

# PROPOSAL FOR NEW CHILDCARE LAW CARIBBEAN NETHERLANDS

*Information  
for  
childcare.*



**BES(t) 4 KIDS**

# Proposal for a new Childcare Law in the Caribbean Netherlands

The BES(t) 4 kids program aims to offer all children in the Caribbean Netherlands good-quality, safe and affordable childcare. The focus is on creating a safe and caring environment for children, which is accessible to all families, in order to ensure that every child has the opportunity to develop themselves to their full potential. The basic rules for children's centres and host parents in the Caribbean Netherlands will be laid down in a new law. Before the new law becomes final, many steps will have to be taken. In this brochure, you can read about the main points of the proposal that is being prepared.

## Why a new law?

A Childcare Island Ordinance, which specifies many quality requirements for the children's centres and host parents, is currently already in force. In addition, there already is a temporary childcare subsidy scheme, aimed at improving the quality of childcare and reducing the costs for parents.

The quality requirements are laid down in the proposal for the new law, for a longer period of time. Furthermore, the new law provides for the structural financing of childcare. This financing will replace the temporary subsidy scheme, so we can structurally ensure good-quality, safe and affordable childcare.

## Quality

**The proposal for the new law specifies various quality requirements for children's centres and host parents.**

### Licence is mandatory

Children's centres and host parents must have an operating licence. This licence is issued by the Public Entity if the organisation meets the quality requirements. The new law does not change this. What does change is that host parent care can only take place on an island if the Public Entity allows it.

### Existing quality requirements remain valid

The quality requirements in the proposal for the new law largely corresponds with the requirements from the Childcare Island Ordinance. The quality requirements see to it that children's centres and host parents must ensure that children are cared for in a safe and pleasant environment and that they are stimulated in their development while playing. The requirements include, for instance, group size, the

indoor and outdoor areas and recording pedagogical, safety and health policy in writing. The requirements for children's centres and host parents can sometimes differ.

### New quality requirements

The proposal for the new law also contains a limited number of new requirements. The new requirements aim to ensure that children in the Caribbean Netherlands can develop themselves continuously and thrive, and that the transition from childcare to primary school goes smoothly. Children's centres and host parents therefore must monitor the development of children and childcare facilities and schools must make arrangements about how the transition should be organised. Additionally, primary schools will be obligated to offer a program for early childhood education in group 1 and 2. This program is a follow-up to the program for early childhood education which is offered in daycare (0-4).

## Supervision

**The proposal for the new law provides that the Inspectorate of Education monitors the quality of childcare. The Inspectorate collaborates with local inspectors of the Public Entity in the performance of its supervisory duties.**

### The Inspectorate pays annual visits

The inspector(s) will visit children's centres and host parents annually. This can be announced visits but they can also be unexpected. They not only check compliance with the law on paper but they will also observe the groups. The inspector will talk with the directors, management, staff and sometimes also with children and parents. They will discuss their findings with the children's centre or the host parent. The findings will also be recorded in a report. This report, together with the organisation's response to the Inspectorate's assessment, will be made public.

### The emphasis is on motivating supervision

The Inspectorate will primarily carry out motivating supervision. This means that the supervision is aimed at improving the quality of care. If the Inspectorate detects any deficiencies at a children's centre or host parent, they can instruct them to correct this within a certain amount of time. If the children's centre or host parent fails to correct the deficiency/deficiencies in time or if it concerns a dangerous situation, the Inspectorate can use more stringent instruments such as an administrative fine.

It takes time for children's centres and host parents to meet all quality requirements. The Inspectorate will take this into account during the first years when it issues instructions for correction. When it concerns the safety or health of children, the Inspectorate will take firmer action. The Inspectorate will offer tailored treatment: it will assess in collaboration with every organisation what the organisation must do first.

## Financing

**With the BES(t) 4 kids program we aim to ensure that all parents can bring their children to childcare without having to worry about the finances. It is not mandatory for parents to use childcare facilities. It is, however, desirable that children attend childcare at least a couple of days a week.**

### Parents will pay parental contribution to the Central Government

It has been laid down in the proposal for the new law that parents will make arrangements with children's centres and host parents on the care of their child(ren), as is the case at present. Those arrangements must be recorded in a written agreement. The proposal provides that the parents will pay the parental contribution to the Central Government, instead of to the children's centre or the host parent. The amount of the parental contribution depends on the income of the parents, as is the case at present.

### The Central Government pays the childcare facility

It is laid down in the proposal for the new law that the Central Government will offer organisations with an operating licence, a compensation for childcare costs. Every childcare organisation can receive a predetermined allowance per child. A study will be launched this year (2020) in order to determine what is a reasonable allowance per child. The Central Government will use the results of this study to determine the amount of the allowance per child.

### Rules for children's centres and host parents

Children's centres and host parents are not allowed to charge parents for an additional contribution, nor a voluntary contribution. With regard to children for whom it is not possible to apply for an allowance, children's centres and host parents are allowed to charge the parents directly for a contribution. This contribution will not be lower than the allowance paid by the Central Government. Additionally, children's centres and host parents are not allowed to reject children if there is no waiting list.

