

Westcoast Child Care Resource Centre

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THIRD PARTY INTERVENTIONIST STAFFING

This package includes information about:

- Points to Consider
- Procedure Outlines
- Additional Resources

Introduction:

Parents of children requiring extra support face many challenges in our current system. As well, many of them have worked very hard to attain public funding to enhance, support and build on their child's specific needs. As policy is developed within a child care organization, it is imperative that parent needs as well as those of the child are considered. However, individual needs should not compromise the ability of the child care program to provide quality child care for all children and to work within both licensing and liability requirements.

High quality child care environments recognize that well educated and trained staff are integral to quality care. Centres also recognize the importance in hiring new staff whose skills and ability complement existing staff and who share the centre's philosophy.

Points to Consider:

The hiring of third party interventionist staff is complex and a number of issues should be considered in developing policy for licensed community based child care programs. A child care program should have 3rd party interventionist policies and procedures in place:

- to prevent liability: while injury to the staff member would be covered by the parent's Worker's Compensation Account (see note 1 below) the child enrolled in the centre would fall under the centre's liability insurance. Centres would need to ascertain that if the third party staff member were at fault in an injury to a child, would third party liability insurance cover the accident as the individual was not hired by the centre? (see note 2 below)
- to determine and ensure accountability: to whom does the staff member report? If the normal reporting procedure is followed, does that in fact set a precedent that the individual is a staff member? If a conflict of philosophy occurs, whose takes precedence? If the third party staff member should perform practice inappropriate with the philosophy of the child care centre, how do the child care centre staff / administration address this? Can the parent dictate to the child care staff that the third party interventionist has the authority to make final decisions? While it is important to recognize the uniqueness of every parent and child, centres have

expectations of certain levels of conformity in behaviour, expectations of children and staff and so a third party interventionist staff must also meet these criteria.

- to ensure compliance with collective agreements: non union staff in a unionized environment could create jurisdictional issue problems. In most programs a foundational goal is engaging the child with extra supports in as typical involvement as possible, consequently there may be times when the third party staff member needs to move away from the supported child. It would not be possible for the third party staff member to do any union work, yet it would create challenges for the individual to not engage with the other children. Would there be difficulties if the 3rd party staff member read to an individual or group of children, helped with snack preparation and serving, assisted the children in dressing for outdoor play?
- to identify philosophy and ensure individuals who are in the program are respectful and appreciative of a program's philosophy and approach.
- to meet licensing regulation: child care is a regulated sector; staff is college educated and must hold a valid license to practice issued by Ministry of Health. Child care centres must meet licensing regulations in order to operate. At this time there are no regulations around third party interventionist staffing and this could be challenging to risk management.

Note 1 - Worker's Compensation Board (WCB) WorkSafe Registration Office is clear that the parent would be responsible for the third party staff member under the parents WCB file. This statement presumes that all parents will have opened a file with WCB prior to making the request for the third party staff to be in attendance at the child care centre. If a program is to agree, then certainly very specific policy would need to be written with a signed statement by the parent indicating their WCB file is active and up do date. WCB indicates that any injury to the child does not fall under their jurisdiction.

Note 2 - Insurance companies require some form of regulation that prior to considering insuring this type of staffing, especially if the parent can hire anyone of their choice and someone who is not professionally trained. The cost of this type of insurance may vary.

The procedures should outline:

In order to assist centres in their discussions with parents, policy and procedure should be developed outlining the issues, challenges and liabilities of third party interventionist staffing. It would be appropriate for this policy to outline:

- Over-arching **guiding principles** regarding the centre's goals for children requiring extra support which will provide the basis for developing procedures.
- Communication information for initial discussions with the family. These discussions would include what the family can expect from the centre and what the centre expects from the family.
- How staff will communicate and work with the third party interventionist staff, who has authority in the reporting structure and procedures for resolving conflict in care or philosophy.

- WCB form – including the parent’s file number and signature stating the parent is up to date on contributions.
- Third party liability form – providing information on insurance carrier, file number and amount of insurance.

Resource and Contact Information:

BC Government Employees Union

www.bcgeu.ca

BCGEU Headquarters

4911 Canada Way

Burnaby BC V5G 3W3

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WCB (WorkSafeBC):

www.worksafebc.com

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Fax: (604) 244-6490

Mail:

WorkSafeBC Assessment Department

PO Box 5350, Stn. Terminal

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Canadian Northern Shield

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This information is presented as a resource for licensed child care facilities. Westcoast Child Care Resource Centre does not assume responsibility for actions taken based on information provided.

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