



State Secretary of Social Affairs and Employment

[REDACTED]  
Postbus 90801  
2509 LV Den Haag  
Nederland

St. Eustatius, January 29<sup>th</sup>, 2020

Per email [REDACTED]

Subject: Reaction to draft law "Wet kinderopvang CN" daycare CN

[REDACTED]

The central dialogue Statia(CDS) in response to your request for a reaction regarding the draft law "wet kinderopvang CN" hereby submits the following for your consideration.

The provision of affordable and reliable daycare service is very important to the socio-economic development of our society. These main objectives of the law, as outlined in the explanatory notes are applauded by the CDS as the realization of these objects will provide structured daycare services to our youth with the goal to prepare them from early childhood to best realize their individual potential. The explanatory notes further acknowledge the importance of the creation of a structure that is developed to meet the unique economic, social and cultural circumstances of the Islands. In order to create such a structure broad based consultation with all stakeholders is imperative. The following reactions are a summary of the findings of the CDS in reviewing the draft law and consultation with local stakeholders.

The responsibility for various components of the daycare structure is divided between the Island - and Federal Governments, permit issuing authority, Supervision and enforcement, Financing.

These tasks and responsibilities in many instances are defined in board highlights with much detail yet to be worked out in additional legislation and/or instructions. It is important to work closely with stakeholder organizations in drafting the outstanding operational details. For this purpose the CDS proposes the formulation of local working groups comprised of child day-care stakeholders. This working group could assist in the development of procedures and serve as a



sounding board based on their practical experience in the development of the existing programs. Working together with local stakeholder would assist in achieving the objective of the legislators while resulting in a process that caters to the local circumstances and enhances the task of the daycare organizations.

The Island Government has the task of issuing the operational licenses which is done in accordance with The BES Establishment Companies Act and BES Trade Register Act 2009. The explanatory notes describe the intention to create a new organization “implementation organization” which will function as an intermediary between local stakeholder, island and federal governments. Considering that the tasks roles and responsibilities of this organization are yet to be determined the CDS cannot express an opinion in this regard as insufficient information is available. The CDS advises close cooperation with the local stakeholder working group to ensure procedures are not proposed that would introduce unnecessary administrative burden on the child daycare organizations.

The supervisory tasks are divided across various organizations (Island government, Federal Government and Implementation Organization.) As the implementation processes of the task and responsibilities are still being worked out the CDS reserves its opinion and advice consultation with local stakeholders in developing the supervision structure that will guide the implementation and execution of the new legislation.

The financing levels, structure and procedures continue to be a cause of great concern amongst stakeholder organizations. While the creation of structured financial support in theory provides the stakeholder organizations with the security needed to facilitate the quality adjustment as prescribed by the new legislation, there remains significant concerns regarding the structure, levels, procedures and accountability regimes. Given the new task and responsibilities placed on the organization as a result of new administrative procedure and further taking into account new requirements/guidelines for staffing qualifications and levels anticipating the projected increase in accessibility to daycare programs, careful consideration should be given to ensure that financing benchmarks are set in line with the financial realities of the child daycare organizations.

Similar to the legislation on education for elementary and secondary education CDS recommend that special consideration should be given to special needs children who currently participate in the programs offered via the daycare organizations. Creation of a support mechanism anchored in the law



will ensure that the needs of this vulnerable group are secured.

The CDS supports the general policy approach as laid out in the proposed legislation, which seeks to provide structured child daycare services in the Caribbean Netherlands. The creation of such a structure would assist parents in the early development of their children. Given the existing daycare programs that have been in development in the past years by public and private sectors it is advised in order to facilitate a transition from the current situation to the new structure, to create increase consultations platforms with and involvement of local stakeholder working groups. In addition, CDS recommends the creation of a transition plan that will assist in guiding parents and local organizations through the process of moving toward the new structure. This transition plan should include tailor made support trajectories for the various child daycare organizations to ensure that no organization is left behind and that each organizations' identity, visions and objectives are recognized respected and preserved in the process.

The effective transition into a new daycare structure has many benefits for our communities. CDS commends the Ministry for your commitment to this process and is prepared, where needed, to contribute to its' successful outcome. With continued collaboration amongst all stakeholders, we can realize a transition into the new child daycare structure and realizes the improvement in the service prescribed in the new legislation in the interest and to the benefit of our children.

Hoping to have informed you sufficiently,

Kind regards,