

7.18 GOVERNANCE AND MANGEMENT OF THE FAMILY DAY CARE SERVICE

Purpose Statement

A number of compliance responsibilities exist under the National Law and National Regulations to ensure that children and families are provided with the high quality education and care services.

As an operator of an approved family day care (FDC) service, Windermere is committed to managing all aspects of service operations, including the services provided by educators.

Scope

This policy applies to all salaried full time and part time staff (including casuals), educators and contractors.

Definitions

Educator: an individual who provides education and care for children as part of an education and care service.

Approved Provider: a person who holds a provider approval. A provider approval authorises a person to apply for one or more service approvals and is valid in all jurisdictions.

Nominated Supervisor: a responsible person present at all times a service is educating and caring for children, who is accountable for day-to-day operations and ensuring compliance with the National Regulations.

Certified Supervisor: a responsible person who has been placed in day-to-day charge of a service in the absence of a nominated supervisor

Policy Statement

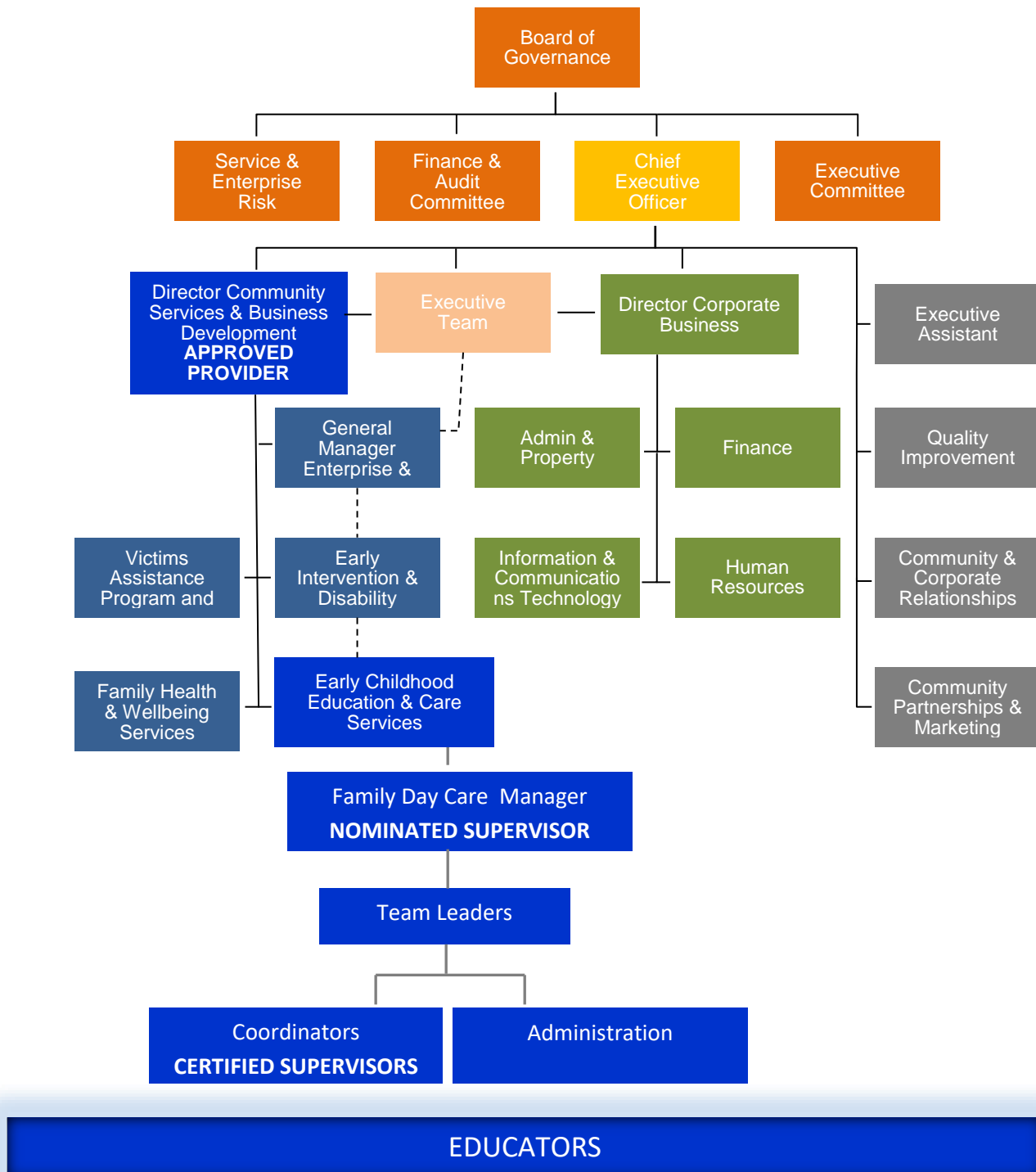
TO PROVIDE HIGH QUALITY EDUCATION AND CARE SERVICES BY CLEARLY DOCUMENTING AND COMMUNICATING COMPLIANCE RESPONSIBILITIES WITH STAFF AND EDUCATORS AND MEETING REGULATORY OBLIGATIONS AS OUTLINED UNDER NATIONAL LAW.



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Procedures

Organisation Structure





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Key Obligations

1. *Compliance with licensing and Child Care Benefit Approval* – to maintain a ‘provider approval’ and have and maintain a ‘service approval’ under the National Law.
2. *Insurance Cover* – to maintain workers compensation insurance and public liability insurance as required under Family Assistance Law.
3. *To engage suitable people to operate the service* – to recruit and retain staff and educators who are ‘suitable’ to operate an education and care service. Suitability includes:
 - a. Expertise and experience in providing child care
 - b. Ability to provide quality child care
 - c. Ability to govern the service
 - d. Meeting screening requirements (i.e. Police checks, Working with Children Checks, approved qualifications).
4. *Suitability of Care Environment* – to conduct an assessment (including a risk assessment) of each residence and approved family day care venue before providing education and care services to children.
5. *Quality of Care* – to ensure that education, support and training are available to educators and advice, support and information available to parents accessing services.
6. *Quality Improvement Plans* – to develop a Quality Improvement Plan (QIP) which is to be stored securely, reviewed annually and made available:
 - a. *For inspection by the Regulatory Authority or an authorised officer, and*
 - b. *On request, to parents of a child who is enrolled, or who is seeking to enrol a child.*
7. *Number of children in Care* – educators must not provide approved care for more than **four pre-school aged children** and an additional **three school aged children**, totalling **no more than seven children at any one time**. The educator’s own children and other children in the premises count towards the limit of seven if they are under the age of 13 and there is no other adult caring for these children. Refer to the *Allowable Numbers* procedure for further information.
8. *Privacy* – the confidentiality and privacy rights of educators, children and their families will be respected at all times (refer to *Confidentiality & Privacy* procedure).
9. *Reporting* - Reporting correctly and accurately to the Child Care Management System (CCMS) determines how much CCB, CCR or Jobs, Education and Training Child Care Fee Assistance (JETCCFA) is paid by the Australian Government for eligible families.
10. *Fees* – a fees procedure exists that outlines fee schedules and payment methods (refer to *Fees* procedure for further detail).



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Reporting suspicious or fraudulent behaviour

Fraud against the Commonwealth is an extremely serious matter and may constitute a criminal offence. Making false statements and/or providing misleading information has serious consequences.

If you receive a complaint, find or have suspicions that any of your staff are behaving fraudulently, you must take action immediately by investigating the situation and notifying DEEWR. You can do this by contacting DEEWR's Child Care Support Line 1800 664 231.

Compliance Responsibilities

The Family Day Care Compliance Guide (Feb 2017) outlines the compliance responsibilities of:

- Family Day Care educators
- Approved Providers and
- Nominated Supervisors

These personnel are legally responsible for compliance with specified components of the National Law and National Regulations. A number of penalties or sanctions can be taken if it is determined that an education and care service is non-compliant.

Reporting to the Department of Education and Training (DET) Victoria is a critical compliance requirement. Windermere's Family Day Care Service reports to:

**DET Gippsland
Moe Office
Cnr Kirk & Haigh Streets, Moe, VIC 3825
Phone: 5127 0400**

NOTE: for detailed information relating to compliance responsibilities refer to the Family Day Care Compliance Guide (Feb 2017).

Consequences of non-compliance

The law provides serious penalties if you do not comply with your obligations. These penalties range from financial penalties to sanctions such as the suspension or cancellation of your service's CCB approval or criminal investigation.

Relevant Standards/Legislation

- National Quality Framework for Early Childhood Education and Care Services including:
 - Education and Care Services National Law 2011
 - Education and Care Services National Regulations 2011
- Family Assistance Law 1999
- A New Tax System Act 2000



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Related Policies & Links

- Family Day Care Compliance Guide February 2017
- *Allowable Numbers* procedure
- *Fees* procedure
- *Confidentiality and Privacy* procedure