

Basic Island Ordinance Childcare

Chapter I General provisions

Article 1

In this Island Ordinance the following is understood as:

- a. professional: the person aged eighteen or older who is employed by the operator of a childcare centre, is paid and in charge of the care and upbringing of and the contribution towards the development of children;
- b. professional in training: the person who is employed by the operator of a childcare centre and who is, for the practical part of the training, in charge of the care and the upbringing of and the contribution towards the development of children at a childcare centre;
- c. after-school care: childcare provided by a childcare centre for children in the age that they attend primary education where care is offered before and after the daily schooltime as also on days off or during afternoons and school holidays;
- d. day-care: childcare provided by a childcare centre for children up to the age that they attend primary education;
- e. operator: a natural person aged eighteen or older or a legal person that operates a childcare centre or host parent care;
- f. host parent care: childcare in a family situation that regards simultaneous care for a maximum of six children, including the relatives by blood or affinity in the descending line of the host parent or his partner, where the care is provided:
 - i. at the residential address of the host parent; or
 - ii. at the residential address of one of the parents of the children for whom the host parent offers care;
- g. host parent: the person aged eighteen or older who provides host parent care, with the exception of the person:
 - i. of whom one or more children are subject to guardianship or provisional guardianship as intended in Section 254 of Book 1 of the Civil Code BES, who was, in respect of one or more of his children, released from the parental authority as intended in Section 266 of Book 1 of the Civil Code BES or who was, in respect of one or more of his children, released from the authority as intended in Section 269 of Book 1 of the Civil Code BES;
 - ii. who is registered at the same residential address in the civil registry as the parent or his partner of the child to whom care is offered; or
 - iii. who employs staff in any form whatsoever for the benefit of the care;
- h. childcare centre: a facility where childcare other than host parent care is provided;

i. childcare: the professional, or not free of charge, provision of care and upbringing and the contribution towards the development of children up to the first day of the month that the secondary education starts for these children;

j. complaints committee: a committee as intended in article 27;

j. quality committee: the committee for childcare to be set up by the Executive Council, as intended in article 2 of this Island Ordinance;

k. parent: the relative by blood or affinity in the ascending line or the foster parent of a child to whom the childcare is related;

l. parent committee: the committee as intended in article 24 paragraph 1;

m. trainee: the person who follows a training of which the practical part represents a limited part of the total training duration, who is encumbered with activities at the operator's centre for the benefit of the practical part of the training and who is not a professional in training;

n. tribal group: fixed group of children in childcare;

o. master group area: indoor play area where the master group is predominantly present;

p. certificate of conduct natural persons: a certificate of conduct issued according to the Wet op de justitiële documentatie en op de verklaringen omtrent het gedrag BES (Judicial Documentation and Conduct Certificates (BES) Act); and

q. preschool education: implementation of a programme that aims at the improvement of the conditions for the smooth transition into primary education of children who cannot be admitted to education yet.

Article 2

1. To improve the quality of childcare the Executive Council establishes a quality committee by island resolution, comprising general measures.
2. The quality committee consists of representatives of the organisations relevant to the quality of childcare, operating independently of the childcare centre and host parent care.
3. The quality committee has, in terms of the implementation of the Island Ordinance, the following duty:
 - a. to provide advice to the Executive Council during the assessment of applications for an exploitation permit;
 - b. to provide advice to the Executive Council during the implementation of this Island Ordinance; and
 - c. to provide advice, at the request of the Executive Council or of its own initiative, to the Executive Council about subjects that are related to childcare.

Chapter II Authorisation

Article 3

1. It is prohibited to operate a childcare centre or host parent care without a permit for exploitation or a declaration of temporary permit of the Executive Council.
2. Childcare centres and host parent care that offered childcare on December 31, 2019 can continue the operation until the operating authorisation was granted on the condition that they submitted an application for operating authorisation before April 1, 2020.

Article 4

1. The application for permit for exploitation must be submitted to the Executive Council in writing.
2. The application for the permit specifies all details required for the assessment of the application and does in any case include:
 - a. a copy of the establishment authorisation as issued by the Executive Council;
 - b. if the applicant is a sole proprietorship: name, address, telephone number and evidence of registration with the Chamber of Commerce, not older than 3 months, of the applicant;
 - c. evidence of registration in the civil registry and, where applicable, a copy of the residence document and/or work permit of the applicant and professionals (in training);
 - d. if the applicant is a legal person: names, addresses and dates of birth of all board members or executive management members, as well as a copy of the articles of incorporation, evidence of registration with the Chamber of Commerce, not older than 3 months, where applicable a copy of the shares' register;
 - e. a certificate of good, not older than two months, of the applicant and professionals (in training);
 - f. the maximum number of children and the age of the children to whom childcare or host parent care is offered per part of a day;
 - g. the maximum number of professionals (in training) that shall be employed at the childcare centre per part of a day;
 - h. the opening and closing times of the childcare centre or host parent care;
 - i. the address or proposed location of the childcare centre or host parent care;
 - j. if childcare is offered: the pedagogic policy plan as intended in article 12;
 - k. the step-by-step plan domestic violence and child abuse as intended in article 17;
 - l. the safety and health policy as intended in article 22 paragraph 1 of this Island Ordinance;
 - m. a map at a scale of 1:100 with description of the location and layout of the proposed childcare centre or host parent care; and
 - n. proof of payment of the fees as intended in paragraph 7.

3. The applicant receives written confirmation of the application for authorisation from the Executive Council and the Executive Council informs the applicant in writing of the further handling.
4. If the application does not comply with the requirements set forth in paragraph 2 then the Executive Council gives the applicant the opportunity to remedy the defects within a period of four weeks.
5. If the time limit as intended in the previous paragraph expires without remedy then the application is not processed or is declared to be inadmissible and a new application must be submitted.
6. By island resolution, comprising general measures, further rules can be imposed in respect of the permit for exploitation.
7. The fees for the processing of an application for authorisation are established by the Executive Council by ordinance.

Article 5

1. The Executive Council requests the quality committee for an opinion within two weeks after receipt of a complete application.
2. The quality committee examines whether the proposed childcare, including areas, is in accordance with the requirements established by or pursuant to this Island Ordinance.
3. The applicant provides the information that is requested by the quality committee.
4. The quality committee issues an opinion to the Executive Council within four weeks after receipt of a complete application with reference to the grounds.

Article 6

1. The Executive Council decides on the application within two weeks after receipt of the advice of the quality committee.
2. The time limit mentioned in the previous paragraph can be extended once by at most two weeks.
3. If the decision of the Executive Council differs from the opinion of the quality committee then the relevant considerations are included in the decision.
4. If the decision of the Executive Council is not reached within the time limit as intended in paragraphs 1 and 2 then the applicant can submit objections to this to the Executive Council.

Article 7

1. The operating authorisation can be granted under conditions. The said conditions can follow from policy rules that can be adopted by the Public Entity.
2.
 - a. The operating authorisation is issued in the name of a natural person or of a legal person, is non-transferable and is only granted for the locality specified in the operating authorisation.
 - b. Changes that affect the name on the operating authorisation must be communicated to the Public Entity.
3. The operating authorisation does in any case specify:
 - a. the name and the address of the operator;
 - b. the names and addresses of the members of the board;
 - c. the address of the childcare centre or host parent care;
 - d. what form of care the childcare centre or host parent care offers, i.e. day-care or after-school care; and
 - e. the number of children and the age of the children to whom childcare can at most be offered.
4. The operating authorisation to operate a childcare centre or host parent care is posted at a location in the childcare centre or host parent care visible to anyone.

Article 8

1. A request for a change of the operating authorisation is submitted to the Executive Council by the operator in writing with reference to the reasons for the change and the relevant consequences for the childcare.
2. The Executive Council requests the quality committee for an advice within two weeks after receipt of the request for a change.
3. The quality committee examines whether the proposed change of the childcare, including the areas, is in accordance with the requirements imposed by or pursuant to this Island Ordinance.
4. The operator supplies the information that is requested by the quality committee.
5. The quality committee issues an advice to the Executive Council within four weeks after receipt of a request for an opinion on the change with reference to the grounds.
6. The Executive Council decides on the request for a change within two weeks after receipt of the advice of the quality committee.

7. The time limit as intended in the previous paragraph can, upon notification to the operator, be extended once by at most two weeks.
8. If the decision of the Executive Council differs from the advice of the quality committee then the relevant grounds are included in the decision.
9. In case of a change a new operating authorisation shall be issued upon revocation of the operating authorisation.

Article 9

1. The Executive Council can grant operators who at the time of entry into force of this Island Ordinance are already providing childcare temporary exemption in respect of a number of obligations that derive from this Island Ordinance, with the exception of the obligation pursuant to article 22.
2. By island resolution, comprising general measures, further rules can be imposed in respect of the exemption as intended in the previous paragraph.

Chapter III Quality requirements childcare

Section 1 Requirements

Article 10

1. An operator of a childcare centre or host parent care offers responsible childcare, which includes the provision of a safe and healthy environment of emotional security to children, the stimulation of personal and social competence of children and the socialisation of children through the transfer of generally accepted values and standards.
2. The operator of a childcare centre organises the childcare in such manner, provides the childcare centre with such staff and material, both qualitatively and quantitatively, provides for such allocation of responsibility and pursues such pedagogic policy that this reasonably results in responsible childcare. For the implementation of the first sentence the operator of the childcare centre does, in any case, pay demonstrable attention to the number of professionals in relation to the number of children per age category, the group size, the daily rhythm and the recognisability of areas and people, the training requirements that professionals comply with, the conditions on the basis of which and the degree that professionals in training and trainees can be encumbered with the care, upbringing and the contribution towards the development of children.
3. The operator must retain the administration for the implementation of paragraphs 1, 2 and 4 for at least 5 years and, if so requested, make it available to the supervisory authority.

4. Childcare takes place on the basis of a written agreement between the operator and the parent.

Article 11

1. In the context of offering responsible childcare, the operator does, in any case, ensure, in consideration of the development phase of the children, that:
 - a. children are handled in a sensitive and responsive manner, respect is shown for the autonomy of children and boundaries are imposed on and structure is offered to the conduct of children in order that children can feel emotionally secure and safe;
 - b. children are challenged in the development of their motor skills, cognitive skills, linguistic skills and creative skills based on play in order that children are enabled to function ever more independently in a changing environment;
 - c. children are supervised in their interactions where they are taught social knowledge and skills based on play in order to enable children to build up and maintain relationships with others ever more independently; and
 - d. children are stimulated to learn the generally accepted values and standards in society in an open manner in view of handling others respectfully and active participation in society.
2. The operator ensures that the programme of activities and the available facilities (area and play materials) is in line with the development of the children.

Article 12

1. Every childcare centre disposes of a pedagogic policy plan. The operator ensures that work at the childcare centre is carried out in conformity with the pedagogic policy plan.
2. A pedagogic policy plan comprises, at least, a specific description of:
 - a. the manner that substance is given to the aspects of responsible childcare, as intended in article 11, where, where relevant, a distinction must be made between children up to the age that they start attending primary education and children in the age that they can attend primary education;
 - b. the manner that the development of the child is followed and stimulated and where a continuous development line with the primary education and, in case of day-care, with the after-school care is pursued, where, in any case, the manner is addressed that:
 - 1°. with consent of the parents knowledge about the development of the child is transferred to the school when the child transfers to primary education and to the after-school care when the child transfers to after-school care; and

- 2°. particulars in the development of the child or problems are signalled and parents are referred to appropriate authorities for further support;
- c. the way substance is given to the social security of the children and the staff, including how to handle (suspicions of) child abuse at the childcare centre;
- d. the programme of activities and daily rhythm;
- e. the way that development and learning disadvantages are avoided and prevented and the programme that is used for preschool education;
- f. the tasks that professionals in training, trainees and volunteers in the childcare can perform and the manner that they are, in this respect, supervised and deployed where the guiding principle is that volunteers are always redundant; and
- g. the way that children with special care needs are handled and what relevant arrangements were agreed on with chain partners.
3. The operator of the childcare centre communicates the pedagogic policy to the parents of the children in writing.

Article 13

The operator of host parent care ensures that the implementation of the pedagogic policy plan, as intended in article 10 paragraph 1 and article 11 paragraph 1, is established in writing.

Section 2 Staff

Article 14

1. Professionals and host parents dispose of, at least, pedagogic training at the level of MBO-2 (senior secondary vocational education level 2) / CVQ-2 (Caribbean Vocational Qualification level 2) or follow relevant training / a relevant course. If there is question of the willingness to follow the training then the employer must establish in writing when the training is started by the professional.
2. The operator ensures that during the childcare there is always, at least, one adult present who is qualified in the administration of first aid to children. For the benefit of updating knowledge and skills child first aid training must be followed annually. By island resolution further rules can be imposed on the qualifications.

3. By island resolution, comprising general measures, further rules can be imposed with regard to the pedagogic training of the professional.

Article 15

1. At least one professional must be employed at the childcare centre who disposes of a training at the level of MBO-3 (senior secondary vocational education level 2) / CVQ-3 (Caribbean Vocational Qualification level 3) that is specifically aimed at the signalling of learning and development disadvantages.
2. The professionals who dispose of training at the level of MBO-3 (senior secondary vocational education level 2) / CVQ-3 /Caribbean Vocational Qualification level 3) must be employed at least three days a week.

Section 3 Certificate of conduct

Article 16

1. The following persons are in possession of a certificate of conduct:
 - a. the operator or prospective operator, i.e. the director and managers, of a childcare centre or host parent care;
 - b. the persons who are or shall be employed by the operator or who are or shall be employed through a temporary employment agency during childcare hours at the location where the operator operates a childcare centre and where care is provided to children;
 - c. the persons who are or shall be, on the basis of a different agreement with the operator, structurally employed during childcare hours at the location where the operator operates a childcare centre and where care is provided to children;
 - d. the persons who are or shall be employed structurally during childcare hours on a volunteer basis at the location where the operator operates a childcare centre and where care is provided to children;
 - e. the persons aged 18 and over who are structurally present at the location where host parent care is provided; and
 - f. the persons who on account of their position have or shall have access to information about the children to whom care is provided.
2. The certificate of conduct can, at the time of submission to the competent authority, not be older than three months and must be updated every two years.
3. The operator of the childcare centre or host parent care must retain the certificates of conduct in its administration.

Section 4 Step-by-step plan domestic violence and child abuse

Article 17

1. The operator of a childcare centre establishes a step-by-step plan domestic violence and child abuse plan for the staff, as applied by the public entity. This step-by-step plan contains a description of the steps how the staff should handle signals of domestic violence or child abuse.
2. In addition to the step-by-step plan, the operator of a childcare centre can establish the following elements:
 - a. an assessment framework on the basis of which the staff assesses the risk and the nature and the seriousness of domestic violence or child abuse and that enables the staff to assess whether there is question of such serious domestic violence or serious child abuse or a relevant suspicion that notification is appropriate;
 - b. an allocation of responsibilities to the various members of staff with the steps, as intended in paragraph 1, including indication of the position of the person who is ultimately responsible for the decision whether or not a notification is made;
 - c. specific attention, where applicable, to special forms of violence, which require special knowledge and skills of staff; and
 - d. specific attention to the manner that the staff handle data of which they know or should reasonably assume the confidential nature.
2. The step-by-step plan as intended in paragraph 1 contains the following steps:
 - a. Signalling and listing concerns as factually as possible;
 - b. Requesting advice from a colleague and/or the notification coordinator;
 - c. Meeting with the parents and, where possible, the child, unless...;
 - d. Weighing the seriousness of the domestic violence or the child abuse;
 - e. Decision-making: organising assistance and/or filing a notification with the notification coordinator.
3. The operator of host parent care applies the step-by-step plan domestic violence and child abuse for the situation where the host parent observes signals of domestic violence or child abuse.
4. By island resolution, comprising general measures, further rules can be imposed in respect of the application of the step-by-step plan domestic violence and child abuse.

Section 6 Stability of the care for children

Article 18

1. At a childcare centre the care is provided in master groups. A child is cared for in one master group. The maximum size of the master group is geared to the age of the children in the master group where, as the children in the master group are older, the master group can consist of more children.
2. Per master group permanent professionals are used as much as possible.
3. The maximum size of the master group is determined on the basis of table 1 attached to this Island Ordinance as an appendix.
4. The operator of a childcare centre informs the parents and the child to what master group the child belongs and what professional or professionals is or are allocated to the relevant master group on what day.
5. A child cannot stay at a childcare centre for more than eleven consecutive hours.

Section 7 Number of professionals

Article 19

1. The minimum number of professionals to be deployed to a master group is geared to the number of children present in the master group where, as the children are older, fewer professionals need to be deployed.
2. The ratio between the minimum number of professionals to be deployed and the number of children present in a master group is determined on the basis of table 1 attached to this Island Ordinance as an appendix.
3. If at least ten consecutive hours of day-care per day are offered then, in derogation of paragraph 2, fewer professionals can be deployed for at most three hours a day, with the understanding that during the hours that fewer professionals are deployed at least half of the number of professionals as required in pursuance of paragraph 2 is deployed.
4. If there is question of a combination group of day-care and after-school care then the ratio between the minimum number of professionals to be deployed and the number of children present in the combination group is determined on the basis of the professional – child ratio for the day-care.
5. If there is question of host parent care then it regards simultaneous care for a maximum of six children, including the relative by blood or affinity in the descending line of the host parent or his partner and where a maximum of three children aged between 0 and a year and a half are present.

6. When deploying professionals in training and trainees the training phase they are then in is taken into account.
7. By island resolution, comprising general measures, conditions can be imposed in respect of the deployment of professionals in training and trainees, where it can be determined that and under what conditions professionals in training and trainees can be included in the calculation of the minimum number of professionals to be deployed in pursuance of this article.

Section 8 Food

Article 20

1. The operator provides for (healthy) food.
2. The operator ensures that the supply of food is in line with the guidelines of the National Institute for Public Health and the Environment and the dietary centre or comparable guidelines.
3. By island resolution, comprising general measures, further rules can be imposed in respect of food.

Section 9 Requirements on areas

Article 21

1. The indoor and outdoor areas where children stay during the time that care is provided to them at the childcare centre or host parent care are safe, accessible and set up appropriately in accordance with the number and the age of the children to be cared for.
2. Every master group disposes of a separate permanent master group area.
3. During the week a child uses a maximum of two different master group areas.
4. A childcare centre disposes of at least 3 square metres (m²) of indoor play area per child present at the childcare centre.
5. A childcare centre disposes of at least 3 square metres (m²) of partly covered or shaded outdoor play area per child present at the childcare centre. The outdoor play area is preferably adjacent to the childcare centre. In case of an outdoor play area that is not adjacent, it is situated in the immediate vicinity of the childcare centre and is accessible to and can be reached safely by children.
6. A childcare centre disposes of a separate sleeping area for children in the age up to a year and a half geared to the number of children present.

7. Any and all areas at a childcare centre or host parent care must, for a healthy indoor environment, be equipped with good ventilation.
8. Host parent care disposes of sufficient space for children to play and sleep, including a separate sleeping area for children up to the age of a year and a half geared to the number of children.
9. Host parent care disposes of sufficient outdoor playing options, geared to the number and the age of the children to be cared for.

Section 10 Safety and health

Article 22

1. The operator has a policy for every childcare centre or host parent care that ensures that the safety and health of the children to be cared for are guaranteed as much as possible. The operator ensures that work is carried out at the childcare centre in conformity with the safety and health policy.
2. The operator or prospective operator of a childcare centre adopts the safety and health policy in writing and makes this available when submitting the application as intended in article 4 to the Executive Council. The operator evaluates, and where required updates, the safety and health policy within three months after opening of the childcare centre. After that the operator keeps the safety and health policy up to date.
3. The safety and health policy adopted in writing as intended in the previous paragraph comprises, in any case:
 - a. a description of the manner that the operator ensures that the safety and health policy is, together with the professionals, a continuous process of shaping, implementing, evaluating and updating policy;
 - b. a description of the risks that are inherent to the care for children at the relevant childcare centre where the following is, in any case, addressed:
 1. the main risks with considerable consequences for the safety of children;
 2. the main risks with considerable consequences for the health of children; and
 3. the risk of transgressive conduct of professionals, professionals in training, trainees, volunteers, other adults and children present;
 - c. a plan of approach in which it is indicated in specific terms what measures are respectively were taken within what time limit in order to limit the risks as intended under b. and the mode of operation if the said risks materialise;

- d. a description in a general sense of the method that children are taught how to handle risks of which the consequences for the safety and health of children are limited and do, therefore, not represent a risk as intended under b.;
 - e. a description of the method that the operator ensures that the current safety and health plan and the relevant evaluation are transparent to the professionals, professionals in training, trainees, volunteers and parents; and
 - f. a description of the method that the layout, fire safety, hygienic condition and safety of the childcare centre is handled to the extent that these rules are required for the childcare.
4. In the context of the measures to be described in the plan of approach as intended in paragraph 3 under c. that are aimed at limiting the risk of transgressive conduct, as intended in paragraph 3 under b. (3°), the operator does, in any case, describe how the operator organises the childcare such that a professional, professional in training or trainee can exclusively perform the activities whilst he can be seen or heard by another adult.
5. By island resolution, comprising general measures, further rules can, in conformity with the Bouwbesluit BES (Building Decree BES), be imposed in respect of the subjects as intended in paragraph 3 under f.

Article 23

The operator of host parent care ensures that the implementation of the safety and health policy as intended in article 22 paragraph 1 is established in writing.

Section 11 Parent committee

Article 24

1. An operator of a childcare centre sets up, within six months after the operating authorisation or the exemption, as intended in article 3 and article 9 of this Island Ordinance, has been granted, a parent committee for every childcare centre operated by the operator, which has the task of advising the operator on the matters outlined in article 26.
2. The obligation to set up a parent committee, as intended in paragraph 1, is not applicable if:
 - a. the operator demonstrably made sufficient efforts to set up a parent committee; and
 - b. it regards a childcare centre where care is provided to a maximum of 50 children.
3. In the situation as intended in paragraph 2 the operator demonstrably sufficiently involves the parents in the subjects, as intended in article 26 paragraph 1, in a different manner, the operator offers the parents the opportunity to participate in a parent committee, the operator adopts, as the occasion arises, regulations for the said parent committee and article 25 paragraphs 2 and 3 and article 26 are equally applicable.

4. The members of the parent committee are elected from and by the parents whose children are cared for at the childcare centre.
5. Persons employed at a childcare centre are not a member of the parent committee of the said childcare centre.
6. The parent committee determines its own method.

Article 25

1. The operator of a childcare centre adopts regulations for the parent committee within six months after the operating authorisation or the exemption, as intended in, respectively, article 3 and article 9 of this Island Ordinance, has been granted.
2. The regulations do, in any case, contain rules about:
 - a. the number of members of the parent committee;
 - b. the manner that the members of the parent committee are elected; and
 - c. the term of office of the members of the parent committee.
3. Changes in the regulations require consent of the parent committee.

Article 26

1. The operator of a childcare centre does, in any case, give the parent committee the opportunity to issue an opinion on every proposed decision with regard to:
 - a. the manner that article 10 paragraph 2 is implemented, in particular the pedagogic policy that is pursued;
 - b. food matters and the general policy in the area of upbringing, safety or health;
 - c. opening hours;
 - d. the establishment or change of regulations regarding the handling of complaints as intended in article 27 paragraph 1; and
 - e. change of the price of childcare.
2. The operator of the childcare centre can only deviate from an opinion as intended in paragraph 1 if the operator indicates in writing and in a substantiated manner that the interest of the childcare opposes the opinion.
3. The parent committee is authorised to also provide the operator of a childcare centre with unsolicited advice about the subjects mentioned in paragraph 1.

4. The operator of a childcare centre consults with the parent committee about the interpretation of the yet to be pursued pedagogic policy and about the already pursued pedagogic policy, as intended in article 10 paragraph 2, at least once every twelve months.
5. The operator of a childcare centre provides the parent committee, if so requested, with any and all information that it reasonably requires for the performance of its task in writing and in a timely fashion.
6. The operator of a childcare centre brings the possibility of submitting disputes to the disputes committee to the attention of the parent committee in an appropriate manner.

Chapter IV Complaints procedure

Article 27

1. The operator of a childcare centre sets up a complaints committee and adopts regulations for the benefit of the parents for the handling of complaints about:
 - a. conduct vis-à-vis a parent or a child of the operator or of persons employed by the operator or through its intermediation; and
 - b. the agreement between the operator and the parent.
2. The complaints procedure is established in writing and is known to the parents.
3. The complaints procedure does, in any case, contain a description of the manner that:
 - a. the receipt, examination and assessment of the complaint takes place;
 - b. a decision is reached on the complaint; and
 - c. it is ensured that measures potentially taken as a result of the decision on the complaint are implemented.
4. An examination of a complaint is carried out diligently.
5. The person submitting a complaint is:
 - a. informed of the receipt of the complaint;
 - b. informed of the progress of the handling of the complaint; and
 - c. informed, whilst stating reasons, to what opinion the examination of the complaint has led and what decision was reached.
6. The receipt, examination and assessment of and the decision on the complaint take place by persons who are not involved in the complaint.
7. By island resolution, comprising general measures, further rules can be imposed in respect of the complaints procedure.

Chapter V Supervision and enforcement

Article 28

1. The supervision on the childcare and the relevant quality was entrusted to the Education Inspectorate.
2. The supervisory authority, as intended in paragraph 1, can, when performing the supervision on the childcare, delegate a part of the duties to a Municipal Health Service and/or another local organisation.

Article 29

1. The Executive Council is encumbered with the enforcement of this Island Ordinance.
2. The Executive Council ensures that the activities that derive from paragraph 1 are separated from the activities that derive from article 28.
3. By island resolution, comprising general measures, further rules can be established in respect of enforcement. This regards, inter alia, the instruments that can be deployed by the enforcing authority, comprising:
 - a. the revocation of authorisation;
 - b. the revocation of a temporary exemption as intended in article 9 paragraph 1.

Appendix 1 table 1

The minimum number of professionals to be deployed in relation to the number of children present in groups where all children are of the same age (*horizontal groups*):

Age of children	Minimum number of professionals	Maximum number of children	Minimum number of professionals	Maximum number of children
0 to 1	1	4	2	8
1 to 2	1	6	2	12
2 to 4	1	8	2	16

The minimum number of professionals to be deployed in relation to the number of children present in groups where children are of different ages (*vertical groups*):

Age of children	Minimum number of professionals	Maximum number of children	Minimum number of professionals	Maximum number of children
0 to 2	1	5 ¹	2	10 ²
0 to 4	1	6 ³	2	12 ⁴
2 to 4	1	8	2	16

The minimum number of professionals to be deployed and the maximum group in the after-school care:

Age of children	Minimum number of professionals	Maximum number of children	Minimum number of professionals	Maximum number of children
4 to 7	1	10	2	20
7 to age when primary education ends	1	12	2	24

4 to age when primary education ends	1	11 ⁵	2	22 ⁶
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¹ Of which at most three children aged 0 to 1 year

² Of which at most six children aged 0 to 1 year

³ Of which at most three children aged 0 to 1 year

⁴ Of which at most six children aged 0 to 1 year

⁵ Of which at most eight children aged 4 to 7 years

⁶ Of which at most ten children aged 4 to 7 years