

## Frequently asked questions

### Do I have to allow the Licensing Officer to enter the premises?

Licensing Officers have the delegated legal responsibility to investigate all complaints. If you refuse entry and the Licensing Officer has sufficient grounds, they may apply for an entry warrant.

### The Licensing Officer is asking for parent's private contact information. Am I allowed to share it with them?

Yes. The *Community Care and Assisted Living Act (CCALA)* gives Licensing Officers the authority to obtain information regarding the children in your care.

### If I apply for a licence can I continue to care for the children?

No. If it is confirmed by the Licensing Officer that you are operating unlawfully you must reduce the number of children in your care immediately. Licensing has an obligation to enforce immediate compliance with the Legislation.



## Community Care and Assisted Living Act (CCALA)

### Operating or advertising without a licence Section 5:

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.

**“community care facility”** means a premises or part of a premises

- a. 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

### Publication of reports respecting unlicensed care Section 15.3:

(1) Within a prescribed period after finding, on completion of an investigation or inspection, that a person is operating an unlicensed community care facility, a medical health officer must publish on an official website all of the following information:

- a. the name of the person found to be operating an unlicensed community care facility;
- b. the name and address of the unlicensed community care facility;
- c. a report summarizing
  1. the findings of the investigation or inspection, and
  2. the actions, if any, taken or to be taken in response to those findings by the medical health officer and the person found to be operating an unlicensed community care facility.



**Interior Health Licensing has received a complaint that you may be providing care to more than three children who are not related to you.**

**In BC, a Community Care Facility Licence is necessary when care is provided to THREE OR MORE CHILDREN who are not related to the care provider by blood or marriage.**

## Unlicensed Complaint

The Community Care Facility Licensing Program protects and promotes the health, safety and wellbeing of children being cared for by care providers.

Child care can be licensed, or unlicensed (licence-not-required).

Unlicensed child care providers can only care for two children, or a sibling group, not related to them by blood or marriage. If care is provided to three or more children unrelated to you, or to each other as siblings, a licence is required.

The Licensing Officer's role is to ensure that all care providers comply with the *Community Care and Assisted Living Act (CCALA)* and the Child Care Licensing Regulation (CCLR).

The purpose of today's visit is for the Licensing Officer to determine if you are operating unlawfully, or if you require a licence.

**For further information, please contact a Licensing Officer at Licensing Direct:**

[licensingdirect@interiorhealth.ca](mailto:licensingdirect@interiorhealth.ca)

**1-877-980-5118**

## Investigation Process

To follow up on the complaint that Interior Health received, the Licensing Officer will:

- Request access to the premises in order to confirm the number of children present and identify any potential hazards.
- Request information regarding the children you care for, including their names, ages, and parent/guardian contact information.
- Provide you with written confirmation of the visit.

## Investigation Findings

**If the Licensing Officer confirms that you do not need a licence, no further action is needed.**

**If the Licensing Officer confirms that you are operating unlawfully, you will be required to cease operation and reduce to no more than two children in your care.**

## Posting on the web

Please be advised that the CCALA has been updated to provide the public with greater access to details regarding child care facilities that were found to be operating unlawfully.

Therefore, if the investigation confirms that you are operating unlawfully your full name, address, and a summary of Licensing's findings will be posted on the Interior Health website.

## Follow up

The investigating Licensing Officer may notify parents of their visit and will conduct a follow up inspection at a later date to confirm compliance.

Failure to comply with the legislative requirements will result in further legal action. Licensing has a number of enforcement options available including seeking a legal injunction, obtaining an entry warrant, or other legal remedies. You could also be liable to penalties under Section 33 of the CCALA, which allows for fines of up to \$10,000 per day for violations.

Scan this QR code for more information

