Saskatchewan Ministry of Education
Early Learning and Child Care Program

Policy and Procedures for Key Indicator System Use
Version 8.0
December 17, 2019

I. Purpose

The purpose of this document is to establish policy and procedures for the application and administration of the Saskatchewan Ministry of Education, Early Learning and Child Care’s Key Indicator System (KIS).

II. Legal Authority

Chapter C-7.31-20(1),(2)

The minister, or a person appointed by the minister for the purpose, may enter any place or premises and conduct an inspection or inquiry for the purpose of:
(a) ensuring the safety and well-being of children receiving childcare services;
or
(b) administering this Act and the regulations.

Every licensee shall, at all reasonable times during the hours of operation of the facility:
(a) cause the facility to be open for inspection by the minister or person appointed by the minister; and
(b) cause all records relating to the operation of the facility to be available for inspection by the minister or person appointed by the minister.

III. Definitions

For purposes of this document\(^1\), the following words and terms have the following meanings, unless the context clearly indicates otherwise:

**Applicant** – A corporation, co-operative, municipality, partnership or individual who seeks to obtain a license to operate a child care facility.

**Inspection** - The process of measuring compliance with requirements for licensure by an applicant or facility.

a. Initial Inspection – An inspection conducted for purposes of determining whether to license an applicant.

b. Full Inspection – An inspection where compliance with all applicable rules are measured.

c. Partial Inspection – An inspection where compliance with a subset of rules are measured.

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\(^1\) The definitions used here are for purposes of these policies and procedures only and do not supersede, replace, or modify any statutory or rule definition.


d. **Indicator Inspection** – A type of Partial Inspection where compliance with Key Indicators, Weighted-Risk rules and Random Rules are measured that is conducted in lieu of a Full Inspection.

**Key Indicators (KI)** – A subset of rules that predict compliance with all of the rules.

**Key Indicator System (KIS)** – A type of targeted measurement where compliance with Key Indicators is measured for purposes of determining total compliance without the need for a Full Inspection².

**ELCCP** – Early Learning and Child Care Program in the Saskatchewan Ministry of Education.

**Licensee or facility** - The corporation, co-operative, municipality, partnership or individual responsible for compliance with statutes and rules required for licensure.

**Consultant** – An agent of the ELCCP authorized to complete inspections.

**Regulated Setting** – The building and grounds operated by a licensee subject to compliance with applicable rules.

**Rules** – The requirements for licensure with which Child Care Centres, Group Family Child Care Homes, and Family Child Care Homes must comply.

**Sanction** – A formal penalty for noncompliance with applicable rules, including but not limited to a provisional license, amendment, suspension, emergency closure, or fined offense for contravention of any provision of the Act or regulations.

### IV. Eligibility for Indicator Inspections

In order to be eligible for an Indicator Inspection, a facility must meet all of the following criteria:

1. The facility must be operating and licensed for a period of no less than two (2) consecutive years.

2. The facility must have received at least one Full Inspection following the Initial Inspection.

3. For child care centres, the same Director must have been employed at the facility for a period of no less than two (2) consecutive years.

4. A facility that has relocated, must have been in operation for a period of no less than one (1) year in the new location.

5. A family child care home that converts to a group family child care home must have been in operation for a period of no less than (1) year under the new licence category.

6. The facility may not have been subject to sanctions within the past two (2) years.

7. The facility may not have been cited for violating any of the applicable Key Indicators within the past year or since the most recent full inspection, whichever is greater, even if the facility subsequently corrected the violation(s). Key Indicator rules are listed at Appendix B.

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² Please see Appendix A for additional information about Key Indicator Systems.
8. None of the Weighted-Risk rules listed at Appendix C were cited within the past year or since the most recent full inspection, whichever is greater, even if the facility subsequently corrected the violation(s).

9. The facility is not currently under investigation by the Early Learning and Child Care Program (ELCCP) or any other oversight agency (Child and Family Services, RCMP, or Police).

V. Procedures for Conducting Indicator Inspections

1. Determine if the facility is eligible for an Indicator Inspection based on the criteria in Section IV above.
   a. The facility will not be notified in advance that an Indicator Inspection will be conducted in lieu of a Full Inspection.

2. Prior to conducting the inspection, the consultant responsible for conducting the Indicator Inspection will select three (3) rules to be measured in addition to the KIS and Weighted-Risk rules. The additional rules are to be selected randomly using a consistent selection process; consultants shall not select rules based on personal preference, ease of compliance measurement, or similar standard. The process for selecting the three rules is listed at Appendix D.

3. Upon arrival at the regulated setting, the consultant will:
   a. Perform all standard activities for arrival based on the type of regulated setting.
   b. Conduct a brief walkthrough of the setting to identify any immediate health and safety risk or blatant rule violations.
      i. If an immediate health and safety risk is identified, the facility will no longer be eligible for an Indicator Inspection and will be subject to a Full Inspection.
      ii. If one or more blatant rule violations are identified, the facility will no longer be eligible for an Indicator Inspection and will be subject to a Full Inspection.

4. If following the walkthrough at Section 3-b above, the facility is eligible for an Indicator Inspection, the consultant will:
   a. Briefly describe the ELCCP’s KIS, including the circumstances where an Indicator Inspection may cease and a Full Inspection will be conducted.
   b. Inform the facility that the facility is provisionally eligible for an Indicator Inspection, but that a Full Inspection may occur based on inspection findings;
   c. Proceed with the Indicator Inspection as described below.

5. During the course of the inspection, the consultant will measure compliance with all of the following:
   a. The KI rules;
   b. The Weighted-Risk rules; and
   c. The three (3) rules identified at Section 2 above.
If no violations of the above rules are identified, the regulated setting will be determined to be in full compliance with all rules, and the inspection will end.

If one or more violations of the above rules are identified, the Indicator Inspection will cease, and a Full Inspection will be conducted in accordance with ELCCP policy.

VI. Ongoing Activities

1. No facility may receive more than two (2) consecutive Indicator Inspections.

2. KIs will be recalculated at least every five (5) years.

3. Weighted-Risk rules will be recalculated as needed.

4. If there are amendments to the regulations and if they are deemed to be significant (KIs or Weighted-Risk Rules are eliminated or altered) by the ELCCP, recalculation of KIs and Weighted-Risk rules may occur.

VII. ELCCP Discretion

1. ELCCP is under no obligation to conduct an Indicator Inspection even if the facility meets all of the eligibility criteria at Section IV above.

2. Indicator Inspections are a privilege, not an entitlement; the decision not to complete an Indicator Inspection even if the facility meets all of the eligibility criteria at Section IV above is not subject to appeal.

3. These policies and procedures shall not be construed to reduce, limit or restrict ELCCP’s authority to enforce applicable statutes and rules, and does not establish a precedent or otherwise bind ELCCP in any other action and shall not be construed as evidence of ELCCP practice, policy or interpretation with respect to any dispute or issue not addressed herein.
Appendix A


Targeted measurement tools are licensing inspection methods that increase the effectiveness and efficiency of a consultant oversight agency without producing recurring operational costs. In other words, targeted measurement tools maximize performance while minimizing costs.

Consultant oversight agencies nationwide are moving towards targeted measurement as an effective alternative to traditional licensing methods. Instead of measuring every rule during every inspection in every licensed setting every year, targeted measurement allows agencies to devote more resources to struggling licensees by shifting resources away from high-performing providers while still ensuring that safe, high-quality care is provided in all settings. Key Indicator Systems, or KIS, are a kind of targeted measurement tool.

Many people mistakenly believe that KIS identify the most “serious” rules (that is, the rules which, if violated, pose the greatest risk to children in care, e.g. leaving children unattended or water temperatures that are too hot). In actuality, KIS identify a subset of licensing rules that statistically predict compliance with the entire set of rules.

How Key Indicator Systems Work

Research has shown that some violations are usually identified during the licensing inspections, even at the most highly-compliant settings. Highly-compliant settings and settings with low compliance share some consultant violations, but certain violations tend to appear more frequently in settings with low compliance. KIS development includes establishing what it means for a setting to be “high compliance” (few total violations during inspections) or “low compliance” (many violations during inspections), testing the statistical relationship between individual violations and overall compliance in historical inspection data, and identifying the violations that have the closest relationship between “individual” compliance and total compliance. Consider the following illustration:

<table>
<thead>
<tr>
<th>Rule</th>
<th>High Compliance Setting</th>
<th>Low Compliance Setting</th>
</tr>
</thead>
<tbody>
<tr>
<td>x</td>
<td>Compliant</td>
<td>Violation</td>
</tr>
<tr>
<td>y</td>
<td>Compliant</td>
<td>Violation</td>
</tr>
<tr>
<td>z</td>
<td>Violation</td>
<td>Violation</td>
</tr>
</tbody>
</table>

In this illustration, analysis of rules x and y found that high compliance settings are usually compliant with the rules, while low-compliance settings are usually not compliant with the rule. Moreover, rule z is usually found to be in violation at both high and low compliance settings. This tells us that rule z is probably not a good indicator of overall compliance, but rules x and y may be indicators of overall compliance. Next, we analyze the statistical relationship between the rules and the settings’ levels of compliance to determine if rule compliance really is a good predictor of overall compliance. The results of the testing might look like this:

<table>
<thead>
<tr>
<th>Rule</th>
<th>High Compliance Setting</th>
<th>Low Compliance Setting</th>
<th>Strength of Relationship</th>
</tr>
</thead>
<tbody>
<tr>
<td>x</td>
<td>Compliant</td>
<td>Violation</td>
<td>Close relationship (Good predictor)</td>
</tr>
<tr>
<td>y</td>
<td>Compliant</td>
<td>Violation</td>
<td>Moderate relationship (Poor predictor)</td>
</tr>
<tr>
<td>z</td>
<td>Violation</td>
<td>Violation</td>
<td>No relationship (Terrible predictor)</td>
</tr>
</tbody>
</table>

What this means is, if a setting is in compliance with rule x, then we can be very confident that the setting is in compliance with all the other rules as well, whereas compliance with rules y and z tell us nothing about overall compliance. Knowing this, we can conduct an abbreviated inspection where only rule x is measured to determine overall compliance.

The above illustration is a simplified example. KIS usually identify between 20-30 rules that are good predictors of overall compliance, but the principle is the same: if there are, say, 500 rules, we can predict overall compliance by measuring compliance with only 30 of those rules.

Additionally, there are safeguards in place to ensure that KIS do not inadvertently result in harm to children in care. One such safeguard is the development of eligibility criteria for participation in an indicator (i.e. abbreviated) inspection. Not all licensed settings are eligible for KIS inspections. Factors that generally preclude indicator
inspection eligibility include a recent history of licensing enforcement action, the identification of a “serious” violation during the most recent inspection, operation of a setting by an owner for less than 2-3 years, or an open complaint of noncompliance during the scheduled inspection period. Another safeguard is expanding the inspection to include all rules in the event that a key indicator rule is found to be noncompliant during an inspection. Using the example above, if a setting was found to be out of compliance with rule x during an indicator inspection, the surveyor would then measure compliance will all rules to determine the full scope of noncompliance. A third safeguard is the identification of rules that will always be measured during every inspection, even if the rule is not a key indicator. For example, research has found that noncompliance with swimming or water-related rules frequently leads to harm or even death. As a result, it is recommended that such rules be measured during all inspections.

Why we know Key Indicator Systems Work

The National Association for Consultant y Administration (NARA) has been developing and refining qualitative and qualitative targeted measurement tools, especially KIS, for over 30 years. NARA’s professional services and educational curricula have been used by dozens of states and provinces for program-specific research, training, and customized technical assistance for child day and residential care settings, care settings for older adults, and care settings for persons with mental illness and intellectual disabilities. NARA’s methods are time-tested and proven to maximize agency performance without sacrificing the health and safety of persons in care. Additionally, although each state’s key indicator rules are different, independent research conducted by Dr. Richard Fiene, an early-child education professional and NARA consultant, has found patterns in key indicators of compliance/quality in childcare programs, suggesting that certain areas of consultant y oversight function as key indicators nationwide (these include: child abuse reporting and clearances, proper immunizations, staff-to-child ratio and group size, director and teacher qualifications, staff training, supervision/discipline, fire drills, administration of medication, emergency contact/plan, outdoor playground safety, inaccessibility of toxic substances, and handwashing/diapering).

The Benefits of Key Indicator Systems

Key Indicator Systems do not just benefit the licensing agency; in fact, their use benefits all stakeholders.

- The consultant y oversight agency is able to spend more time monitoring and providing technical assistance to noncompliant providers by spending less time in compliant programs.

- Providers benefit from shorter inspections by maintaining compliance.

- Persons in care enjoy a higher degree of health and safety protection.

- The public is assured that strong licensing continues even if resources are reduced.
Appendix B
Key Indicator Rules

Child Care Centre Key Indicator Rules

R24. Nutrition
• 24(2)(a) Meals and snacks meet nutritional needs

R37. Attendance Records
• 37(b)(i) Obtain signature of the parent monthly to verify hours/days of the child’s attendance
• 37(b)(ii) Obtain signature of the parent monthly to verify the fees charged

R41. Centre Director and Supervisor
• 41(1)(b) Supervisor to act in place of the centre director in the centre director’s absence

R42. Child Care Workers
• 42(2)(b) If working for 65 hours or more per month meets or exceeds qualifications of an ECE I
• 42(2)(c) 30% of persons employed in the centre as child care workers for 65 hours or more meet or exceed the qualifications of ECE II
• 42(2)(d) A further 20% of persons employed in the centre as child care workers for 65 hours or more meet or exceed the qualifications of ECE IR43.

R43. Exemption
• 43(1) May apply for exemption if unable to hire a director or supervisor whose qualifications meet requirements or child care workers whose qualifications meet the requirements

R44. First Aid and CPR
• 44(2)(a)(i) Each individual employed in the centre for 65 hours or more per month as a centre, director, supervisor or child care worker has completed a first aid course
• 44(2)(a)(ii) Each individual employed in the centre for 65 hours or more per month as a centre, director, supervisor or child care worker has completed a course in cardiopulmonary resuscitation

R45. Criminal Record Searches
• 45(1) Criminal record check for each centre employee

R47. Employee Records
• 47(b) Proof of first aid/CPR training
• 47(c) Results of criminal record check

Family Child Care Home Key Indicator Rules

R28. Hazardous Items
• 28(b) Poisonous substances locked

R31. First Aid Supplies
• 31 Appropriate and sufficient first aid supplies and inaccessible to children

R32. Portable Emergency Information
• 32 Portable record of emergency information for each child attending
R33. Taking Certain Supplies
- 33(b) Appropriate and sufficient first aid supplies

R36. Children’s Records
- 36(2)(b)(ii) Names, addresses and phone numbers of person to contact in an emergency
- 36(2)(b)(iii) Names, addresses and phone numbers of the child’s medical practitioner
- 36(2)(d) The child’s immunization status
- 36(2)(f)(ii) Any authorization by the child’s parent for an excursion involving transportation
- 36(2)(h) The agreement for services

R37. Attendance Records
- 37(b)(i) Obtain signature of the parent monthly to verify hours/days of the child’s attendance
- 37(b)(ii) Obtain signature of the parent monthly to verify the fees charged

R38. Insurance
- 38(b) Insurance policy - liability coverage with respect to the transportation of children
Appendix C
Weighted Risk Rules

Child Care Centre Weighted Risk Rules

R08. Application for Licence, Renewal
  • 8(1)(a) Health Inspection
  • 8(1)(b) Fire Inspection

R27. Medication
  • 27(1)(a) Authorization is acquired
  • 27(1)(b) Written record of each dose of medication administered
  • 27(1)(c) All non-emergency medications are stored in a locked enclosure
  • 27(2) Oral authorization in exceptional circumstances for administering non-prescription medication

R28. Hazardous Items
  • 28(a) Unsafe items inaccessible
  • 28(b) Poisonous substances locked
  • 28(c) Cover radiator
  • 28(d) Cap electrical outlets

R49. Duty to Supervise
  • 49 Children must be adequately supervised at all times

R52. Supervision at Centre
  • 52(3) Number of child care workers present is not less than the number required by applicable staff-to-child ratio set out in (4) and (5)

Family / Group Child Care Home Weighted Risk Rules

R10. Application for Licence, Renewal – Home
  • 10(e) Criminal Record Check(s)

R21. Hygiene
  • 21(a) Equipment and furnishings – sanitary
  • 21(b) Hygienic procedures are followed

R27. Medication
  • 27(1)(a) Authorization is acquired
  • 27(1)(b) Written record of each dose of medication administered
  • 27(1)(c) All non-emergency medications are stored in a locked enclosure
• 27(2) Oral authorization in exceptional circumstances for administering non-prescription

R28. Hazardous Items
• 28(a) Unsafe items inaccessible
• 28(c) Cover radiator
• 28(d) Cap electrical outlets

R61. Qualifications Licensees
• 61(1) First aid (Type expiry date of certificate):
• 61(2) CPR (Type expiry date of certificate):

R64. Assistant Records
A licensee of a GFCCH - maintain records for each assistant that includes:
• 64(a) A copy of proof of training in first aid and CPR
• 64(b) The results of a criminal record check
• 64(c) Any emergency medical information
• 64(d) A copy of the proof of participation in continuing education
Appendix D

Process to Identify Random Rules

1. If it is determined that a facility is eligible for an Indicator Inspection, based on the criteria in Section IV, prior to conducting the inspection, the consultant responsible for conducting the Indicator Inspection will select three (3) rules to be measured in addition to the KIS and Weighted-Risk rules in accordance with Section V paragraph 2.

2. An “easy to use” Excel random number generator will be used to select three unique random rules.

3. The Consultant will open the Excel Random Rules Generator and select one of five tabs at the bottom for the facility type of the current Indicator Inspection which include:
   a. Child Care Centre
   b. Teen Student Support Child Care Centre
   c. Family Child Care Home
   d. Group Family Child Care Home
   e. Teen Student Support Family Child Care Home.

4. The Consultant will follow the instructions in the text box provided to generate the random rules. Clicking the button “Press Here” will generate three (3) random rules.

5. The Consultant will only click the random rule generator button once.

6. Using the appropriate Checklist for facility type (centre or home), the consultant will place an R in the column provided next to the corresponding number on the checklist to indicate that this rule must be checked during the inspection.

7. Additional rules are selected using the Excel Random Rules Generator. Consultants should not select rules based on personal preference, ease of compliance measurement, or similar standard.

8. Consultants should contact their respective Program Manager, if any issues arise in the generation of the random rules.