on file. If a second incident of a similar nature is reported or observed disciplinary action will follow. The incident will be documented and kept on file.

- 3) If the Director is observed using prohibitive practices that contravene the Child Care and Early Years Act and the Orde Day Care Centre policy regarding Promoting Positive Interaction, the observer will report the incident immediately to the Chair of the Board of Directors. The Chair or designate will investigate the alleged incident.
- 4) Any prohibited practices exhibited and confirmed through the Orde Day Care's internal investigation will be reported to the Children's Aid Society.
- 5) Any terminations, suspensions or restrictions imposed on a member of the College of Registered Early Childhood Educators due to a member's engagement in prohibitive practices will be reported to the College of Registered Early Childhood Educators.

De-escalating a Volatile Situation:

It is recognized that in some extreme situations, wherein a child is endangering his/herself or others, staff may find themselves having to respond to a crisis situation using removal as a method to defuse and/or de-escalate a volatile situation. Orde Day Care does not approve of removing children from the program, but recognizes there are times when children are at risk of hurting themselves or others. These guidelines reinforce the need to ensure that children are supervised and safe at all times.

De-escalating Volatile Behaviour Procedures:

1. Staff will call another room's or office staff informing them that there is an emergency situation and they need assistance.
2. Supervisor or Director will try to support the child in the room until they are able to gain control.
3. If the child continues to be a risk to themselves or the other children, the supervisor or director will escort child outside of the classroom and provide an alternate activity to the child, until they appear ready to be reintroduced back in to the program.
4. If the child is unable to gain control and now poses a safety risk to the management team, the child's parents or guardian will be called to come and pick up the child. This step is only carried out as a last resort and when all other strategies have been exhausted
5. Once the child has regained control of their behaviour, he or she will be supportively introduced back into the program. The staff should remain with this child until they are involved in an activity or task.
6. The staff and Supervisor and/or Director will meet with the child's parent/guardian to discuss the incident and determine the strategies to be utilized should the child encounter a similar situation.
7. The Supervisor and staff will keep the parent/guardian up to date on the child's progress using a mutually agreed upon method of communication (e.g. phone calls, regular meetings, written log, etc.). This also includes a review of the strategies.
8. If parental consent is provided, the centre will contact Children Services, Resource Educator to assist the centre with developing strategies for a more successful placement for the child. All written individualized plans will outline how it will support the child, the use of any aids, adaptations or modification and instructions on how these supports will be used at the centre. Reports and individual plans will be kept in a confidential manner in the child's classroom and originals will be placed in the child's file.



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9. Supervisor and or Director will also provide support to staff through workshops or training for assisting child through this period of development.
10. If further support is deemed necessary for the child to continue at the Centre, the Supervisor will request Intensive Child Care Support Funds for the child.

Staff Name:	Supervisor Name:
Staff Signature:	Supervisor Signature:
Date:	Date: