

There is some confusion regarding the new requirements related to offence declarations and/or attestations for third party individuals. The Ministry would like to clarify the requirements of O.Reg. 137/15, ss.61.1(1).

61.1(1) Every licensee of a child care centre shall obtain, in respect of any person who provides child care or other services to a child who receives child care at the child care centre, other than a person described in subsection 60(1),

(a) an offence declaration from the person; or

(b) an attestation from the person's employer or from the person or entity who retained the person's services that,

(i) the employer, person or entity has obtained and reviewed a vulnerable sector check from that person,

(ii) the vulnerable sector check was performed within the last five years, and

(iii) the vulnerable sector check did not list any convictions for any offences under the Criminal Code (Canada) listed in subparagraph 1 ii of subsection 9(1) of the Child Care and Early Years Act, 2014.

Compliance Indicator:

a) 1. The individual's file contains: An offence declaration

OR

b) An attestation from the person's employer or from the person or entity who retained the person's services that indicates that:

the employer, person or entity has retained and reviewed a vulnerable sector check from that person;

the vulnerable sector check was performed within the last five years; and

the vulnerable sector check did not list any convictions for any offences under the Criminal Code (Canada) listed in subparagraph 1 ii of subsection 9 (1) of the Child Care and Early Years Act, 2014.

All that the Ministry requires is that the child care licensee has either an offence declaration or an attestation from the 3rd party employer on file. If you have any further questions please contact your Program Advisor, or if you are a Third Party and would require further information please contact:

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