

POLICY: 2.3. Types of Care and Limited Numbers of Children

Procedure: 2.8. Types of Care Arrangements

The types of care arrangements offered by the Service provide a guide for the recruitment of Educators as well as guidance offered to families and Educators to be considered when placements are being made.

2.8.1 Links to Policy

This procedural guidance should be read in conjunction with the Service's **2.3. Types of Care and Limited Numbers of Children Policy**. The procedure outlines the roles and responsibilities of the Service, staff, Educators, Educator Assistants and parents concerning the types of care available at the Service. The procedure outlines the following aspects:

[2.8.2 Types of Care Arrangements](#)

[2.8.3 Relative Care](#)

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[2.8.5 Sessions of care](#)

2.8.2 Types of Care Arrangements

The Service will:

when recruiting Educators, look for those willing to offer flexible care arrangements, including but not limited to:

- full-time, part-time, before and after-school and school holiday care
- casual and relief or on-call care
- inform parents of the availability of flexible care arrangements and
- seek to match the family with a suitable Educator able to meet their needs.

Educators will:

- consider the types of care arrangements they are willing to undertake
- note the care arrangements on their Educators Fee Schedule

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- work with families to determine a suitable care arrangement that meets both the Educator's and the family's needs.

2.8.3 Relative Care

Section 47 of the Minister's Rules states that within each Child Care Subsidy fortnight, the Family Day Care Educator must make sure that less than 50% of children in care are related to them and that more than 50% of children in care are not related to them. The ratio is applied across all the children cared for across the whole fortnight and not to just one particular session.

Service Staff will ensure:

- each Educator and the parents accessing childcare are aware of the Relative Care Rule
- parents enrolling their child are asked if the child is related to the proposed Educator
- children who are related to the Educator make up less than half the children to whom they have provided care within any fortnight, by keeping a register of children and their relationship with the Educator.
- the Educator has completed the Educator Declaration, the 'Relative in FDC Form' and this is updated when a new child is commencing care with the Educator.
- all attendance records are checked during processing to ensure no Educator exceeds the less than 50% ratio of relatives in care over a Child Care Subsidy fortnight.
- in the event that a child care arrangement changes with a non-related child which impacts on the more than 50% threshold, the Educator is informed that this will affect the booking of the relatives in care and the number of relative children must be reduced within 14 days or otherwise directed by the Approved Provider.

Educators will:

- complete the Educator Declaration: Relative in FDC Form
- ensure they are aware of the number of relatives they provide education and care to in any given Child Care Subsidy fortnight and this does not exceed the less than 50% threshold
- inform the Service staff of any changes to bookings of a relative in care
- inform the Service if any children not related to the Educator end or reduce care, which impacts the more than 50% threshold requirement. This rule does not apply where an absence is being claimed and the child intends returning to the care arrangement within 42 days
- inform the parents of the relative children if there are changes in non-relative care arrangements affecting the more than 50% threshold requirement to discuss the reduction of care until the vacated care place is filled
- not confirm the enrolment of a relative without Authorisation from the Service.

2.8.4 Child Swapping

The Service with regards to a parent enrolling their child will:

- their partner, are an FDC Educator with the Service or any other FDC service, or are intending to have their child cared for by an FDC Educator registered with the Service who is related to them, Ask the parents ('eligible individual' the person who is entitled to Child Care Subsidy for a child being enrolled for education and care by an eligible FDC service) on enrolment if they, or specifically the Educator's brother, sister, half-brother, half-sister, stepbrother or stepsister.
- inform the parent (eligible individual or their partner) if later, their status changes or they become an FDC Educator (in any other service), they must notify the Service. This should occur within seven days of the change in status.
- update the enrolment annually or as required including noting whether the parent (eligible individual or their partner) is an FDC Educator.

The Service, with regards to a proposed or registered Educator will:

- inform them of the Child Swapping Rule, this means:
 - o the Educators and their partners are not entitled to receive Child Care Subsidy for their own child's session of FDC if, on that same day, the FDC Educator provides care to Family Day Care children registered with the Service, unless a specified circumstance applies (see Specific circumstances)
 - o a brother, sister, half-brother, half-sister, stepbrother or stepsister of an FDC Educator is not eligible to receive Child Care Subsidy if they are being educated and cared by the Educator (their relative).
 - o **Specified circumstances-**
- the child has been diagnosed with an eligible disability or medical condition
- the FDC Service is receiving payment of Inclusion Support Subsidy because the child is undergoing continuous assessment of disability
- the child lives in an area designated as 'remote Australia' or 'very remote Australia'
- the child requires FDC because the eligible individual (or their partner) who is an FDC Educator is required on the same day to work for a minimum of two hours (but not for an approved FDC Service)
- the child requires FDC because the eligible individual (or their partner) who is an FDC Educator is required on the same day to undertake education or training towards a recognised qualification (at Certificate III or above).

If the Service staff become aware that the eligible individual or their partner is an FDC Educator and one or more of the specified circumstances exists, **the Service must record the circumstances on a register and keep the following evidence:**

- for a child who has a diagnosed eligible disability:
 - o documentary evidence of the diagnosis, and
 - o the diagnosis was obtained within a period of 24 months before the provision of the documentary evidence to the Approved Provider of the Service
 - o unless the diagnosis is or is likely to be permanent.

An **eligible disability child** of an individual means:

- a child of the individual who has been diagnosed by a medical practitioner as suffering from one or more of the conditions listed in Schedule 1; or
- a child of the individual who has been diagnosed as suffering from one or more of the conditions listed in Schedule 2 by a psychologist who:
 - o is registered with a Board established under a law of a State or Territory that registers psychologists in that State or Territory; and
 - o has qualifications or experience in assessing impairment in children.
- For a child receiving Inclusion Support Subsidy
 - o documentary evidence of receipt of Inclusion Support Subsidy and the specified circumstances.
- For a child who lives in an area designated as remote or very remote in accordance with the *Australian Statistical Geography Standard (ASGC) Volume 5 – Remoteness Structure*, July 2011 (cat. no. 1270.0.55.005), as published by the Australian Bureau of Statistics-
 - o documentary evidence of the child's residence this could include, driver's license of the parent, or a recent utility bill sent to the address where the individual and child reside, or a statutory declaration.
- For circumstances where the Educator requires care for their or their partner's child because the Educator is required to work for at least 2 hours on the care day in paid work which is not for an approved FDC service:
 - o documentary evidence, an employment contract or a payslip, showing usual hours of work (but where the contract or payslip does not show usual hours of work, a letter signed by the relevant employer is required stating usual hours of work)
- The child requires FDC because the eligible individual (or their partner) who is an FDC Educator is required on the same day to undertake education or training or engaged in a scheduled activity:

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- documentary evidence including a copy of an enrolment form detailing the times that the individual is usually required to study (but where the form does not provide such details, it must be supplemented with additional documentary evidence, such as an official course timetable).
- **Engaged in scheduled activities means:**
 - the individual is engaged in an activity on the care day that is part of a formal timetable of activities provided by the registered training organisation and where participation in that activity can only reasonably occur at a set time on the care day; and
 - without limitation, could involve attending a lecture (in person or online) or undertaking an exam, which is only scheduled at a set time on the day during which the session of care occurs
- **however, does not mean:**
 - engaging in activities that are outside of the individual's formal timetable, such as where the individual is engaged in homework, group activity, viewing a pre-recorded lecture or assessment work; or
 - engaging in activity on a day that is not the day during which the session of care occurs and during a time that would not usually overlap or conflict with the session of care.

The Educator with regards to the child swapping rules will:

- inform the Service (office staff) of any changes in relation to partners and children related to the partner
- where they meet the specified circumstances and require childcare and has provided the Service with the required documentary evidence before the commencement of education and care for their child
- where the specified circumstances change, the Educator will notify the Service within 7 days
- where the child is a brother, sister, half-brother, half-sister, stepbrother or stepsister, full fees will apply as the child is not eligible to claim Child Care Subsidy.

2.8.5 Sessions of care

The Service Staff will:

- ensure the parent has completed an enrolment form outlining any other childcare service the child is enrolled with, and the hours of care involved.
- ensure a Complying Written Arrangement outlines the care arrangement inclusive of the care details, fees, and charges.
- before processing attendance records for the purpose of Child Care Subsidy, check each attendance record to ensure there is no overlap of sessions of care.

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- inform the Educator if there is a session of care overlap and work with the Educator to rectify the overlap.

Educators must ensure:

- a Complying Written Arrangement (CWA) detailing the care arrangement, length of the session, and fees charged is completed and provided to the Service before the commencement of education and care being provided to a child
- the care arrangement (contracted hours) doesn't overlap any other care arrangement the child has at another childcare service.

The Parents of children enrolled at the service will:

- complete an enrolment form before the commencement of education and care with the Service-
 - o Outlining all the details (days and contracted hours where the parent claims Child Care Subsidy) of the child being enrolled, including any other service the child accesses childcare.
- work with the Educator to complete and sign a Complying Written Arrangement before commencing with the Service.

Review

	Date	Details
Revision 00	07/2015	Original Policy Issued
Revision 01	12/2016	Reviewed
Revision 02	08/2017	Reviewed
Revision 03	12/2020	Reviewed and separated from the Policy

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Related Documents

Policies

2.5 Type of Care Arrangement and Limited Number Policy

Forms

Child Enrolment Form

Additional Child Details Form

Relative in FDC Form

References

Refer to 2.5 Type of Care Arrangement and Limited Number Policy