

Df – Family Day Care Fees

Effective from: September 4, 2018
Contact officer: Coordinator of Children Services
Next review date: 2 – 4 Years /as required
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Related Policies/Local Laws/Legislation:

Children (Education and Care Services National Law Application) Act 2010
Education and Care Services National Regulations 2011: C1168 (n) & 172
National Quality Standard: QA 6. And QA 7
A New Tax System (Family Assistance) Act 1999 as amended by the Family Assistance Legislation (Jobs for Families Child Care Package) Act 2017
A New Tax System (Family Assistance) (Administration) Act 1999 as amended by the Family Assistance Legislation (Jobs for Families Child Care Package) Act 2017
Family Assistance Legislation (Jobs for Families Child Care Package) Act 2017.

Related Documents:

ACECQA (2011) *Guide to National Standards*.
ACECQA (2011) *Guide to the Education and Care Services National Law and the Education and Care Services National Regulation*.
The Australian Government Department of Education and Training, Child Care Provider Handbook 2018
Wingecarribee Shire Council's Fees and Charges - <http://www.wsc.nsw.gov.au/services/fees-charges>

PURPOSE

To enable our service to provide high quality care for children we need to ensure we are financially viable at all times. Prompt payment of fees allows the Wingecarribee Shire Council (**Approved Provider**) to plan with certainty.



Wingecarribee Shire Council's Family Day Care Service (**FDC Service**) is committed to ensuring our fees are as affordable as possible and that families have access to any subsidies that are available to reduce the costs of care.

Our services financial health and access to our service will be maximised by:

- ensuring families are aware of all fees and fee payment requirements upon enrolment;
- keeping fee affordable as possible;
- following the appropriate priority of access requirements;
- following all legal requirements required by our access to government funding;
- managing fee collection to avoid bad debts;
- notifying families, no less than 14 days of any changes to fees or the way fees will be collected;
- ensuring we issue statements of fees on a regular basis; and
- advocating with governments for all children's rights to access early education and care regardless of their families' financial situation.

The FDC Service undertakes the following:

- review its fees annually to ensure that the FDC Service remains financially viable;
- ensure that Educators are suitably remunerated for their work; and
- the contribution by parents/guardians are reasonably considered by the FDC Service.

SCOPE

This policy applies to:

- **Wingecarribee Family Day registered Educators are independent contractor's acting as agents of the Approved Provider/FDC Service.**
- **All Children and their parents/guardians accessing care with the FDC Service.**

DEFINITIONS

CCSS: Child Care Subsidy System

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MyGov : Is the website where families interface with the government to set up their Child Care Subsidy (CCS) accounts.

Department of Human Services - often referred to as the FAO: Family Assistance Office

Complying Written Arrangement (CWA) – an agreement between a child care provider and an individual, to provide child care in return for fees) that includes required information under the family assistance law for subsidised care



Statement of entitlements: A fortnightly statement from the service to the family giving details of the sessions of care provided, the child's attendance and resulting fee reduction amounts.

"Gap" payment – the fee charged by the Educator (acting as an agent of the FDC Service) which is the difference between the family's subsidy and the fee charged for care.

Casual/Occasional/Emergency Care: Non-regular care and can only be provided when vacancies occur. There is no minimum fee and care is charged according to the hours used.

Casual Care can also provide 'extra' care on a normally booked day provided sufficient notice has been given (usually at least the day before, however this is at the Educators discretion).

Overnight and Weekend Care: The rate applies for all hours overnight and on the weekend. This care is not always available and is at the discretion of the Educator. This type of care is applicable for parents/guardians who are 'on call' or work shifts. This care must be approved by the Children's Services Coordinator in advance.

Public Holidays: If the "normal day" a child is booked is determined a Public Holiday, the parent is obliged to pay the usual fee for that day, however the Educator is not obliged to provide care.

Where the Educator agrees to provide care on a Public Holiday a Public Holiday rate may apply.

Under 2 fee: Where an under two fee applies, the "over 2" fee will commence in the first full week after the child turns two (2).

Enrolment fee: Payable upon enrolment per child & thereafter upon re-enrolment at the beginning of each calendar year.

Before and After School Care (School Children): No fees apply during school holiday periods. Public Holiday rule applies during school term.

School Holiday Care (Preschool Children and School Children): rate applies as per the Educators fee schedule where applicable during any school holiday period. Availability is dependent on availability subject to licensed numbers. A CWA is required for each separate holiday period.

Family Enrolment Fee: This levy is payable by each family on initial enrolment and is valid whilst ever there is a child from the family actively enrolled in the Family Day Care Service. It is non-refundable and is for the purposes of covering the cost associated with enrolling a child/family at the Service.

Family Administration levy: An hourly rate which applies to all charged hours (rounded to the full hour). The amount is determined to assist in providing funds which allow for the ongoing support and operational functions associated with the Coordination Unit. The amount is calculated and included in the families' weekly fees.

Provision of Food (CCS does not apply): These fees apply where a parent/guardian has requested provision of meals (where applicable) and may apply where a family has provided insufficient food for the child in care.



Ancillary Fee (CCS does not apply): This fee could be charged where an Educator is requested to transport a child to/from school or a recreational activity. This transport may involve the use of a vehicle. The ability to provide transport will be at the discretion of the Educator and/or Service. Relevant documentation and requirements must be met.

Overtime Fee (all children – CCS does not apply): May be charged for care which occurs outside the hours on the "Placement Contract".

Educator Administration Levy: An hourly rate per child which applies to all charged care (rounded to the full hour). The amount is determined to assist in providing funds which allow for the ongoing support and operational functions associated with the Coordination Unit.

Hardship: Any family experiencing difficulty in meeting their portion of the fee and their agreed "CWA" with Wingecarribee Family Day Care Service should in the first instance contact the Coordination Unit to ascertain if there are grounds for applying for funding through the **Child Safety Net – see 1.13**

PROCEDURE

1. **Child Care Subsidy (CCS) and the Child Care Subsidy System (CCSS)**

1.1 The Service will comply with the Australian Government requirements to be an approved education and care service for the purposes of Child Care Subsidy (CCS). The online **Child Care Subsidy System (CCSS)** reporting requirements and any other requirements for claiming and administering CCS will be maintained by the service.

1.2 **Child Care Subsidy (CCS)** replaces, as of 2 July 2018, the Child Care Benefit (CCB) and Child Care Rebate (CCR). To be considered for eligibility it is the expectation that all families make a co-contribution to the cost of child care and have met with immunisation requirements.

There are three things which determine a family's level of child care subsidy:

1. Combine family income – a family's annual adjusted taxable income will determine the percentage of subsidy they are eligible for
2. Activity level of parents – the number of subsidised care families can access, will be determined by an activity test. The higher level of activity, the more hours of subsidised care families can access, up to a maximum of 100 hours per fortnight.
3. Type of child care service – it will be calculated using various hourly rates depending on the Service type. E.g.: Family Day Care, Outside School Care, Centre Based Care.

1.3 Families are responsible transitioning or providing information and details for eligibility using their centrelink online account through the MyGov website or by contacting the Department of Human Services.

1.4 Families enrolling in a Wingecarribee Children's Services program will complete a "**Complying Written Arrangement**" (CWA) with the Service.



- 1.5 The Service will submit an enrolment notice through the CCSS which incorporates the type of enrolment – routine, casual or routine sessions, with casual care permitted.
- 1.6 Families are responsible for ensuring that correct Customer Reference Number (CRN) and date of birth of the parent claiming the subsidy and the CRN and date of birth of the child are provided to the Service.
- 1.7 To increase transparency of payments, parents will be required, through the MyGov site to:
- Confirm enrolment details
 - Indicate if details are incorrect
 - Indicate if the child is not enrolled
- 1.8 Any changes to the arrangement must be in writing and updated through the CCSS within seven days of a change.
- 1.9 Families who are eligible for CCS are required to pay the gap payment to the service in line with this procedure to ensure ongoing care for their child.
- 1.10 Registered Children are entitled to 42 absence days in each financial year, inclusive of all approved service types the child may attend. CCS is paid for these days provided that the child would normally have attended on that day, and fees have been charged. Additional absences can be claimed when the first 42 days have been used, however supporting documentation is required for approval of these additional days
- 1.11 A “**Statement of Entitlement**” will be issued by the Service to each family each fortnight. It will include details about the Service, Sessions of care provided, actual attendance and fees.
- 1.12 **Priority of Access** – As vacancies in a service arise priority is given to children who are:
- at risk of serious abuse or neglect
 - a child of a sole parent who satisfies, or parents who both satisfy, the activity test through paid employment.
- This reflects the Australian Government’s intention to help families who are most in need, and support the safety and wellbeing of children at risk.
- 1.13 **Child Care Safety Net** – Included in the Child Care Safety Net is an additional Child Care Subsidy. It will, in most cases, cover all of a child’s fees. It is designed to support:
- Families who require practical help to support their children’s safety and wellbeing
 - Grandparents who are primary carers
 - Families experiencing temporary financial hardship
 - Families transitioning from income support to work



2. Fee Rulings

- 2.1 The Approved Provider of the FDC Service determines the fees and charges payable by the parents/guardian's using the FDC Service. The Educators are responsible for organising and collecting all payments and other monies from the parent/guardian including and where applicable the "security payment" on the basis that the Educator acts as agent for the Approved Provider pursuant to the terms of an agreement between the Educator and the Approved Provider (Educator's Agreement).
- 2.2 The Approved Provider sets and provides a Service-wide "Fee Range Schedule" which requires full compliance by the Educators.
- 2.3 Educators may only charge a fee within the Fee Range Schedule and must charge the same fee and apply the same rulings for each of their clients (i.e. parents/guardians) for the same service, as per all relevant legislation and regulations.
- 2.4 Fees and charges for the FDC Service will usually be determined annually to take into account those monies required to supplement other income sources in order for the FDC Service to remain viable and able to fill its requirements.
- 2.5 Parents/guardians have access to the Service Fee Range Schedule through:
- The Approved Provider's Fees and Charges available on the Council Website;
 - In the Children's Services Handbook;
- 2.6 Educators (acting as an agent of the FDC Service) will provide parents/guardians with the fee schedule specific to their service and will specify what the fees for care will be for the agreed time in care, as per their "**Complying Written Arrangement**" (CWA)
- 2.7 Fees will be determined with the parents/guardian according to the most recent CWA and the parents/guardians are obliged to pay the fees accordingly.
- 2.8 Full fees are payable by the parent/guardian until such time as:
- the family has registered their child through the MyGov site for Child Care Subsidy;
 - signed the Service CWA;
 - and, approved the care through the MyGov website.
- 2.9 Fees quoted include all levies. Levies are calculated by rounding to the NEXT hour.
- 2.10 Parents/guardians receiving the CCS are required to pay the "gap" payment directly to the Educator (acting as the agent of the FDC Service).
- 2.11 Parents/guardians who are not assessed, eligible or have not yet been assessed for eligibility are required to pay full fees to their Educator (acting as the agent of the FDC Service).
- 2.12 The Approved Provider and/or FDC Service reserves the right to terminate care where fees are not paid in accordance with this procedure.



- 2.13 Child Care Fees and approved associated charges are not subject to GST.
- 2.14 Enrolled parents/guardians will be provided at least 14 days' notice of any changes that will affect the fees charged or the way in which fees are collected.
- 3 **Educator Fee Rulings**
- 3.1 Educators may only set their own fees and charges within the FDC Service Fee Range Schedule provided to them by the Approved Provider.
- 3.2 Fees collected by Educators are retained by the Educator as part of their remuneration payment as a contractor acting as agent for the FDC Service.
- 3.3 Subject to the Service Fee Range Schedule, it is the responsibility of each Educator to discuss their fee charging practices with parents/guardians at the time of the initial interview.
- 3.4 Attendance data and associated fees are submitted by the Educator to the Coordination Unit each week through the Service Software system. Attendance data will align with the CWA which the parent/guardian entered into with the FDC Service and any additional care will be recorded and collected through attendance data recorded and authorised by the parent/guardian.
- 3.5 Educators are required to set their own fees (within the Service Fee Range Schedule provided by the Approved Provider) and are obliged to do so independently of any other Educator and are discouraged from discussing the fees set with other Educators as it may raise concerns under the *Competition and Consumer Act 2010 (Cth)*
- 3.6 Educators are responsible for issuing receipts to each parent/guardian for any fees or costs collected on behalf of the Approved Provider through the approved software program.
- 3.7 Receipts clearly state that the fee was paid to the **“Wingecarribee Shire Council – Family Day Care Service”**.
- 3.8 Educators are responsible for maintaining a copy of all receipts issued for a period of no less than 36 months from the end of the calendar year in which the care was provided. These must be available for auditing, at the Educators cost and within 7 days of receiving a written request by the Approved Provider or Authorised Officers of the Department of Education.
- 3.9 Educators are encouraged to maintain the same fee level to be re-evaluated annually, in line with the Approved Provider's annual review. However, Educators are at liberty to change their fees subject to the FDC Services “Service Fee Range Schedule”. Any fee increases are to be advised in writing (on the appropriate forms) to both the Coordination Unit of the FDC and each relevant parent/guardian at least 4 weeks prior to the implementation of the change. In the event that the Educator intends to lower fees, the Educator must give at least 2 weeks written notice to the FDC Service and the relevant parent/guardian.
- 3.10 When setting the fees, the Educators must:



- 3.10.1 reasonably take into account the type of service they are providing with due consideration to the Educators skills, experience, qualifications, resources and environment;
- 3.10.2 consult the relevant staff of the Approved Provider;
- 3.10.3 ensure that the fees are within the Service Fee Range Schedule; and
- 3.10.4 reasonably consider the parents'/guardians financial ability to pay the child care fees.

4 Complying Written Agreement (CWA), Holidays, Illness and Termination

4.1 Parents/guardians complete at enrolment a Complying Written Agreement (CWA) with the Service

A child's place will only be confirmed after the following:

- The parent/guardian has attended a formal visit with the Educator.
- The parent/guardian have provided and completed all the required enrolment documentation.
- The "Security payment" (as applicable) has been made in full or payment plan arrangements have been entered into with the Educator.

Note: See Enrolment Procedure for additional information

4.2 Fees are determined based on the Complying Written Agreement (CWA).

4.3 A new CWA must be entered into when the parent/guardian is increasing their existing days for their child care with the Educator on a permanent basis.

4.4 Holidays for children in care must be advised in writing in writing at least 1 week in advance and absences recorded in the attendance record.

4.5 Fees for holiday periods are applicable as per the CWA

4.6 Fees are payable for illness (see absences)

4.7 Termination of care or termination of days by the **parent/guardian** must be made to the "Wingecarribee Family Day Care Service" in writing no less than two weeks (14 days) prior to taking effect.

- Families will be charged the full fee for any absences immediately prior to their termination of care becoming effective as last day absences do not attract Child Care Subsidy (CCS).
- Where the child is remaining in care with the FDC Service a new CWA must be entered into.
- Written notification of termination can be made directly to the Coordination Unit of the FDC Service or be provided to the Educator who will forward it to the FDC Service.

4.8 Two (2) weeks written notice of intention to terminate days of care or terminate care will be provided by the **Educator or FDC Service** where possible. However, it is recognised that circumstances can sometimes mean this may not be feasible. At



times by mutual agreement care may be terminated immediately and no fee will apply.

4.9 Parents/guardians are required to pay their Educator (acting as an agent of the FDC Service) the appropriate fees in accordance with the relevant fee schedule, including absences on days that care is booked. (Public Holidays included)

4.10 Casual days are only available on days where vacancies exist. Casual bookings can be made with the Educator and documented and approved as part of the attendance record data which is approved by the family.

5. Security Payment

5.1 Upon being offered a place and entering into a CWA with the Service, the Educator may, at their discretion charge the parent/guardian a security payment equivalent to two (2) weeks full fee for their booked days.

5.2 The security payment (as applicable) secures a child's placement with the designated Educator and is held by the Educator acting as agent of the FDC Service.

5.3 Educators implementing a security payment are fully responsible for refunding the payment at the termination of the child's place, minus any outstanding fees within 14 days.

5.4 The security payment may be used to cover and/or settle any outstanding fees owed to the Educator (acting as an agent of the FDC Service).

6. Payment of Fees

6.1 **Fees will be charged in arrears.** Educators (acting as agents for the FDC Service) will invoice families for the "gap" payment at the **end of each week of care**, once the FDC Service has submitted attendance data and the fee subsidy calculations have been completed by the Child Care Subsidy System.

6.2 Invoices must be paid by families within 7 days of the date on the invoice. Failure to meet this condition will void a families CWA with the Service.

6.3 Subsidies will only be applied once they are approved through the Child Care Subsidy System and formalised through our software system. It is the families' responsibility to contact the Department of Human Services to set up their account and determine eligibility.

6.2 Receipts will be issued by the Educator (on behalf of the FDC Service) upon payment.

6.3 A "**Statement of Entitlement**" will be issued to each family with a CWA each fortnight.

6.4 Educators will elect the payment method in consultation with the parents/guardians for the gap payment to the FDC Service that is most suitable to them. For example: direct debit or cash.

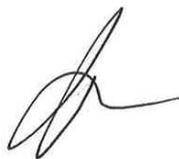
7. Absences



Children's Services Procedures

- 7.1 Fees are payable for all absences on the day a child is booked into care, including but not necessarily limited to family holidays and sick days.
- 7.2 Parents/guardians are required to inform their Educator of all absences to avoid any unnecessary stress and time wasting.
- 7.3 Families are entitled to 42 initial absence days for each registered child in each financial year, inclusive of all approved service types the child may attend. These days can be taken for any reason. The **CCS** is paid for these days provided that the child would normally have attended on that day, and fees have been charged. Additional absences can be claimed when the first 42 days have been used. However, supporting documentation is required for approval of these additional days of absence.
- 7.4 **CCS** is not payable before a child has physically attended care or after a child has physically ceased care at the FDC Service. In these instances, the FDC Service will charge the parents/guardian the full fee applicable.
- 7.5 Public Holidays are counted as an absence.
- 7.6 The FDC Service requires all absences to be signed for in the child's attendance record.
- 7.7 Where an Educator cannot provide care or the FDC Service is closed over the Christmas Shutdown period, NO fees are payable to the FDC Service or the Educator.

Approved By:



Danielle Lidgard
GROUP MANAGER CORPORATE AND COMMUNITY

