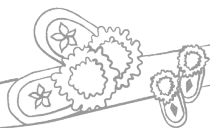


What We Heard Report Proposed *Child Day Care Act* Amendments

September 2022

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Executive Summary

Early learning and child care is a priority for the Government of the Northwest Territories (GNWT). The [Mandate of the 19th Legislative Assembly](#) identifies actions to advance universal child care by expanding availability and affordability.

The Government of Canada is making investments and working with the Northwest Territories (NWT) to meet targets identified within the [Canada-NWT Early Learning and Child Care \(ELCC\) Agreements](#) and [Action Plan](#). This work is aligned with the transformational vision of the NWT as outlined in the [2030 ELCC Strategy](#).

Commitments for the next 10 years:

- Improving affordability of early learning and child care
- Supporting the creation and sustainability of licensed programs
- Enhancing inclusion and participation
- Fostering a qualified early childhood workforce

To accomplish this work, the Department of Education, Culture and Employment (ECE) needs to review, revise, and update the [Child Day Care Act](#) (Act). The Act and [Child Day Care Standards Regulations](#) (Regulations) set minimum standards that ensure the quality, care, instruction and supervision of children in facilities outside of their home.

The proposed amendments will focus on:

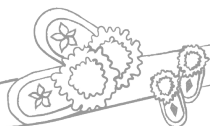
- establishing an NWT certification process and wage grid,
- increasing inclusion and reporting measures,
- establishing cost control measures,
- protecting the rights of families, and
- updating language.

These changes will allow for an improved approach to:

- fulfilling the commitments in the [2030 ELCC Strategy](#); and
- meeting the targets identified within the [Canada-NWT ELCC Agreements](#) and [Action Plan](#).

In June 2022, ECE publicly engaged on proposed amendments to the Act. This report provides a summary of the findings from responses.

ECE will use the information gathered to inform the proposed Act amendments.



Introduction

The [Mandate of the 19th Legislative Assembly](#) includes advancing universal child care by increasing availability and affordability and includes a commitment to develop a formalized strategy (p. 26).

ECE has developed the *2030 ELCC Strategy* which lays out actions and commitments to:

- advance universal child care by increasing availability and affordability;
- establish best practices for early learning and child care programs and building from current strengths within the ELCC sector to enhance programming that reflect the people, land, and cultures of the NWT; and
- identify areas for investment provided by the territorial and federal government for promoting the creation and operation of licensed programs, and the successful recruitment and retention of early childhood staff.

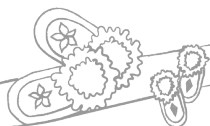
The *2030 ELCC Strategy* was developed with input from Indigenous Governments, and early learning and child care operators and educators through engagement, and the [ELCC Funding Programs Review](#) (2021). It builds on existing strengths within the sector and focuses on initiatives that improve access to sustainable, high quality, affordable, and inclusive early learning and child care options for families in the NWT. Grounded in community need and interest, GNWT investments and efforts will include supports to create and expand infrastructure, retain, and recruit qualified early childhood educators, increase wages for early childhood educators in licensed centre-based programs, reduce fees for families, and increase inclusion of all children.

Amendments to the *Act* and *Regulations* were previously identified as a necessary step toward advancing universal child care. As the NWT is now in a place to better support early learning and child care system transformation, it is necessary to ensure that legislation supports and meets the needs of Indigenous Governments, licensed early learning and child care programs, early childhood educators, children, and families.

ECE is taking a phased approach to the work for the amendments to the *Act* and *Regulations*. Once work on the *Act* is underway, amendments to the *Regulations* will take place.

The feedback gathered through engagement with Indigenous Governments, early learning and child care educators and operators, families, and the public on the proposed *Act* amendments, followed by engagement on changes to the *Regulations* will be used to help guide that part of the transformation process.

ECE would like to thank those who provided feedback through the engagement process to help inform the proposed changes to the *Act*. Your contributions are valued and appreciated.



Methodology

Information on the engagement opportunity and how to provide feedback on the proposed amendments to the *Act* were publicly posted on the GNWT's [public engagement website](#). Additional tactics used to inform the public of the engagement included a [public service announcement](#) and Facebook posts.

Early learning and child care educators and operators were sent an email from Regional Early Childhood Consultants with information about the engagement to ensure they were aware of the opportunity to provide input.

Feedback could be provided by emailing early-learning@gov.nt.ca or leaving a voicemail by calling 1-867-767-9354.

Indigenous Governments were sent an invitation from the Minister of ECE to participate in government-to-government discussions. No discussions were held.

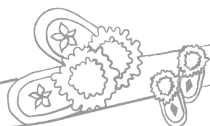
The Deputy Minister of ECE extended an invitation to the NWT Early Childhood Association (NWTECA) to meet. A meeting was held as a hybrid in-person and virtual discussion.

The NWTECA created a survey which was distributed to licensed programs across the territory. The survey results were shared with ECE and were analyzed to inform the findings noted in this document.

The GNWT website also had supporting materials to help inform interested participants such as:

- A copy of the [Child Day Care Act](#);
- A copy of the [Child Day Care Standards Regulations](#);
- A [Proposed Amendments to Child Day Care Act Information Sheet](#) summarizes what is in the existing Act and the proposed changes; and
- [Frequently Asked Questions](#).

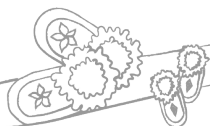
When the engagement period ended, ECE staff reviewed the feedback to look for patterns in what was said. ECE staff cross-referenced and discussed responses and interpretations of responses for quality assurance and analyzed them. All findings are presented so that no one person, program, or Government can be identified.



Limitations and Mitigation Strategies

Table 1: Limitations, Impacts, and Mitigations for Limitations

Limitation	Impact	Mitigation Strategy
Relatively small size of the program’s target group posed threats to confidentiality of early childhood professionals and operators interviewed.	The limitation does not directly impact validity or reliability of the findings.	In the process of transcription and reporting, summary of discussions was edited to exclude identifiers in the document.
Dependence on voluntary participation of Indigenous Governments, early childhood educators and operators, and the public.	Low participation rates in the engagement may adversely affect the reliability and representativeness of the data. Unrepresentative and unreliable data cannot be used to confidently make decisions on this basis.	To create favourable conditions for participation, ECE: a) provided an open opportunity for all NWT residents to participate in the engagement via the GNWT’s public engagement website; b) sent invitations to targeted audiences including Indigenous Governments, licensed early learning and child care programs, and the NWTECA.
Engagement and report conducted internally by ECE.	Engagements coordinated and facilitated by those (ECE) seeking feedback may receive more positive feedback than an external facilitator, as respondents feel less anonymous.	The findings as presented in this report were provided to all participants, wherever possible, for review for accuracy and additional input. This provided participants the opportunity to reconsider or add to their feedback with more anonymity.
External survey and bias.	The external survey created and distributed by the NWTECA may frame topics with bias and influence responses.	Surveys were completed anonymously by respondents. ECE used the survey responses as provided to conduct the analysis and findings reflected in this document.



What We Heard

Terms used in this document

To ensure clarity while reading this report, definitions are provided below to identify the groups of people mentioned throughout.

Early childhood educator

An individual who provides direct care to children aged 5 and under, in an early learning and child care setting as part of their daily job duties.

Early learning and child care operator

A professional individual who is responsible for the overall operation of a centre-based program or family day home who may or may not directly care for children as a part of their daily job duties.

Early learning and child care professionals

This term encompasses both groups above as there are circumstances that apply to both educators and operators.

Licensed early learning and child care programs (licensed program)

A facility where care, instruction or supervision is provided to five or more children.

Centre-based program

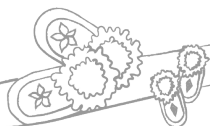
A child day care program where day care is provided in a facility, other than a private residence (home).

Family day home

Day care provided in the home of the person who operates the program.

Early Childhood Staff

Individual employed in a licensed centre-based early learning and child care program.



Establishing an NWT certification process and wage grid

What does it mean?

This means establishing a certification process for licensed programs to clearly identify the education level, experience and professional role of the early learning educator. These changes would support the establishment of professional standards and criteria for early childhood educators and would also establish a wage grid for early childhood educators in centre-based programs. While the certification process and wage grid could be developed and implemented independent of one another, they are interrelated and will be completed by 2024-2025 as defined within the Canada-wide ELCC Agreement.

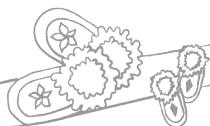
Why is it important?

A certification process will support early childhood educators, program operators and early childhood staff in their professional growth and improve the quality of licensed programs. A wage grid will create pay scales for early childhood educators in centre-based programs to help retain and recruit educators.

Most respondents provided feedback about establishing a certification process and wage grid. While people understand the need for a certification process, they had various concerns about challenges it may pose and further questions about what a wage grid will mean for early childhood educators.

A common theme that emerged from much of the feedback was the need to ensure a certification process will not lead to barriers in gaining or maintaining employment. Respondents had concerns about the accessibility of the field for both new and existing early childhood educators, or process being developed that is too complicated or requirements are unattainable. It was common across the feedback that the certification process will need to be introduced carefully and with support, so as not to lead to the loss of any early childhood staff.

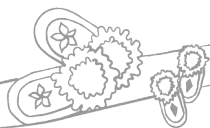
Suggestions were made to alleviate concerns, such as allowing experience to be considered as an equivalency to some education, as well as allowing a grace period for existing early childhood educators to gain or improve credentials if needed. These suggestions were marked as being especially important for those who may live in communities where educational resources are not readily accessible. Additionally, the grace period was important to some respondents because of the low wages many early childhood educators typically receive, as this limits access to education as well. Some respondents also suggested they would like to see education subsidies, alternative learning programs, and alternative methods of skills assessment for current early childhood educators to ensure they are well supported to maintain their employment and achieve an increased wage where applicable.



As for more specific contents of the certification requirements, it was noted by a few respondents that they would like to see Indigenous values reflected in the certification requirements. Examples of this include ensuring early learning and child care professionals are knowledgeable about Indigenous cultures in the north, can provide culturally appropriate and culturally safe programming, and having the wage grid reflect the value of these skills.

Generally, respondents were unsure about the specifics of a wage grid and what it would entail. More details about how the wage grid will be created, what the wages will look like, and how people will rank on the grid were requested by many respondents. However, all who commented on it agreed that it would need to lead to an increase in wages for early childhood educators for it to be accepted. There were a couple of suggestions from respondents regarding the amount early childhood educators should be paid, but most commonly, respondents would like to see the wage grid begin at a living wage. This was in line with other feedback that called for considering the cost of living in the north and inflation when creating the wage grid. A few respondents suggested that a good starting point would be ensuring that the wages outlined by the wage grid are comparable to Junior Kindergarten and educational assistants. In addition, they would also like to see room for early childhood educators to earn more as experience and/or education is gained.

While respondents agreed that the wage grid needs to lead to increased wages for early childhood educators, there were some concerns about the feasibility of increased wages for centre-based programs and family day homes. In particular, a few respondents wondered where licensed programs, will find the funds to increase wages. A couple respondents also wondered how a wage grid would be enforced when it comes to family day homes as they were viewed more similarly to businesses than centre-based programs in responses.



Increasing inclusion and reporting measures

What does it mean?

As part of the Canada – Northwest Territories Canada-wide ELCC Agreement, the GNWT agreed to provide Canada with information about the demographics of children in licensed programs. Proposed amendments would enable ECE to collect information from licensed programs about the children in their programs, and support ECE’s ability to support inclusion of all children in early learning and child care.

Why is it important?

In addition to meeting federal requirements, this information is needed to support inclusion in licensed programs. Information related to the diverse needs of children, including children who have specific developmental needs will allow ECE to make more effective use of resources to support children to get the most out of early learning and child care. This will assist ECE in ensuring that all children – including children from equity-seeking families and those needing enhanced or individual supports – have access to child care spaces to meet their needs.

Inclusion

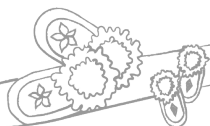
According to the feedback, most respondents feel there needs to be improvements to inclusion within early learning and child care spaces but are unsure about the feasibility of increased reporting requirements. Although a few respondents requested more clarification on what ‘inclusion’ encompasses, others identified five main areas of consideration to assist in the improvement of inclusion in licensed programs: support, collaboration, training, resources, and funding.

1:1 Support

Most respondents called for more support in both centre-based programs and family day homes, specifically an increase of 1:1 support for children with exceptional developmental needs. Some respondents raised concerns about having insufficient support in centre-based programs to best care for children with exceptionalities, leaving early learning and child care professionals, families, and children at a disadvantage. Many people who identified a lack of support as a barrier to inclusion in centre-based programs suggested that being able to hire more 1:1 early childhood support staff for children with exceptionalities may increase the capacity for care.

Training

Keeping with the theme of providing care for children with exceptionalities, a few respondents indicated they would like to see more training opportunities for early childhood educators. It was suggested that this training could be delivered through professional development programs and built into the Aurora College curriculum for students pursuing this career path. Additionally, training sessions provided by other professionals who are trained and knowledgeable about



working with children who have exceptionalities were suggested to build the skills and knowledge of early learning and child care professionals. It was also suggested that the professionals who provide training could check-in post-training. The purpose of the check-ins would be to support the early learning and child care professionals in the improvement of their skills for creating and maintaining environments for children with exceptionalities.

Collaboration

Throughout the feedback we have heard that early childhood educators have many responsibilities and not enough support. A few respondents suggested collaboration with other professionals to ease some of the workload from early childhood educators. In addition to the collaboration for training mentioned above, it was suggested that it may be beneficial to have other professionals on site to support children when possible and needed. The respondents who commented on this felt it would not only increase support for early childhood educators but make licensed programs more readily inclusive. The additional support professionals identified were occupational therapists, speech language pathologists, psychologists, pediatricians, and other therapists.

Resources

A few respondents indicated that centre-based programs also need more resources to be more inclusive spaces. In addition to the request for increased 1:1 support, training and service access, requests for physical resources were also made. The respondents who commented on physical resources listed mobility equipment, sensory aids, equipment to aide in the development of motor skills, and upgrades to increase the accessibility of child care.

Funding

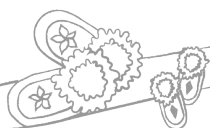
Most respondents who discussed any of the themes above also believe increased funding is necessary to implement inclusion strategies. Many respondents felt increased funding meant for inclusion supports is needed to ensure the cost would not burden families or early learning and child care operators. While some suggested that funding could go straight to the child care centres, a few suggested the funding should go straight to families who have a child with exceptionalities.

Reporting

While respondents noted that reporting is necessary and can be beneficial for the licensed programs, there were still aspects of increased reporting they asked ECE to consider.

Feasibility of Increased Reporting

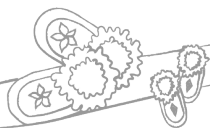
Most respondents who gave feedback on reporting stated they believe early childhood educators are already overworked and short on time. It was stated that adding additional reporting requirements would only add to this issue, especially if it is not feasible for additional early childhood staff members to be hired. To address this issue, some respondents wondered if subsidies or funding would be available to support the hiring of administrative staff to assist with reporting or to support the wages of existing early childhood staff to complete the reporting requirements. A few respondents were concerned about the ability of early childhood educators to



take on more work and indicated their concern for increased reporting leading to greater retention and program sustainability issues.

Streamlining Reporting Processes

A few respondents also reported that redundancies in reporting are already an issue and with increased reporting requirements, they would like to see a more streamlined approach created. Respondents believe a more streamlined approach would address the concern of potentially reporting the same statistics multiple times and has the possibility of decreasing reporting requirements. A few respondents indicated the creation and use of a shared electronic database to improve information sharing between early learning and child care professionals and ECE to address this concern.



Establishing cost control measures

What does it mean?

The GNWT has a mandate commitment to advance universal child care by increasing availability and affordability. Enabling the Minister of ECE to implement cost control measures, such as setting limits on fees charged by licensed programs who are receiving government subsidies, will ensure that the funding earmarked for enhancing affordability for families is doing what it is intended to do. This would also include defining the types and maximums of allowable child care fees.

Why is it important?

Affordable child care for families is a necessary component of advancing universal child care in the NWT. As a responsible government, it is necessary to ensure that government funding is used efficiently and effectively.

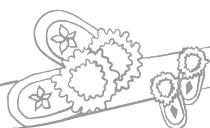
Cost Control

The feedback regarding cost control measures was mixed. It was clear that the respondents were not against affordable child care for families, believe it is important, and a few are confident cost control measures can work if implemented correctly. However, most respondent also believe that affordability for families cannot come at the expense of wages for early childhood educators or existing funding for licensed programs.

Program Sustainability

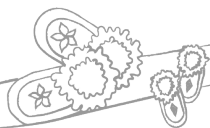
Some respondents reported concerns regarding the ability of early learning and child care operators to afford to continue running their respective programs if the cost control measures are too limiting. Stemming from this worry, some respondents have additional concerns about cost control measures potentially leading to the closure of spaces instead of their creation. Some respondents requested more engagement between ECE and early learning and child care operators to ensure operator needs can be met with the fee caps and allow for flexibility.

Many respondents suggested that if programs are found to be struggling financially, increased or new government funding in the form of subsidies and incentives may be needed. Respondents predicted wages, utilities, day to day program expenses would be areas that early learning and child care operators may require assistance with. Increased or new government funding, whether federal or territorial, was suggested to prevent the cost of these needs from falling onto families or operators and to ensure programs maintain or increase in quality.



Clarity

The feedback received indicated that many respondents require greater clarity on cost control measures and the subsidies and incentives tied to them. Some respondents requested explanations for how cost control measures will be implemented and how subsidies and incentives will be administered, in a way that is simple to understand. The explanations were requested for not only early learning and child care operators, but also early childhood educators, and families to ensure no barriers are created for Indigenous Governments or stakeholders trying to administer or access child care.



Protecting the rights of families

What does it mean?

To ensure that all families can benefit from safe and regulated child care, ECE is seeking to establish mandatory provisions to protect the rights of children and families within the Act.

Why is it important?

Families currently do not have an avenue for protecting their rights and the rights of their children if contract obligations are unmet and/or if they feel they have been treated unfairly by the operator of a licensed program.

Choice

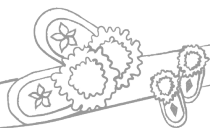
A few respondents indicated that there needs to be ample choices for families to ensure they can find the child care option that best fits their needs and values. These respondents suggested an increase in spaces and programs will be necessary to ensure choices exist. Additionally, it was indicated that inclusion measures, including culturally relevant practices and space for children with exceptionalities, will need to be increased in existing child care spaces. This was suggested to ensure families can be confident that their child will be receiving the appropriate care from any child care option they choose, regardless of their child's background and needs. A few respondents also identified that affordability is an important aspect, as it will ensure that when a family finds a child care option that is a perfect fit, the cost won't be a barrier.

Communication, Transparency, Accountability

Many respondents suggested that improved transparency and communication between early learning and child care professionals and families would ensure both parties are confident expectations are being met. If a family feels their rights are not being respected, many respondents indicated a more formal process for families to voice their concerns would be needed. Most people who provided this feedback suggested that families should have access to either an ombudsperson, ECE, or other child care regulatory body to receive support in navigating situations should they arise.

Awareness

Some respondents indicated that an important step in protecting the rights of families, is simply ensuring families are aware of their rights in the first place. For either of the suggestions under the subheadings above to be the most beneficial, families will need to know what they can expect from early learning and child care professionals. Some respondents suggested having the *Act* in plain language would make it easier to ensure families can easily understand the responsibilities of early learning and child care professionals. Additional considerations regarding language will be discussed further in the next section.



Updating language

What does it mean?

Recognizing that the last updates were in 2013, ECE seeks to revise and/or add language to clarify meaning and reflect current terminology.

Why is it important?

Updates to the language in the Act is required to better define the types of programs that operate under the Act, clarify what types of programs are not required to comply with the Act, use gender-neutral language throughout, and to ensure that the terms used in the Act remain aligned with how they are used in other legislation.

Plain Language

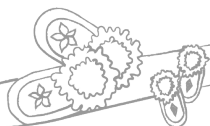
Most respondents indicated that the *Act* should be presented in plain language or have a plain language document to accompany the legal language *Act*. This will ensure the expectations outlined in the Act are clear for early learning and child care professionals and families alike. Additionally, respondents requested the *Act* use language and terminology that matches the regulations and the *Education Act* to increase the cohesiveness of all legislation. This was requested for clarity, ease of understanding, ease of implementation, and to give more backing to early childhood educators as a profession. A few respondents felt that if the *Act* is like the *Education Act*, it would help early childhood educators gain the respect they deserve when being compared to teachers in schools.

Inclusive Language

Another theme that was emphasized by many respondents was the need for inclusive language in the *Act*. This includes considerations for Indigenous knowledge and culture, use of gender-neutral language, and protection for children with exceptionalities. Consideration for these areas have been echoed throughout most sections in this report already, and respondents indicated that having language that clearly guides the improvement of these areas is important.

In addition to inclusive language to protect the children who receive child care, some respondents called for language that is inclusive of all early learning and child care programs. Respondents indicated that they would like to avoid any language that will create a divide between centre-based programs and family day homes. A few respondents requested that the rights of family day home operators could be included to give family day homes similar considerations as centre-based programs under the *Act*, while others requested that where possible, a term that includes both forms of child care could be created.

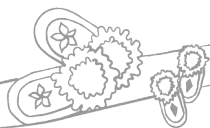
Finally, a few respondents indicated that they would like to see further engagement with current and former frontline early learning and child care professionals when amending the *Act*. This was highlighted as an area of importance to ensure that any amendments to the *Act* will be feasible for current early childhood educators to implement when the amendments come into effect.



General Findings

Some feedback provided did not relate directly to the proposed amendments to the *Act*. Some expressed dissatisfaction with the amount of time allotted for engagement. Others provided a level of detail not required at this stage for changes to the *Act*, but will be considered when reviewing, revising, and updating the *Regulations*.

In addition to the feedback given above, it was noted that along with the wage grid that will accompany the certification process, early childhood educators should receive other incentives, such as health benefits, retirement planning, sick leave, and paid vacation. Respondents felt this would aid in the retention of qualified early childhood staff and add to the appeal of working in centre-based programs.



Next Steps

The information in this report will help inform the proposed amendments to the *Act* as it progresses through the legislative process.

Amendments to the *Act* will enable ECE to:

- establish an NWT certification process and wage grid,
- increase inclusion and reporting measures,
- establish cost control measures,
- protect the rights of families, and
- update language.

This will lay the foundation for changes to the *Regulations*. The engagement results in this report will also contribute to the next phase of transformation through the amendments to the *Regulations*. There will be more opportunities for Indigenous Governments, early learning and child care educators and operators, families, and the public to provide feedback on *Regulations* changes.

Over the next few years, work will be ongoing to build from strengths in the early learning and child care system to better support children and families in the NWT.

