

CHILD SWAPPING (FAMILY DAY CARE)

AUTHORISATION

POLICY TYPE: <i>(Council or Operational)</i>	Operational
POLICY LOCATION: <i>(eg. Corporate, Engineering, etc.)</i>	Community Services
RESPONSIBLE OFFICER: <i>(by position title)</i>	Children Services Coordinator
AUTHORISED BY: <i>(GM or Director Title)</i>	Director of Corporate and Community Services
DATE ADOPTED:	5 July 2021
ADOPTED BY: <i>(Manex or Council)</i>	Council
MINUTE NO: <i>(If required)</i>	
REVIEW DUE DATE: <i>(Four years unless statutorily required sooner)</i>	June 2023
REVISION NUMBER:	1

DOCUMENT HISTORY

VERSION NO.	DATE	DESCRIPTION OF AMENDMENTS <i>Include names of former policies that this policy will replace if applicable</i>	AMENDED BY <i>(Where required)</i>
1	June 2021	Update to new format and review	CSU Coordinator
Original	March 2019		

REVIEW OF THIS POLICY

This Policy will be reviewed within two (2) years from the date of adoption or as required in the event of legislative changes. The Policy may also be changed as a result of other amendment that are to the advantage that Council and in the spirit of this Policy. Any amendment to the Policy must be by way of a Council Resolution or the approval of the General Manager.

1. Purpose:

Child swapping is contrary to the original intent of family day care, as well as family assistance law. As the approved provider, Bland Shire Council will monitor the Bland /Temora Family Day Care (FDC) service, to ensure compliance with this law.

2. Scope:

This policy document applies to all Family Day Care educators registered with the Bland/Temora Family Day Care Service.

3. Outcomes:

Child swapping is unique to the family day care sector. Family assistance law envisaged family day care educators would not be eligible to receive child care fee assistance for their own children attending a family day care service while caring for other people's children as a family day care educator.

The child swapping integrity measure strikes a balance between the need to address child swapping practices across the sector while safeguarding legitimate family day care operators and the families who depend on them.

4. Roles and Responsibilities:

Nominated Supervisor will:

- Monitor family day care (FDC) educators and their partners to ensure they do not receive child care payments for their own child's session of FDC if, on that same day, the FDC educator provides FDC for an approved FDC service, unless a specified circumstance applies.
- Ask an 'eligible individual' (i.e. The person who is entitled to child care payments for a child enrolled for care by an eligible FDC service) if they, or their partner, are a FDC educator.
- Request to be informed if the eligible individual or their partner later becomes a FDC educator.

This must occur within seven days of the 'care date' (i.e. the date the child is enrolled for care with a Family Day Care service).

Educators will:

- Inform Bland/Temora Family Day Care if their partner becomes a family day care educator with any FDC scheme.
- Inform Bland/Temora Family Day Care if their children are attending family day care with any FDC scheme.

Families will:

- Inform Bland/Temora Family Day Care if they, or their partner, become a family day care educator with any scheme.

An FDC educator can utilise Family Day Care for their child if:

- On a day an educator is providing family day care to other children they, or their partner, do not receive child care payments for their own children unless specified circumstances apply.

Specified Circumstances:

For any of the specified circumstances to apply, documentary evidence must be provided to the Bland/Temora FDC service.

The specified circumstances are where:

- The child has been diagnosed with a particular disability or medical condition, **or** 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 Bland/Temora FDC service becomes aware that the eligible individual or their partner is an FDC educator and one or more of the specified circumstances exists, the service must request relevant information.

Except where the FDC service is receiving Inclusion Support Subsidy because the child is undergoing continuous assessment of disability, the service must request documentary evidence of the specified circumstance. The service will have the documentary evidence of receipt of Inclusion Support Subsidy.

Change of Circumstances:

The Bland/Temora FDC service must request to be informed of any changes to information regarding specified circumstances.

The service will, within seven days of being notified that Inclusion Support Subsidy is no longer being paid in relation to a child, record this fact and any other relevant information.

This is in addition to the service requesting to be informed if the eligible individual or their partner becomes an FDC educator.

Record Keeping:

The Bland/Temora FDC service will be required to record, in a register, relevant information relating to specified circumstances. (*Legislative reference – section 10A of the Eligibility Determination*).

Online Compliance:

The service will ensure that for each of its FDC educators who has a CRN, will enter the CRN for each FDC educator into the relevant CCSS as soon as possible.

5. Definitions:

Child swapping: Child swapping is a practice where a family day care educator, or their partner, receives child care payments for a session of family day care provided to their child by another Educator on the same day that they themselves provide family day care.

6. Legislation and Supporting Documents:

Family Assistance Law

Australian Government - Family Day Care Legislation Changes – Child Swapping

https://www.dss.gov.au/sites/default/files/documents/11_2015/faqs_fdc_legislation_changes_-_child_swapping_update_20151116_2.pdf

7. Relationship to Community Strategic Plan:

This Policy supports Council's Delivery Program Strategy *DP4.2 Provide quality, accredited and affordable Education and Care Services within Bland Shire and surrounds (Bland Preschool, Family Day Care, Mobile Resource Unit, Vacation Care and Toy Library services).*

8. Attachments:

N/A