Fines in the supervision on childcare

The Inspectorate of Education and the SZW Unit of the RCN oversee childcare in the Caribbean Netherlands. The Inspectorate of Education assesses the quality. The SZW Unit of the RCN oversees the financing rules. If the supervisory authorities identify shortcomings, they initially enter into discussions with the childcare organisation. Often, they then issue an order to remedy the shortcomings. If a childcare organisation repeatedly fails to implement a remedial order, a fine may follow. This fine is imposed by the SZW Unit of the RCN.

In the legislation, fixed fines were agreed for all rules. The amount of the fine depends on the seriousness of the shortcoming. For instance: the amount of the fine for not having a permit is higher than for a child not having a mentor. The following list contains all fines per violation.

Important

- The amounts in the table for childcare centres are applicable to organisations with more than 30 children. Organisations with 30 children or fewer pay half of these amounts.
- There is a separate table with lower fines for host parents.
- A domain is a group of quality requirements that belong together, e.g. the domain 'education, training, and experience'. If there are multiple shortcomings within the same domain, a maximum fine amount applies:
    - More than 30 children: a maximum of $5,000
    - 30 children of fewer: a maximum of $2,500
    - Host parents: a maximum of $1,700
- Is the same shortcoming made again within four years? Then the amount of the fine increases.

ADMINISTRATION, STAFF AND ACCOMMODATION - CHILDCARE CENTRE	**Fine amount > 30 children**
Administration	
Domain: operating permit	
The childcare operator has an operating permit.	$5,000
Staff and groups	
Domain: education, training, and experience	
Team qualification at location level Up to and including 31 December 2030: • at least half of the professionals at the location complies with pedagogical officer training or a training with a pedagogical component at level 3 or has documentary evidence that shows that the professional acts at this level • at most half consists of interns, professionals in training (both with training at level 3) or has training with a pedagogical component at level 2 of Senior Secondary Vocational Education (MBO) / level 2 of the Caribbean Vocational Qualification (CVQ). From 1 January 2031, this ratio will be two-thirds and one-third, respectively.	$1,500
When deploying a trainee or a professional in training within the team qualification, there must always also be a professional at level 3 (the first category mentioned above) present at the group.	$1,000
There is at least one adult present who is qualified to administer first aid to children.	$1,000

Domain: certificate of good conduct (VOG)	
Anyone who works or is structurally present at the location is in possession of a VOG.	$1,500
The VOG was not older than three months upon submission and is updated biannually.	$1,000
Submission of the VOG takes place prior to the activities or structural presence at the location.	$1,000
The childcare operator retains the VOG for three years.	$1,000
Domain: working language	
In case of childcare at a childcare centre, Dutch and/or Papiamentu (Bonaire) or English and/or Dutch (St. Eustatius and Saba) are used as the working language. In specific circumstances <u>also</u> a different working language can be used due to the origin of the children.	$750
Domain: number of professionals and group size	
The number of professionals is geared to the number of children present in the master, basic or combination group. The ratio between professionals and the number of children is in conformity with the annexes with the Childcare Decree BES.	$1,500
Deployment of fewer professionals: • In case of ten hours of daycare (or out-of-school care on non-school days), fewer professionals can be deployed for a maximum of three hours a day. • In case of out-of-school care, fewer professionals can be deployed for at most half an hour a day. • If there is only one professional present at the childcare centre, an adult will be available who can be reached by telephone and who can be present within 15 minutes in the event of a contingency (standby support). • If only one professional is deployed at the childcare centre, at least one other adult will be present by way of support. • The childcare operator meets the conditions in which it is determined when professionals in training and interns can be included in the BKR (professional-child ratio).	$750
The childcare operator can demonstrate the ratio between the minimum number of professionals to be deployed and the number of children present though an overview of the professionals deployed and the attendance lists of the children.	$750
Upon the deployment of professionals in training and interns, their current training phases are considered.	$750
Domain: recognisable areas and persons (stability)	
The daycare takes place in master groups. A child is cared for in a master group.	$1,000
Per week, a child relies on a maximum of two different master group areas in the daycare.	$750
The maximum group size is geared to the age of the children in the (master) group and complies with the requirements under the Childcare Decree BES.	$1,000
Each master group has a separate fixed master group area.	$1,000
The childcare operator informs parents and child in what master group the child has been placed and what professional works with the master group on what day.	$250
Fixed professionals are used as much as possible per master group.	$750
A mentor is allocated to each child. The mentor is a professional at the master group or basic group of the child.	$500
There is a qualified professional who has a pedagogical officer training or a training with a pedagogical component at level 4. This professional works at least 2.5 days a week (this applies from 1 January 2031).	$1,000

Accommodation	
Domain: accommodation and areas	
The indoor and outdoor areas are safe, accessible, and appropriately equipped for the number and the age of the children.	$1,000
There is at least three square metres of indoor playing area per child available (for out-of-school care: up to and including 31 December 2030, 2.5 square metres).	$1,000
There is at least three square metres of fixed, shaded outdoor playing area per child available, adjacent to the location.	$750
The indoor playing areas must have good ventilation for a healthy indoor climate.	$750
A childcare centre has a separate sleeping area for children up to the age of a year and a half.	$1,000
SAFETY, HEALTH AND PEDAGOGICAL CLIMATE - CHILDCARE CENTRE	
Health and safety	
Domain: health and safety policy	
The childcare operator has a health and safety policy that complies with the requirements under the Childcare Decree BES. The childcare operator ensures that actions are in conformity with this policy.	$1,000 $250 per requirement
The childcare operator establishes the health and safety policy in writing, and evaluates and, where required, adjusts the policy.	$1,000
In the health and safety policy the childcare operator describes how the daycare is organised in such manner that a professional, a professional in training or an intern can only perform the activities whilst being seen and heard by another adult (the 'four eyes principle').	$500
Domain: healthy nutrition	
The childcare operator provides for healthy nutrition, according to the requirements applicable pursuant to the Island Ordinance (applicable to Saba and St. Eustatius, on Bonaire as soon as the Island Decree takes effect).	$750
Domain: notification, consultation and reporting requirement (from 1 January 2027)	
Procedure for dealing with criminal offences at childcare centre • In case of a (suspected) criminal offence of a person employed at the childcare centre in respect of a child, the childcare operator enters discussions with an expert. • If a person employed at the childcare centre becomes aware of a (suspected) criminal offence of another person employed at the childcare centre, they inform the childcare operator. • In case of a reasonable suspicion of guilt, the childcare operators file a report with the investigating officer.	$2,000
Procedure for criminal offences committed by childcare operator • If a person employed at the childcare centre becomes aware of a (suspected) criminal offence of the childcare operator in respect of a child, the person enters into discussions with an expert. • In case of a reasonable suspicion of guilt, the person files a report with the investigating officer.	$2,000
The childcare operator promotes the knowledge and the use of these procedures.	$750

Pedagogical and educational policy and pedagogical conduct	
Domain: pedagogical and educational policy	
The childcare centre has a pedagogical and educational policy plan.	$750
The childcare operator ensures that actions are in accordance with the pedagogical and educational policy plan.	$750
The childcare operator communicates the pedagogical and educational policy to the parents in writing.	$500
The policy complies with the requirements prescribed in the Childcare Decree BES.	$250 per requirement
Domain: pedagogical conduct	
The operator of the childcare centre offers a supportive pedagogical climate that contributes to: • the emotional security of children. • the development of the personal and social skills of children. • the socialisation of children through the transfer of generally accepted values and norms	$750
Financing childcare centre	
Domain: childcare costs without childcare compensation	
If the childcare operator cares for a child for which no childcare compensation is received, then the childcare centre charges the parents the costs that are at least equal to the childcare compensation that would be provided.	$1,000
Supply of information childcare centre	
Domain: supply of information childcare operator	
A childcare operator shall, within the agreed timeframe and in the agreed manner, provide any information that is required for the establishment and payment of the childcare compensation, as prescribed by the Childcare Act BES and the underlying regulations.	$500 per piece of information
Domain: supply of information parent	
The parent and partner of the parent supply, within the stipulated period and in the stipulated manner, any information of the parent, partner, and child, as prescribed by the Childcare Act BES and the underlying regulations, that: • is required for the establishment and the level of the childcare compensation; • can give cause to a change in the childcare compensation.	$250 – for parents

ASSESSMENT FRAMEWORK HOST PARENT CARE	Fine amount
ADMINISTRATION, HOST PARENT AND ACCOMMODATION	
Administration	
Domain: operating permit	
The host parent has an operating permit.	$1,700
Requirements host parent and group size	
Domain: education, training, and experience	
The host parent followed a pedagogical officer training or a training with a pedagogical component at least at level 2 of Senior Secondary Vocational Education (MBO) or level 2 of the Caribbean Vocational Qualification (CVQ) (Saba: MBO level 3).	$350
There is at least one adult present who is qualified to administer first aid to children.	$350
Domain: certificate of good conduct	
The host parent ensures that anyone who is employed or persons aged eighteen and older who are structurally present at the host parent dispose of a valid and up-to-date certificate of good conduct.	$500
The VOG was not older than three months upon submission and is updated biannually.	$300
Submission of the VOG takes place prior to the activities or structural presence at the host parent location.	$300
The host parent shall retain the VOG for three years.	$300
Domain: working language	
Dutch and/or Papiamentu (Bonaire) or English and/or Dutch (St. Eustatius and Saba) are used as the working language or in specific circumstances: also a different working language due to the origin of the children.	$250
The host parent complies with the additional rules imposed in the Island Ordinance regarding the language level (only applicable to Saba).	$250
Domain: group size	
The host parent has a maximum group size referred to in the Childcare Decree BES.	$300
Accommodation	
Domain: accommodation and areas	
The accommodation complies with the requirements imposed in the Island Ordinance (only applicable to Saba and Bonaire).	$250
SAFETY, HEALTH AND PEDAGOGICAL CLIMATE - HOST PARENT	
Health and safety	
Domain: health and safety policy	
The host parent has a health and safety policy that complies with the requirements under the Childcare Decree BES.	$350 $50 per requirement
Domain: healthy nutrition	
The host parent provides for healthy nutrition, according to the requirements applicable pursuant to the Island Ordinance (applicable to Saba and St. Eustatius, on Bonaire as soon as the Island Decree takes effect).	$250

Domain: consultation requirement	
In case of a (suspected) criminal offence of a person structurally present at the host parent location, the host parent enters into discussions with an expert.	$1,000
Domain: standby support	
The host parent has standby support who can be present within 15 minutes in the event of a contingency.	$250
Pedagogical policy and pedagogical conduct	
Domain: pedagogical policy	
The host parent has a pedagogical policy plan.	$250
The host parent ensures that the pedagogical policy plan is evaluated and, where required, adjusted.	$250
Domain: pedagogical conduct	
The host parent offers a supporting pedagogical climate that contributes to: • the emotional security of children. • the development of the personal and social skills of children. • the socialisation of children through the transfer of generally accepted standards and norms.	$250
Financing	
Domain: childcare costs without childcare compensation	
If the host parent cares for a child for which no childcare compensation is received, then the host parent charges the parents the costs that are at least equal to the childcare compensation that would be provided.	$350
Supply of information	
Domain: supply of information host parent	
A host parent supplies, within the stipulated period and in the stipulated manner, any information that is required for the establishment and payment of the childcare compensation, as prescribed by the Childcare Act BES and the underlying regulations.	$150 per data
Domain: supply of information parent	
The parent and partner of the parent supply, within the stipulated period and in the stipulated manner, all information of the parent, partner, and child, as prescribed by the Childcare Act BES and the underlying regulations, that: • is required for the establishment and the level of the childcare compensation. • can give cause to a change in the childcare compensation.	$80 - for parents