



# Nature Alliance Family Day Care Service

Child Care Subsidy Notifications Policy



## **POLICY IN THIS SECTION AS REQUIRED BY:**

A New Tax System (Family Assistance) (Administration) Act 1999 - Division 3 – Requirements in relation to records, Section 204F – Requirements to notify Secretary of certain matters

Child Care Subsidy Minister's Rules 2017 - Part 5 – Provider requirements

Child Care Subsidy Secretary's Rules 2017 - Part 4 – Provider requirements, Division 3 – Requirement to make records, Division 4 – Requirement to keep records

## **PURPOSE**

In addition to those required by the Education and Care Services National Regulations, Family Day Care services are required to keep records pertaining to the administration of Child Care Subsidy (CCS). We aim to accurately maintain and manage all required CCS records in a private and confidential manner, working in accordance with all legislative requirements and best practice. Our Service aims to work within legislative requirements at all times, which includes the need to notify the Department of Education, in writing, within a specified timeframe if particular changes are made within our Service.

## **SCOPE**

This policy applies to the Approved Provider, Nominated Supervisor, Educators of the Family Day Care Service and any staff member involved in administering CCS to families.

## **POLICY**

The Approved Provider is responsible for notifying the Department of the matters below within the required timeframes via the PEP or CCS Software. Our service will ensure the Approved Provider and Managers are aware of matters to be notified to the Department and ensure all matters are reported within the required timeframes.

To main eligibility to administer Child Care Subsidy (CCS), the Service must notify the Department of Education of any of the changes noted in this policy within the specified timeframes as per the Childcare Provider Handbook. Failure to make required notifications may attract a penalty.

## **PROCEDURES**

MATTERS TO BE NOTIFIED	TIMEFRAME FOR NOTIFICATION
<p>Fees</p> <p>The total hourly fee charged by the Service for care for each approved childcare service of the provider (before any fee reduction amounts or other rebates or discounts), as set out in any policy or advertising information provided to individuals who enrol their children with the Service.</p> <p>Any change to the fee information.</p>	<p>Within 14 days of any of the following:</p> <ul style="list-style-type: none"><li>• commencement of the Service, or</li><li>• notice of approval of the Service, or</li><li>• any change</li></ul>

<p><b>Operating Hours</b></p> <p>The hours and days on which each approved childcare Service of the provider operates, with opening and closing times notified in 24-hour format.</p> <p>Any change to the operating hours.</p>	<p>Within 14 days of:</p> <ul style="list-style-type: none"> <li>• commencement of the Service, or</li> <li>• notice of approval of the Service, or</li> <li>• any change</li> </ul>
<p><b>Vacancies</b></p> <p>The number of anticipated vacancies that the provider has available to fill in respect of each of its approved childcare services in relation to each day of the following week (beginning on a Monday).</p> <p>A vacancy is an ongoing full day vacancy.</p>	<p>By 8pm (AEST) each Friday</p>
<p>Ceasing to operate an approved childcare service.</p>	<p>At least 42 days before the Service ceases operation.</p>
<p>Ceasing to operate an approved childcare service:</p> <ul style="list-style-type: none"> <li>• to avoid being in breach of a law of the Commonwealth, a state or a territory, or</li> <li>• due to circumstances beyond the provider's control when 42 days' notice cannot be given.</li> </ul>	<p>Within 24 hours after ceasing to operate the Service.</p>
<p>Change of physical or postal address of:</p> <ul style="list-style-type: none"> <li>• the provider, or</li> <li>• the premises from which any of the provider's approved childcare service operates.</li> </ul>	<p>No later than 30 days before the change, or, if the change was not foreseeable at that time, as soon as practicable.</p>
<p>Change of any of the following contact details of the provider or of any of the provider's approved childcare services:</p> <ul style="list-style-type: none"> <li>• email address</li> <li>• website</li> <li>• telephone number</li> <li>• fax number</li> </ul>	<p>Within 14 days after the change.</p>
<p>Information about any new person with:</p> <ul style="list-style-type: none"> <li>• management or control of the provider (including any person in day-to-day operation of any of the provider's approved childcare services)</li> <li>• who becomes a Family Day Care Educator</li> </ul> <p>The information must include:</p> <ul style="list-style-type: none"> <li>• the name and contact details of the new person</li> <li>• a declaration that the provider has undertaken all background checks required for the new person, together with details of the new person's working with children card, if applicable.</li> </ul>	<p>Within seven days after the new person becomes a person with management or control of the provider or a Family Day Care Educator</p>

<p>Change of the name or contact details for any of the following persons:</p> <ul style="list-style-type: none"> <li>• A person with management or control of the provider (including any person who is responsible for the day-to-day operation of any of the provider's approved child care services)</li> <li>• A Family Day Care Educator</li> </ul>	<p>Within seven days after the provider becomes aware of the change.</p>
<p>The provider becomes aware, because of a background check undertaken for a specified person, that the person:</p> <ul style="list-style-type: none"> <li>• has a serious conviction or finding of guilt for any of the following offences under a law of Australia or of a foreign country <ul style="list-style-type: none"> <li>○ an indictable offence punishable by a maximum of two years imprisonment or 40 penalty units</li> <li>○ an offence involving violence or a sexual offence</li> <li>○ an offence involving fraud, stealing or dishonesty</li> </ul> </li> <li>• is an undischarged bankrupt, or</li> <li>• was a director or secretary of a corporation when the corporation went into administration, receivership or liquidation, or at any time during the 12 months beforehand.</li> </ul>	<p>Within seven days after the provider receives a record of the check.</p>
<p>An event or circumstance in relation to a person with management or control of the provider (including a person responsible for the day-to-day operation of any of the provider's approved childcare services) that reasonably indicates that the person is not likely to be a fit and proper person to be involved in the administration of Child Care Subsidy.</p>	<p>Within seven days after the provider becomes aware of the event or circumstance.</p>
<p>A person stops having management or control of the provider (including when a person stops having day-to-day responsibility for the operation of any of the provider's approved childcare services). The provider must also notify the Secretary of the Department of Education of when, and the reason, the person stopped having management or control of the provider.</p>	<p>Within seven days after the person stops having management or control of the provider.</p>
<p>An Educator obtains/holds a childcare qualification from a registered training organisation and</p> <ul style="list-style-type: none"> <li>• the provider or person with management or control has an interest in the registered training organisation by virtue of which the provider or person owns, operates, controls or carries out the registered training organisation, and either <ul style="list-style-type: none"> <li>○ it appears that the educator has not obtained the qualification solely on her or his own merit</li> </ul> </li> </ul>	<p>Within seven days after the provider becomes aware of the matter.</p>

<ul style="list-style-type: none"> <li>○ the qualification has otherwise been obtained in circumstances that might not be perceived as demonstrating a conflict of interest</li> </ul>	
A provider or a person with management or control of the provider obtains an interest or is likely to obtain an interest in a business which may affect their ability to comply with Family Assistance Law, where the approval may benefit the business or where a conflict of interest might reasonably be perceived to exist.	Within seven days of the provider becoming aware of the matter.
Change in the status of a working with children card for anyone who is required to have such a card under section 195D of the A New Tax System (Family Assistance) (Administration) Act 1999- for example, if the card is amended, suspended or revoked.	Within 24 hours after the provider becomes aware of the change of status.
The provider enters into administration, receivership, liquidation or bankruptcy and the details of this event	Within 24 hours after the event.
Unexpected closure of the provider's approved childcare service due to unforeseen circumstances	Within 24 hours after the closure.
<p>A serious conviction or finding of guilt of:</p> <ul style="list-style-type: none"> <li>• a person with management or control of the provider (including a person who becomes responsible for the day-to-day operation of any of the provider's approved child care services)</li> <li>or</li> <li>• a Family Day Care Educator .</li> </ul>	Within 24 hours after the provider becomes aware of the charging, conviction or finding of guilt.

## SOURCE

Australian Government Department of Education. *Become an approved child care provider*

<https://www.education.gov.au/early-childhood/approval>

Australian Government Department of Education. *Child Care Provider Handbook (2022)*

<https://www.education.gov.au/early-childhood/resources/child-care-provider-handbook>

Australian Government Department of Education. *Provider obligations. Persons with management or control*

<https://www.education.gov.au/early-childhood/provider-obligations/persons-management-or-control>

## Related policies

NA-POL-0039 CCS Data Security Policy

NA-POL-0035 CCS Governance Policy

NA-POL-0028 Employment of Family Day Care Service Staff

NA-POL-0032 Social Media Policy

NA-POL-0008 Grievance and Complaints Policy

NA-POL-0033 Fraud Prevention Policy