

Penticton Health Protection
3090 Skaha Lake Rd
Penticton BC V2A 7H2
Canada
(250) 770-5540

Inspection Report

Facility Inspected: Jessica Nygren & Hanna Nygren	Inspection #: I-2021-151447-151447
Attention: Hanna Nygren	Inspection Date: 09-Apr-2021 9:15
Site Address: 334 10th Ave N Creston BC V0B 1G4	Completed Date: 09-Apr-2021 9:40
Site Phone: (250) 402-8322	Inspected By: Sabine Sellmer
Site Email:	Facility Type: Child Care – Unlawful – Licensing
	Risk Rating: Invalid
	Inspection Type: Substantiated complaint
	Inspection Reasons: Publish to Public Website
	Infractions: 1
	Delivery Method: Email

Opening Comments and Observations:

As per Section 15 (1)(b)(i) of the Community Care and Assisted Living Act, Licensing is mandated to follow up on all complaints of any premise that is operating an unlicensed community care facility. The purpose of this inspection is to follow up a complaint received by Licensing on April 8 ,2021. The complaint involved allegations of noncompliance to the following sections of the Community Care and Assisted Living Act –Section 1: Definitions -“community care facility” means a premises or part of a premises in which a person provides care to 3 or more persons who are not related by blood or marriage to the person and includes any other premises or part of a premises that, in the opinion of the medical health officer, is used in conjunction with the community care facility for the purpose of providing care; Section 5: Operating or advertising without a licence - A person who does not hold a licence must not (a) operate, or hold themselves out as operating, a community care facility, (b) provide, or hold themselves out as providing, care in a community care facility, or (c) accommodate, or hold themselves out as accommodating, a person who, in the opinion of a medical health officer, requires care in a community care facility.

Based on the licensing officer’s telephone conversation with the operator, the operator is providing care as follows: two children, ages 1 & 2 Monday-Friday 7am -230pm; care for a sibling group of three , Sun, Monday, Tuesday and Wednesday from 3-6pm; care for a sibling group of two on Thursday and Friday from 3-5 pm; and in addition to this, care for 4 school age children after school. The operator confirmed she is the only person providing care in her home and that her teenage daughter is babysitting in another home. After a review of the information provided by the operator during the telephone conversation, it has been confirmed that a contravention of Section 5 of the Community Care and Assisted Living Act has occurred at 334 10th ave N, Creston, BC. . This licensing officer discussed with the operator the fact that this is the second time her address has been found to be in contravention of the Act.

Contravention to Section 5 may be subject to actions as outlined in Section 33 of the Community Care and Assisted Living Act, which states: Offence and penalty -33 (1) A person who contravenes section 5, 6, 18 (2) or (3) or 26 (1) of this Act or a term or condition attached to a licence commits an offence. (2) A person who commits an offence under subsection (1) is liable to a fine of up to \$10, 000. (3) If an offence under subsection (1) is of a continuing nature, each day that the offence continues constitutes a separate offence. Only issues of non-compliance relating to the unlawful operation are detailed in the body of this inspection report.

No = No, the facility does not comply with the question N/A = Not Applicable N/S = Not Inspected Yes = Yes, the facility complies with the question N/S = Not Assessed

Child Care – Unlawful – Licensing

C1 - Licensing

Facility Contact: Hanna Nygren

Facility Address: 334 10th Ave N, Creston BC V0B 1G4 Canada

C1.1 - Does the licensee continually inform licensing of any significant changes to the structure or operation of the facility? N/A

C1.2 - Does the licensee operate the facility in a manner that will promote the health, safety and dignity of persons in care? N/A

C2 - Policies & Procedures

C2.1 - Are written policies and procedures in place to guide employees in all matters regarding the care and supervision of children? N/A

C3 - Staffing

C3.1 - Does the facility have sufficient employees who possess adequate training and experience to meet the care, supervision, and needs of the children? N/A

C3.2 - Are persons qualified and appropriately replaced? N/A

C4 - Records and Reporting

C4.1 - Are facility records current and complete? N/A

C5 - Nutrition and Food Services

C5.1 - Are healthy eating and nutritional habits promoted and practiced? N/A

C5.2 - Are children's individual nutritional needs being met? N/A

C6 - Hygiene and Communicable Disease Control

C6.1 - Are acceptable hygiene practices maintained? N/A

C7 - Physical Facility, Equipment and Furnishings

C7.1 - Is the facility safe, sanitary, free from hazards, in good repair, and appropriate for the age and development of children? N/A

C7.2 - Is there adequate and appropriate indoor and outdoor space, materials, and equipment? N/A

C8 - Program

C8.1 - Are children offered a variety of activities and instructed on the safe use of the play space? N/A

C8.2 - Is each child provided a comprehensive and coordinated program of developmentally appropriate activities that encourages physical, intellectual, language, emotional, and social development? N/A

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C9 - Medication

C9.1 - Are there plans and actions in place to ensure medications are stored and administered properly? N/A

C10 - Care and Supervision

C10.1 - Are children provided with a healthy and safe environment, and protected from harmful actions? N/A

C10.2 - Are children supervised, and are employee to children ratios maintained? N/A

C10.3 - Is the facility compliant with temporary placement/retentions and the ratio of employees to children? N/A

Child Care – Unlawful – Licensing - Initial

C11 - Initial

C11.1 - Can community approvals (environmental health, fire, municipal, occupancy permit, strata/rental/lease agreement) be verified? N/A

C11.2 - Is the site plan verified and approved? N/A

C11.3 - Are the play areas or activities located outside property boundaries approved? N/A

C11.4 - Is the floor plan verified and approved? N/A

C11.5 - Has the emergency plan been reviewed and verified? N/A

C11.6 - Has the method for checking child records (attendance, medication administration, notification of illness/injury, photo/digital image and information for identification) been reviewed and verified? N/A

C11.7 - Is the facility operating legally under the Act? **No**

Based on the telephone conversation with the operator, the operator was providing care as follows: two children, ages 1 & 2 Monday-Friday 7am -230pm; care for a sibling group of three , Sun, Monday, Tuesday and Wednesday from 3-6pm; care for a sibling group of two on Thursday and Friday from 3-5 pm.; and in addition to this, care for 4 school age children after school. The operator stated this is an arrangement with the parents that their children wait to be picked up at her home. The operator stated that the parents are teaching the children independence towards walking home from school and her house is half way to their homes. She shared that these children used to be in her care so they are familiar with her, but they do not go into her home and nor does she get paid. She did admit that she checks on them while they wait for their parents and therefore this constitutes providing care and supervision.

Operator was asked to come into immediate compliance with the Community Care and Assisted Living Act.

Follow up by: 16-Apr-2021

- C11.7A - A person must not operate or hold themselves out as operating a community care facility. Act(5)(a)

- C11.7B - A person must not provide or hold themselves out as providing care in a community care facility. Act(5)(b)

- C11.7C - A person must not accommodate or hold themselves out as accommodating a person who requires care in a community care facility. Act(5)(c)

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Actions Taken

Action(s) Required by Operator :

- Operator to immediately reduce number of children or persons in receiving care to as per the requirements of the CCALA.

- Operator to submit written confirmation to Licensing Office that they have reduced the number of children or persons in receiving care to as per the requirements of the CCALA.

Received By:

Inspector:

Jessica Nygren

Sabine Sellmer