

Early Learning and Child Care Act: Family Day Home Agency Changes

New rules include probationary licences, requirement to post and share information

New authorities and requirements

New authorities for the statutory director bring family day home (FDH) agencies into alignment with the rules and authorities that govern facility-based licence holders. Some new requirements are unique due to the nature of agencies' connections with both FDH educators and parents or guardians of children.

New requirement: Post licence and reports in principal place of business

Section 18.921 of the Act requires FDH agencies to post a copy of their licence in a clearly visible and prominent place in their principal place of business. As well, agencies must post:

- any report issued by the statutory director;
- any conditions imposed on their licence;
- any provisions of the licence that are varied;
- any probationary licence issued; and
- the cancellation of their licence.

New statutory director authority: Suspend licence and issue probationary licence

Section 18.901 of the Act allows the statutory director to suspend a FDH agency licence and issue a probationary licence for not more than three months.

A probationary licence will indicate the non-compliance that must be addressed, the measures the licence holder must take and the time within which the non-compliance must be remedied.

Clarified authority: Inspections and monitoring of FDH agencies and FDH programs

Section 18.923 of the Act allows the statutory director, or delegate, to enter the premises where a FDH program is being offered, as well as the principal place of business of a FDH agency, for the purposes of inspection and monitoring.

The statutory director may also require production of records from either FDH programs or agencies for the purposes of examining and making copies.

New requirement: Duty to inform programs and parents or guardians

Section 18.922 of the Act and section 6.4 of the Regulation require that FDH agencies inform both program educators and parents or guardians of some key pieces of information. These are further clarified in the updated FDH Standards Manual for Alberta.

Notifying programs

Agencies must inform FDH programs of:

- any report from the statutory director which relates to the agency as a whole;
- any report from the statutory director which relates to the individual program;
- any variations, conditions, or provisions imposed on a licence;
- any suspension of a licence and issuance of a probationary licence; and
- the cancellation of a licence.

FDH agencies must notify their programs as soon as practicable, no later than two days after receiving notice from the statutory director or licensing staff.

Notifying parents or guardians

The FDH Standards Manual also explains what information must be shared with parents or guardians:

- Any report from the statutory director which relates to the agency as a whole
- Any report from the statutory director which relates to the individual program where the parents or guardians' child receives care
- Any variations, conditions, or provisions imposed on a licence
- Any suspension of a licence and issuance of a probationary licence
- The cancellation of a licence

Agencies must notify parents as soon as practicable, no later than three days after receiving notice and must provide the notification directly, including by paper or digital means.

Agencies must retain proof of all notifications sent to programs and parents.