

Policy Statement

This policy acts to ensure that:

- Our Service complies with our Child Care Subsidy obligations as outlined under the Family Assistance and National law to prevent corruption and fraud occurring within the Service
- Child Care Subsidy (CCS) is intended to support families to meet the genuine cost of care provided for children

Explanation

Child Care Subsidy (CCS) is intended to support families to meet the genuine cost of care provided for children. Most services and families adhere to their legal obligations, however some individuals choose to engage in non-compliant, fraudulent or criminal behaviour.

Definitions

Corruption and fraud can be distinguished as unethical behaviour. The following definitions are based on those contained in the Australian Standard for Fraud and Corruption Control.

Corruption

Dishonest activity in which a director, executive, manager, employee, contractor, volunteer or work experience student acts contrary to the interests of the Department and abuses his/her position of trust in order to achieve some personal gain or advantage for him or herself or for another person or entity.

Fraud

An intentional act by one or more individuals involved in deception to obtain an unjust or illegal advantage.

Roles and Responsibilities

Approved Provider

- Ensure there is an effective fraud and corruption risk management procedure
- Ensure a clear understanding of the ramifications for fraudulent activity
- Reinforce the commitment shared with the Department of Education and Training to adhere to the Child Care Subsidy requirements
- Articulate clear standards and procedures to encourage the prevention of fraud and corruption within the Service
- Provide regular training to assist in the identification of fraud and corruption

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January 2022

Policy Last Updated
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- Reinforce the requirements for all employees to refrain from corrupt and fraudulent conduct
- At all times act honestly with integrity
- Report any individual or Service that is not operating in a law-abiding way
- Adhere to the correct procedure to ensure that all suspected fraudulent and corrupt activity is handled appropriately
- Ensure staff and Educators are not placed in a potentially difficult or compromising position

Implementation

- Our Service is approved to administer Child Care Subsidy on behalf of eligible families
- We take compliance with the law seriously and aim to meet the required conditions for continued approval to administer childcare funding
- We will work in collaboration with staff and Educators to maintain compliance with our legal obligations and conditions for continued approval

Preventing Fraudulent Activity and/or Corruption

- The Approved Provider is obliged under law to meet a range of conditions for continued approval to administer childcare funding
- The Approved Provider is responsible for ensuring that the Service and Educators comply with their legal obligations and conditions for continued approval
- A record of the days and hours each individual child attends the Service will be recorded accurately
- The Approved Provider will issue attendance statements for families, outlining the child's days of attendance, hours in care, total fee amount and the childcare subsidy fee received
- The Approved Provider will ensure the Department of Education and Training has current details of the Service
- The Approved Provider will ensure that all employees refer to the Fraud Prevention Policy to ensure there is a clear understanding of the legal requirement regarding Fraud and Corruption
- The Approved Provider will ensure management and staff attend training to ensure a clear understanding of what constitutes fraud and the repercussions if fraudulent activity has occurred

Controlling and Investigating Fraudulent Activity and/or Corruption

- Gather supporting documents and/or evidence
- The Approved Provider will conduct an internal audit to assist in identifying where the fraudulent activity has taken place
- Conduct a risk assessment to establish the Service's risk profile and the nature of the operating environment so that cost-effective practices can be established to contain or minimise each risk
- A risk that has been assessed as low will be managed by the Approved Provider
- A risk that has been assessed as moderate will require the Approved Provider to develop and implement a risk action plan with specific monitoring procedures
- A high or extreme risk will be reported to the Department
- The Approved Provider will assess if the fraud allegation appears to be without foundation or to be incidental
- The Approved Provider will refer to the Service's Code of Conduct and Code of Ethics if an employee is involved
- The Approved Provider will treat any allegation as serious

Reporting Fraudulent Activity and/or Corruption

- The Approved Provider will report fraudulent activity by emailing: tipoffline@education.gov.au or telephone 1800 664 231
- The Approved Provider will provide the following information
 - Who is involved? Including as much detail as possible, including name of the person or organisation, addresses and phone numbers
 - What fraud they think has occurred. Provide details of the concerns, including how, when and where the fraudulent activity occurred
 - How did they come across this information?
 - Contact details
 - The department will make appropriate enquiries into the allegations, adhering to the Privacy Act

Note: Approved Child Care Subsidy Services may be subject to penalties if they do not comply with conditions for continued Subsidy approval, Educators may also be held responsible for non-compliance.

LINKS TO:

- Education & Care Services National Law
- Education & Care Services National Regulations 197, 206, 220
- National Quality Standards/Elements: 7.1, 7.1.2, 7.1.3
- Child Safe Standards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10

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
- Belonging, Being and Becoming – The Early Years Learning Framework for Australia
- ECA Code of Ethics
- United Nations Convention on the Rights of the Child
- Australian Children's Education & Care Quality Authority, (2014) Compliance
- General Guidance for Suitability under the Family Assistance Law

LINKS TO OTHER POLICIES:

- Complaints Handling
- Enrolment & Orientation
- Fee Payment
- Governance & Management
- Staff Code of Conduct