

Response by the Office of the Prime Minister Gender and Child Affairs to the Recommendations of the Seventh Report of the Joint Select Committee on Social Services and Public Administration, on an examination of the state of the regulation and administration of public and private early childhood institutions in Trinidad and Tobago

Recommendation M:

It is recommended that the Office of the Prime Minister (Gender and Child Affairs) work with urgency to implement the necessary institutional arrangements to facilitate the proclamation of Part V of the Children's Community Residences for Foster Care and Nurseries Act Chap 46:04 (which addresses regulation of Nurseries). This is an essential step in strengthening the overall regulatory framework for ECCE, as it would allow for the proper involvement of the Children's Authority of Trinidad and Tobago (CATT) in the monitoring and enforcement regime.

Response:

In 2014, Cabinet agreed to delay the proclamation of sections 42-52 of the Children's Community Residences, Foster Homes and Nurseries Act, Chap. 46:04, which governs, inter alia, the monitoring, licensing and regulating of nurseries. At that time, the regulations giving effect to the aforementioned sections had not been developed and the requisite training of nursery providers had not been undertaken to enable them to meet the proposed licensing standards. Since then, the GORTT has taken the following steps to facilitate the proclamation of sections 42-52 of the aforementioned Act that are related to the management and regulation of nurseries:

- **The establishment of a multi-sectoral committee.** In 2013, a multi-sectoral committee was established to develop the Legislative Policy to inform the "Draft Nursery Regulations". The Legislative Policy objective was to improve the quality of care provided to children aged 0-3 years and include strategies and guidelines to educate, train, and support parents and care providers;
- **The completion of a Situational Analysis of Nurseries in Trinidad and Tobago.** In 2015, a Situational Analysis of Nurseries was commissioned with the aim of outlining the standards that exist for nurseries in both islands. However, while the report highlighted certain gaps, further research is required on estimating the size of the sector and providing details on existing standards of care in nurseries across both islands;
- **The completion of the Legislative Policy** in 2015, which were approved by Cabinet;
- **The creation of a two-phased Project Plan** in 2019 for the operationalization of sections 42-52 of the Children's Community Residences, Foster Care and Nurseries Act, by the Children's Authority of Trinidad and Tobago (CATT).

Phase one of this initiative comprised:

- 1) the gathering of information on all nurseries in Trinidad and Tobago;
- 2) a GAP Analysis to determine the quality of care and standards that existed at nurseries; and
- 3) public sensitization on steps for nurseries to become registered with the CATT.

Phase two included:

- 1) the review and updating of current legislation and regulations with regards to nurseries;
 - 2) recruitment of staff at the CATT to facilitate the monitoring of standards and licensing of nurseries; and
 - 3) training of CATT staff and sensitization of nurseries to the Nursery Policy Guidelines and Draft Nursery Regulations.
- **The drafting of a Means Test** to provide financial assistance to families in the lower income brackets, such as single-parent headed families, to cover the cost of their children attending nursery; and
 - **The recruitment of ten (10) Research Assistants** in 2019 to conduct the Nursery GAP Analysis Instrument 2020. The Research Assistants began work in March 2020, but work was halted at the end of April 2020 due to the COVID-19 pandemic.

The Chief Parliamentary Counsel commenced the process of drafting the regulations. However, this was deferred pending the outcome of the Project Plan and the likelihood of further amendments to the Legislative Policy. Notwithstanding these efforts to date, sections of the Children's Community Residences, Foster Care and Nurseries Act, that are related to the management and regulation of nurseries, have not been proclaimed.

Recommendation N

In their response to the Committee, the Office of the Prime Minister (Gender and Child Affairs) should provide the status of the Draft Nurseries Regulations.

Response:

See response to Recommendation M above. The Legislation and Enforcement Sub-Committee of the Standing Committee on Child Protection is currently in the process of examining the following pieces of legislation with a view to determining the need for any amendments and the way forward:

- Children Act, Chapter 46:01
- Adoption of Children Act, Chapter 46:03
- Children's Community Residences, Foster Care and Nurseries Act, Chapter 46:04
- Children's Authority Act, Chapter 46:10
- Child Rehabilitation Centres Act, Chapter 13:05

The review entails the examination of previous outcome documents as well emerging issues in the child protection sector. The Sub Committee is expected to provide their Report by September 2024 at which time, a submission will be made to Cabinet.