



April 1, 2016

Child Care Modernization  
c/o Early Years Division Ministry of Education  
900 Bay Street, 24th floor, Mowat Block  
Toronto, ON M7A 1L2

By email: CCGE\_modernization@ontario.ca

Re: Feedback on the Regulatory Registry Posting related to the *Child Care and Early Years Act, 2014*

We are writing to provide feedback to the Ministry of Education on the Regulatory Registry Posting related to the *Child Care and Early Years Act, 2014 (CCEYA)* and the *Education Act: Phase 2 Regulations*, specifically to make recommendations related to nutrition. The Ontario Society of Nutrition Professionals in Public Health (OSNPPH) is the official voice of public health nutrition professionals in Ontario and represents registered dietitians working in the 36 public health units across the province. Many of our members collaborate with child care providers providing nutrition support, screening tools and menu reviews as well as training for child care staff.

The comments and recommendations provided are founded on the understanding that optimization of child learning, health and well-being begins well before school entry. Furthermore, child care and early years programs, together with caregivers and the environment, play a crucial role in the healthy development of children.<sup>1</sup> In addition, many of our recommendations align with the Healthy Kids Panel report *No Time to Wait: the Healthy Kids Strategy* presented to the Minister of Health and Long-Term Care in March 2013.<sup>2</sup>

We support many of the regulations that were included in Phase 1 of the *Child Care and Early Years Act, 2014* as well as many of the amendments and regulations proposed in the current Phase 2. These include:

- Phase 1 Regulations
  - Requiring healthy meals, snacks and beverages to be based on *Canada's Food Guide*, *Canada's Food Guide – First Nations, Inuit and Métis* and *Nutrition for Healthy Term Infants*.
  - Making drinking water available to children at all times.
  - Posting up-to-date menus and revisions
- Phase 2 Proposed Regulations
  - Strengthening the support for children with food allergies/restrictions to amend Phase 1 Regulations regarding posting names and related food allergies/restrictions to include cooking and dining areas and now common areas such as play areas and rooms. This amended regulation is further strengthened by the proposed fine for those Centres which fail to post this information.
  - The proposed age grouping structure now aligns with the ages in *Nutrition for Healthy Term Infants* (applies to children up to 24 months) and *Canada's Food Guide* (applies to



children aged 2 and up). This may allow for children's nutritional needs to be more easily met during meal planning and preparation.

- Requiring recreation programs to have policies in place regarding safe food handling and nutrition.
- The addition of a requirement prohibiting any actions that could result in bodily harm to a child including feeding children against their will.

Furthermore, we are optimistic about our partnership with the Ministry of Education to develop provincial nutrition standards for child care operators that translate *Canada's Food Guide* and *Nutrition for Healthy Term Infants* into clear and practical guidelines for foods and beverages offered to children. Employing these guidelines will result in consistent minimum standards for food and beverages offered to children in child care settings.

While we support many of the regulations and amendments proposed related to food and nutrition, as noted above, we highlight recommendations that would further strengthen the proposed regulations related to children's nutrition, health and well-being.

## **Recommendations:**

### **1. Remove Regulation 42(1)(a) regarding parent's instructions for feeding infants under one year of age.**

Regulation Section 42(1)(a) currently mandates adherence to parents' written instructions for feeding a child under one year old. This does not allow for a process of negotiation with parents; nor does it provide child care staff opportunity to seek advice from registered dietitians when they are concerned that parents' instructions contradict the recommendations set out in *Nutrition for Healthy Term Infants* as per Section 42(2) no.5. (e.g. introducing solid foods too early or too late). OSNPPH recommends that this issue be addressed by:

- Removing regulation 42(1)(a) recognizing that regulation Section 44 (Special Arrangements) as currently stated adequately addresses parents' requests for special feeding protocols that are not met through *Canada's Food Guide* and/or *Nutrition for Healthy Term Infants*.
- Using the parent hand book as per section 45(1)(a), as a tool to inform parents that feeding recommendations (such as those outlined in the *Canada's Food Guide* and *Nutrition for Healthy Term Infants*) are regulated requirements for all child care centres in Ontario.

### **2. Provide adequate menu planning tools and resources for child care operators.**

To assist child care operators, we recommend that the Ministry of Education consider developing an online menu-building tool that child care operators could access to create menus using a bank of recipes and/or menu templates pre-approved by registered dietitians. This would ensure menus meet the standards while reducing the burden of individual menu reviews. Comprehensive, hard-copy menu-planning resources and supports should be developed for child care providers for whom online menu-building tools are not deemed suitable.

### **3. Ensure that early childhood educators receive training in nutrition from a registered dietitian.**

The Healthy Kids Panel report recommends developing the knowledge and skills of key professionals, including early childhood educators, to support parents in raising healthy kids (*Healthy Kids Panel*



*Recommendations 3.5*). The Ministry should ensure that early childhood educators receive standardized training by a registered dietitian that includes a review of the new regulations and nutrition standards; nutritional requirements of young children; dietary restrictions and allergies; and the importance of creating a healthy, supportive eating environment for children. Adequate funding should be provided for this to occur.

#### **4. Require menus to be reviewed by a registered dietitian.**

Menu review by a registered dietitian is absent from the current regulatory posting. Conducting a thorough menu review is complex and can be time consuming, requiring the unique skills offered by registered dietitians. While the current capacity of registered dietitians in public health units prevents this from being a service all health units can provide, OSNPPH recommends that child care operators be provided with the support and adequate funding to acquire these services when needed.

Alternatively, the Ministry of Education could collaborate with the Ministry of Health and Long Term Care to ensure health units have the capacity to offer menu review support to local child care centers. Furthermore, greater clarity and specificity regarding the review process and the supports available should be included in the regulations.

#### **5. Hire a registered dietitian to support child care operators in providing a healthy menu and eating environment.**

In order to support provincial needs of child care centre operators with respect to menu planning, review and training in nutrition, the Ministry of Education should hire a registered dietitian dedicated to:

- Oversee the development of the online menu-building tool and other resources/supports
- Develop a feasible system of menu review
- Develop or provide training for child care centre operators
- Liaise with public health dietitians involved in supporting local implementation of the CCEYA regulations

#### **6. Ensure minimum numbers of staff during meal and snack times.**

The proposed reduced ratios allow for a reduction in staffing in preschool and other full day programs, the hour after a centre opens and the hour before a centre closes. In some cases this timing may overlap with snack times. It is critical that staff numbers not be reduced during meal or snack times to allow for proper supervision of, and interaction with, children.

#### **7. Add a regulation that child care operators establish a policy/procedure(s) describing their approach to supporting, promoting and protecting breastfeeding.**

Health Canada recommends that all healthy term infants be exclusively breastfed for the first six months of life and then continue to be breastfed up to two years of age and beyond, with the addition of safe and appropriate complementary foods.<sup>3,4</sup> In addition, the Healthy Kids Panel report recommends supporting breastfeeding for at least the first six months of life (*Healthy Kids Panel Recommendation 1.4*). Child care providers play a key role in supporting mothers in their decision to breastfeed by ensuring:

- Mothers are welcome to breastfeed on-site.
- Staff are aware of the benefits of breastfeeding.



- Staff are aware of how to store and feed breast milk safely.

We look forward to our continued collaboration with the Ministry of Education to support child care operators in promoting children's health and wellness through provision of healthy and safe food and beverages. Thank you for the opportunity to provide feedback on the Regulatory Registry Posting related to the *Child Care and Early Years Act, 2014* and the *Education Act: Phase 2 Regulations*, to support the Government of Ontario's child care modernization agenda.

Sincerely,

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#### References:

1. Government of Ontario. How Does Learning Happen? Ontario's Pedagogy for the Early Years; 2014 [cited 2016 Mar 3]. Available from: <https://www.edu.gov.on.ca/childcare/HowLearningHappens.pdf>
2. Healthy Kids Panel. No Time to Wait: The Healthy Kids Strategy; 2013 [cited 2016 Mar 3]. Available from: [http://www.health.gov.on.ca/en/common/ministry/publications/reports/healthy\\_kids/healthy\\_kids.pdf](http://www.health.gov.on.ca/en/common/ministry/publications/reports/healthy_kids/healthy_kids.pdf)
3. Health Canada; Canadian Paediatric Society; Dietitians of Canada; Breastfeeding Committee for Canada. Nutrition for Healthy Term Infants: Recommendations from Birth to Six Months; 2012 [cited 2016 Mar 3]. Available from: <http://www.hc-sc.gc.ca/fn-an/nutrition/infant-nourisson/recom/index-eng.php>.
4. Health Canada; Canadian Paediatric Society; Dietitians of Canada; Breastfeeding Committee for Canada. Nutrition for Healthy Term Infants: Recommendations from Six to 24 Months; 2013 [cited 2016 Mar 3]. Available from: <http://www.hc-sc.gc.ca/fn-an/nutrition/infant-nourisson/recom/recom-6-24-months-6-24-mois-eng.php>.