

## Child Care Services

This section contains provincial policy and standards for accessing child (day) care services, entering into child day care agreements, use of suitable alternatives to licensed child care facilities, and coordination of services with the Manitoba Child Care Program. It applies to child and family services agencies.

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### Legislation

[The Community Child Care Standards Act](#)

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### The Community Child Care Standards Act

The following is a list and summary of key definitions in [section 1](#) of *The Community Child Care Standards Act* and section 1 of the [Child Care Regulation](#) applicable to coordination of services between child and family services and child care services.

*child* – a person under 12 years of age.

*child care centre* – premises, other than a child care home, where child care either alone or in combination with parental care is provided or offered at any time.

*child care home* – premises in which child care either alone or in combination with parental care is provided or offered at any time and which is the home of the person providing the child care.

*child with disabilities* – child who is physically, mentally, behaviourally or emotionally disabled as assessed by a person authorized by, or acceptable to, the director.

*facility* – a child care centre or child care home (family or group child care home).

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*family child care home* – a child care home in which child care is provided to not more than eight children of whom not more than five are preschool children and not more than three are infants (less than two years of age).

*group child care home* – a child care home in which child care is provided to more than eight children, but not more than 12 children of whom not more than three are infants (less than two years of age).

*nursery school* – a child care centre in which child care is offered four or less continuous hours a morning or afternoon session per day, or more than four hours per day and less than three days per week to more than three infants (less than two years of age).

*private home child care* – child care provided or offered to not more than four children, including the children of the person providing the child care. (Individuals providing child care to more than four children less than 12 years of age must be licensed).

*special needs* – mental, physical, social, emotional, and language needs and needs related to development.

Additional definitions in the regulation that may apply to coordination of services include child care centre director, full time child care centre, occasional child care centre, preschool age child, infant, school age child, school age child centre, and work site child care centre.

[Section 2](#) of the Act lists situations to which the Act does not apply. [Section 32](#) pertains to payment of subsidies to or on behalf of parents or guardians of children requiring child care facilities.

## Child Day Care Agreements

Under [section 12](#) of *The Child and Family Services Act*, an agency may enter into an agreement on a prescribed form with a parent or guardian to place a child in a licensed day care facility or obtain a suitable alternative (see [Suitable Alternatives](#) in this section).

Section 6 of the [Child and Family Services Regulation](#) limits the use of agreements and suitable alternatives. An agency may enter into an agreement when a licensed child care facility is not available or accessible and the child is at risk of having to be placed outside the family home either through a voluntary placement agreement or by apprehension. Subsection 6(2) sets out the conditions for an agency to place a child in a suitable

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alternative to a licensed child care facility (see [Suitable Alternatives](#) in this section for more details).

## Prescribed Forms

Schedule A of the [Child and Family Services Regulation](#) contains prescribed forms as follows:

Form CFS-4 – Child Day Care Agreement  
Form CFS-10 – Declaration of Family Income

These forms cannot be changed other than by an amendment to the regulation. Printable versions are available through the Child and Family Services Information System.

[Section 15](#) of the Act contains general provisions relating to agreements entered into under sections 12, 13 and 14. These provisions and policy and standards relating to them are covered in Section 1.2.6, [Service Agreements](#).

Section 33 of the [Child and Family Services Authorities Regulation](#) transfers the power of the director under [subsection 15\(4\)](#) of *The Child and Family Services Act* to an agency's mandating authority. That authority may require an agency to submit all or any agreements for day care, homemaker services or voluntary placements under sections [12, 13 and 14](#) of the Act for approval.

## Policy

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[Manitoba Child Care Program](#)

[Five-Year Plan for Child Care](#)

[Licensed Child Care Facilities](#)

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## Agency Services

Involvement of child and family services agencies in the delivery of child care services ranges from intake enquiries and referrals to opening a case for ongoing service.

Intake enquiries and referrals are recorded as an incidental service (see [Case Categories](#) in Section 1.7.1, Service Records). A case is not opened for ongoing service unless an agency is providing services to a family under [Part II](#) or intervening under [Part III](#) of *The Child and Family Services Act*.

## Manitoba Child Care Program

The Manitoba Child Care Program is committed to accessible, high-quality child care for children 12 weeks to 12 years old. The program branch oversees the operation of child care facilities (homes and centres) licensed under *The Community Child Care Standards Act*. The branch is responsible for:

- licensing of child care facilities and voluntary licensing of private family child care homes,
- classifying early childhood educators and child care assistants who work in licensed child care facilities,
- providing grants to eligible licensed child care facilities off reserve,
- assigning child care coordinators and subsidy advisors to work with child care facilities,
- working to place children with special needs into child care settings through the children with disabilities program,
- providing child care subsidies on behalf of children of eligible families through the subsidy program, and
- conducting investigation authorization clearances (criminal record and child abuse registry checks) for employees of child care centres and family child care providers.

The Government of Canada is responsible for funding child care programs on First Nation's reserves.

## Five-Year Plan for Child Care

Family Services and Housing is committed to implementing Manitoba's Five-Year Plan for Child Care. The plan advanced the following three major elements:

- maintaining and improving quality
- improving accessibility
- improving affordability

The five-year plan included expanding the nursery school program and more closely linking it with other early childhood development initiatives. The branch is very interested in encouraging families, including foster parents, to use nursery schools. Changes in eligibility for child care subsidies (see below) make it a more attractive option for stay-at-home parents because there is no longer a requirement that families have to be employed or attending a training program to access a nursery school program.

You will find detailed information on the child care program, the vision for child care and development in Manitoba, and the five-year plan for child care on-line at [www.gov.mb.ca/childcare](http://www.gov.mb.ca/childcare).

## Licensed Child Care Facilities

All licensed child care facilities must meet requirements in *The Community Child Care Standards Act* and the *Child Care Regulation* including provisions relating to supervision and behavioural management. Facilities must ensure that children are supervised at all times. They must not permit, practice or inflict any form of physical punishment or verbal or emotional abuse upon, or the denial of any physical necessities to, any child in attendance at the facility.

Detailed information on licensed child care facilities is readily available to both agency staff and clients through Child Care Information Services at by phone at (204)945-0776 in Winnipeg or toll free 1-888-213-4754, and on-line at [www.gov.mb.ca/childcare](http://www.gov.mb.ca/childcare).

## Child Care Subsidy Program

The Manitoba Child Care Program provides subsidies for child care fees for children placed in licensed child care facilities off reserve. For families that apply and qualify, the program pays either a partial or full subsidy to the child care facility. The family is responsible to pay the non-subsidized portion (\$2.00/day) and any portion not covered by subsidy if they are only partially approved.

To be eligible for a child care subsidy, a family's net income must be under a certain amount and, excluding nursery schools, the parents must show they need child care services because they:

- have or are looking for a job,
- are attending school or a training program,
- have a special need based on a family plan that the parent, professional and a child care provider will complete, or
- have a medical need and are undergoing treatments.

The above criteria other than financial eligibility do not apply to nursery schools. Also, *socialization* is not considered a special need for purposes of the subsidy program as this need can be met through other settings such as nursery schools, community clubs recreation and religious organizations.

A foster child is automatically eligible for full subsidy if the foster parent(s) work(s) or attend(s) school full-time. Children with special needs are also approved after the special needs form is completed and submitted to the appropriate Childcare Subsidy office. The child and family services agency pays the non-subsidized fee and other fees over and above basic rates. The agency is responsible for the full cost if documentation is not submitted within a reporting period or if a child is absent for more than 15% of the time. The Childcare Subsidy Program has a limited backdating policy.

You'll find detailed information regarding [forms and procedures](#) for applying for a child care subsidy at the end of this section.

## Children with Disabilities Program

Children with special needs may need extra time, attention and energy to learn and to feel part of a group of children in a child care facility. The Children with Disabilities Program (CWD) provides additional supports and grants to assist eligible child care centres off reserve, nursery schools, family and group child care homes to care for and educate children with disabilities. CWD approves additional staffing or guaranteed spaces.

The primary goal of CWD is to facilitate inclusion in regular child care programs. Depending on a child's needs, he or she may be able to participate fully in the program within regulated minimum child to adult ratios or by sharing CWD hours within a group of children with an enhanced ratio. Child care providers can incorporate a child's individual goals when planning activities and experiences for all the children in

attendance. Some children may require the full time support of an adult to be able to participate in the program and to address individual goals. As inclusion is the goal of the CWD Program, supports should decrease over time as children are successfully integrated or included into the child care program.

Referrals to the CWD Program may come from, but are not limited to Children's Special Services, Society for Manitobans with Disabilities (SMD), child and family services agencies, Child Guidance Clinic, and Child Development Clinic.

You'll find detailed information regarding [forms and procedures](#) for applying for a child care subsidy for a child with a disability at the end of this section.

## Use of Child Day Care Agreements

Use of child day care agreements under [section 12](#) of *The Child and Family Services Act* is consistent with an agency's duty under [section 7](#) to:

- work with other human service systems to resolve problems in the social and community environment likely to place children and families at risk, and
- provide counselling, guidance and other services to families for the prevention of circumstances requiring the placement of children in protective care or in treatment programs and for the protection of children.

Subsection 6(1) of the [Child and Family Services Regulation](#) sets out the criteria for an agency to enter into a child day care agreement (prescribed Form CFS-4) with a parent or guardian under [section 12](#) of *The Child and Family Services Act* as follows:

- A child care facility licensed under *The Community Child Care Standards Act* is not available or accessible.
- The child is at risk of having to be placed outside home either through a voluntary placement agreement or by apprehension.

## Agency Signing Authority

Consistent with provincial policy and standards in Section 1.7.5, [Delegation of Authority](#), an agency executive or regional director may delegate signing authority for a child day care agreement form to one or more persons in a managerial or supervisory role in the agency. Delegation must be in writing and a copy of the delegating instrument kept on file.

Persons who are given signing authority are expected to have a sound working knowledge of relevant provisions in *The Child and Family Services Act* and regulations.

## Suitable Alternatives to Licensed Child Care Facilities

Agency approval and use of suitable alternatives to licensed child care services must comply with subsection 6(2) of the [Child and Family Services Regulation](#). The regulation:

- Prohibits an agency from placing a child in an alternative to a licensed child care facility unless the alternative facility only provides care to less than five children and not more than two of these children are less than two years of age.
- Requires an agency to ensure a suitable alternative provides an environment conducive to the health, safety and well-being of the child and a program of activities to promote the child's physical, social, emotional and intellectual development.

Individuals providing child care to more than four children under 12 years of age must be licensed by the Manitoba Child Care Program (see definition of *private home child care* in [section 1](#) of *The Community Child Care Standards Act*).

When a foster home or family residence (place of safety) is used as a suitable alternative, limits on the number of children in section 7 of the [Foster Homes Licensing Regulation](#) also apply. Also see [Numbers and Ages of Children](#) in Section 1.5.3, Child Placements.

When approving a person or family as a suitable alternative to licensed child care, an agency must at a minimum:

- conduct criminal record and child abuse registry checks on all adults in the home,
- obtain a medical reference from a medical practitioner or another health care provider, and
- obtain references from four persons or a recommendation from a local child care committee concerning the person's or family's ability to protect, nurture and care for children.

## Suitable Alternative Resource Records

Agencies must maintain records on homes approved as a suitable alternative to a licensed child care facility. A suitable alternative record includes a Child and Family Services Information System (CFSIS) record and any other agency electronic or paper record.

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Information on the suitable alternative may be recorded as a case note in the Intake Module and a recording in a voluntary family service or protection case in CFSIS (see Intake Module in Section 1.1.1, Intake and Case Categories in Section 1.7.1, Service Records).

Suitable alternative resource records fall under the definition of a [service record](#) in Section 1.7.1, Service Records. Confidentiality and access provisions in section 76 of the *Child and Family Services Act* apply. They are voluntary service records under [subsection 76\(12\)](#) of the Act.

## Child Protection and Licensed Child Care Facilities

The following policies apply to the protection of children placed in licensed child (day) care facilities:

**Child Care Facility Responsibilities** – A protocol for early childhood educators, the Child Protection and Child Abuse Manual, explains the responsibilities of early childhood educators, child care assistants and family child care providers regarding children who are or might be in need of protection. Topics covered in this manual include reporting a child in need of protection and dealing with allegations that an early childhood educator has caused a child to be in need of protection. A PDF version of this manual is available on the website of the Provincial Advisory Committee on Child Abuse (PACCA) at [www.pacca.mb.ca](http://www.pacca.mb.ca) under Publications.

**Investigating Agency Responsibilities** – As a general rule, the agency designated to provide joint intake and emergency services in the area where a licensed child care facility is located has the primary responsibility to coordinate child protection investigations (see Section 1.3.1, [Child Protection](#)). Responsibilities of the investigating agency include the following:

- Ensure children are interviewed and are not at risk in the facility.
- Notify facility operators or management of any investigations and any action taken.
- Immediately undertake and actively coordinate investigations resulting from acts or omissions by a person working, training, volunteering or living in a facility.
- Provide direction and support to facilities regarding the sharing of information relating to an investigation with staff, parents and others.

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- Advise agencies with foster children attending the facility of the investigation and coordinate the sharing of information with them.
  - Inform the local police detachment of a child abuse investigation (see Section 1.3.3, [Child Abuse Investigations](#)) and collaborate with the police when indicated in seeking or obtaining legal advice and direction from Public Prosecutions.
  - Arrange medical examinations for a child when indicated (see Section 1.3.3, Child Abuse Investigations).
  - Notify the Manitoba Child Care Program of the investigation when a facility staff or operator is alleged to have caused a child to be in need of protection. This step will include the involvement of regional child care coordinators when applicable.
  - Collaborate with facility operators or managers, regional child care coordinators and the Manitoba Child Care Program as necessary to complete an investigation and to ensure children in the facility are no longer at risk of abuse or otherwise in need of protection.
  - Report the conclusion of an investigation (see [Reporting Conclusion of a Child Protection Investigation](#) in Section 1.3.1, Protection Services) to the facility operator or manager and, when applicable, the Manitoba Child Care Program.

**Placing Agency Responsibilities** – Responsibilities of agencies that have placed foster children in a facility include the following:

- Assist with interviewing children in the care of their agency or, when this cannot be done in a timely manner, facilitating interviews by the investigating agency.
- Provide or arrange appropriate follow-up for a child including medical treatment, counselling or other services.
- Participate in the investigative process and follow-up as required including attending meetings of an agency child abuse committee on request.

**Manitoba Child Care Program Responsibilities** – The program is responsible for the safety and well-being of all children in a facility. The department carries out its responsibilities in the context of a child protection investigation through any follow-up considered necessary including the following:

- Review behavioural and management practices in the facility.
- Suspend or revoke the facility's licence.

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- Cancel or suspend the child care worker certificate of an alleged offender.

## Apprehending Children from Licensed Child Care Facilities

The following procedures apply to apprehending a child in need of protection from a licensed child (day) care facility:

- An apprehending worker must come to the facility in person. When this is not possible due to circumstances such as restricted travel in a remote area, the apprehending agency may request the police to apprehend the child.
- The apprehending worker or the police must provide proof of identity to staff in the facility. For the agency representative, this involves producing an identification card with an attached photograph or verification by an agency supervisor as to the worker's physical appearance and personal identity. The police rely on standard identification procedures.
- In all cases, it is the apprehending agency's responsibility to notify the child's parent or guardian of the apprehension. It is unacceptable to leave facility staff with the responsibility of dealing with the person whose child was apprehended. Where possible, the apprehending person is expected to notify the parent or guardian prior to the time the child is picked up at the facility or to meet with the parent or guardian at the facility.

## Alleged Abuse by Suitable Alternative Care Provider

Policies and standards in section 1.3.4, [Abuse by Agency Staff and Care Providers](#), apply to investigations of alleged abuse by a suitable alternative care provider.

## Standards

1. **Accessing Licensed Child Care Services** – An agency ensures current information on licensed child care facilities is readily available to workers in the area where they are providing services to families or supervising children in foster care. This information includes the name, address, telephone number, a brief program description, admission policy, rates and other relevant information. Supervisors may obtain this information through Child Care Information Services (see [Licensed Child Care Facilities](#) in this section) or a regional child care coordinator.
2. **Referring Children for Child Care** – A decision to refer a child for either licensed child care or a [suitable alternative](#) to licensed child care involves the following steps:

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- For a child not in care, an [intake decision](#) is made to open a case for ongoing services and, when applicable, [transfer](#) the case to a case manager or another agency.
  - The case manager's supervisor has reviewed and approved the [service plan](#).
  - For a licensed child care facility, the required child care application forms are completed (see [Subsidy Forms and Procedures](#) at the end of this section).
  - For a suitable alternative to a licensed child care facility, the case manager has followed the steps required under Standard 3 below.
3. **Suitable Alternative Placements** – A decision to place a child in [suitable alternative](#) to a licensed child care facility involves the following steps:
- The case manager has confirmed whether a licensed child care facility is available and accessible prior to entering into a child day care agreement (CDCA) with a parent or guardian.
  - For a child not in care (see [Child in Care](#) under Case Categories in Section 1.7.1, Service Records), the case manager has completed an assessment of the family and child (see [Standards](#) in section 1.1.2, Assessment).
  - For a foster child, the case manager has updated the child's assessment (see [Child Assessment](#) in section 1.1.2)
4. **Signing of CDCA Forms** – A Child Day Care Agreement (CFS-4) and Declaration of Family Income (CFS-10) are completed and signed by a parent or guardian prior to or on the date a child is placed in a [suitable alternative](#) pursuant to [section 12](#) of *The Child and Family Services Act* and section 6 of the [Child and Family Services Regulation](#).
5. **Filing of CDCA Forms** – Original copies of the Child Day Care Agreement (CFS-4) and Declaration of Family Income (CFS-10) are stored on the family protection (Prt) or voluntary family service (VFS) file (see [Case Categories](#) in Section 1.7.1, Service Records).
6. **Child Protection Interventions in Child Care Facilities** – Child protection interventions regarding children placed in a licensed child care facility are done in accordance with policies in this section (see [Child Protection and Licensed Child Care Facilities](#) and [Apprehending Children from Licensed Child Care Facilities](#)).

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## Subsidy Application Forms and Procedures

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[Children with Special Needs](#)  
[Subsidy Application Approval](#)

### Applying for a Child Care Subsidy

The child care subsidy program applies to licensed child care facilities off reserve. Applying for a child care subsidy involves the use of one or more of the following forms:

**Child Care Subsidy Application (Form MG-7787)** – This form is not required for children in care (foster children).

**Foster Children Application (MG-7787)** – This form is required for all foster children referred by a child and family services agency. It must be completed by an agency worker. A paper form may be completed or it can be done on-line. The Special Needs Subsidy Form (see below) must accompany this form unless the foster child is registered with the [Children with Disabilities Program](#).

**Special Needs Subsidy Form** – This form must be completed in order for a subsidy to be paid to a child care facility on behalf of a child or family whose reason for service is special need (see Children with Special Needs below). The purpose of this form is to collect information necessary to assess the need for child care and to inform the facility as to the child's needs. When applying for a foster child, only the first and last pages are completed by the agency worker if the foster parents are attending school or working full-time.

**Children's Program Referral Intake Application** – This form must be completed for children who may be eligible for the [Children with Disabilities Program](#) described in this section. This form must be completed in addition to the Special Needs Subsidy Form when requesting additional funding for staffing support for a child with a disability.

### Children with Special Needs

For purposes of the Child Care Subsidy Program, *special needs* include:

- medical or physical disabilities (also see Children with Disabilities below)
- developmental delays
- behavioural concerns
- social concerns such family dynamics

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A child's need for socialization experiences is not considered as special need.

## Subsidy Application Approvals

All subsidy applications and special needs enrollments are approved by the Child Care Subsidy Program through the head office in Winnipeg or the regional office in Brandon.

The Winnipeg office is responsible for Winnipeg and most communities in central and eastern Manitoba. The Brandon office is responsible for communities in Westman Region, Parklands Region and Northern Region (Flin Flon, The Pas and Thompson) and some communities in Eastern Manitoba. The following table provides contact information for each office.

<b>Winnipeg Office</b>	<b>Brandon Office</b>
102-114 Garry Street Winnipeg MB R3C 1G1 Tel: (204) 945-2860 in Winnipeg Toll Free: 1-877-587-6224 Fax: (204) 948-2143 Email: <a href="mailto:edcinfo@gov.mb.ca">edcinfo@gov.mb.ca</a> Website: <a href="http://www.Manitoba.ca/childcare">www.Manitoba.ca/childcare</a>	340-9 <sup>th</sup> Street Brandon MB R7A 6C2 Tel: (204) 726-6336 in Brandon Toll Free: 1-800-230-1885 Fax: (204) 726-6539

Applications for the Children with Disabilities Program are submitted along with a diagnostic assessment or medical report to a regional office of the Department of Family Services and Housing outside of Winnipeg or to a district office of the Winnipeg Region.