

Policy Statement

This policy acts to ensure that:

- The service maintains compliance in line with the Child Care Subsidy rules around having relatives in care within a Family Day Care setting

Explanation

The term 'relative in care' in this context applies to Family Day Care undertaken by close relatives, for example, by persons related to the children in care as either a grandparent or great-grandparent, aunty, uncle, or cousin.

The Child Care Subsidy Minister's rule states:

"It is a condition for continued approval in relation to an FDC service that the Approved Provider ensures that less than 50% of the children to whom any FDC Educator is providing care for within any CCS fortnight at the service are related to the FDC educator as:

- (a) A niece or nephew or
- (b) A cousin or
- (c) A grandchild (including a great grandchild)."

It is important to note that the ratio is applied across all of the children cared for across the whole fortnight and not to one particular session of care.

Roles and Responsibilities

Nominated Supervisor/Coordinator/Educators

- To be aware that the responsibility or the implementation of this rule rests with the Approved Provider
- To ensure that children who are related to the Educator make up fewer than half of the children to whom they have provided care within any fortnight
- **Educators must complete the Educator Declaration - Relatives in Family Day Care Form**
- In accordance with the Educator Declaration - Relatives in Family Day Care Form:
 - The Educator is required to inform CCEL of any change to the booking of a Relative in Care
 - The Educator is required to inform CCEL if any children not related to them end or reduce care
 - The Educator will not confirm the enrolment of a Relative without Authorisation from the CCEL Director
 - The Educator understands if a booking changes in their service resulting in children related to them making up half or more of the

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LINKS TO:

- Education & Care Services National Law Section 167
- Education & Care Services National Regulations 158, 159, 168, 169, 170
- National Quality Standards/Elements: 5.1, 5.2, 6.1, 6.2, 7.1
- Child Safe Standards 1, 3, 4, 5, 6, 7, 8, 9, 10

LINKS TO OTHER POLICIES:

- Child Attendance Record
- Child-Safe Environment
- Ending Care
- Enrolment & Orientation
- Fraud Prevention
- Governance & Management
- Staff Code of Conduct

bookings in any fortnight, that the relative's care will either need to be reduced or ended with two weeks' notice, or as otherwise directed by CCEL.

Families

- **Families accessing care must complete the Family Declaration - Relatives in Family Day Care Form**
- The relative understands that in accordance with the Family Declaration - Relatives in Family Day Care Form:
 - This enrolment cannot commence until the Director of Country Children's Early Learning has authorised the care arrangement
 - If a booking alters the Family Day Care Home ratio of relatives to others, resulting in children related to the Educators making up half or more of the bookings in any fortnight, that the relative's care will either need to be reduced or ended with two weeks, or as otherwise directed by CCEL

Continual Monitoring and Improvement

Continual improvement and monitoring will occur in the following ways:

- Incidental and planned consultation with families
- Approved Provider and Coordinators accessing current relevant information
- Approved Provider, Coordinators and Educators accessing current and relevant training
- Internal evaluation of incidences and the improvement of systems

SOURCES

- Education and Care Services National Regulations - December 2021
- Education and Care Services National Law - January 2022
- Guide to the Education and Care Services National Law and the Education and Care Services National Regulations - October 2017
- Guide to the National Quality Standard - January 2020
- Implementing the Child Safe Standards: A Guide for Early Education and Outside School Hours Care Services, NSW Department of Education, 2021
- A Guide to the Child Safe Standards, NSW Office of the Children's Guardian, 2020
- ACECQA – FDC Approved Provider compliance responsibilities – October 2017
- Be You
- My Time Our Place: Framework for School Age Care in Australia
- The Early Years Learning Framework
- ECA Code of Ethics
- United Nations Convention on the Rights of the Child
- Child Care Subsidy Ministers Rules
- Family Day Care Australia – Jigsaw – Issue 85 – The New Child Care Package, Autumn 2018