

Senate Standing Committee on Education and Employment - Education

**QUESTIONS ON NOTICE
Additional Estimates 2013-2014**

Outcome 1 - Early Childhood Education and Child Care

Department of Education Question No. ED0307_14

Senator Lines provided in writing.

Question

In-venue care

The Family Day Care Australia submission to the Productivity Commission inquiry into Childcare and Early Childhood Learning notes that regulatory authorities are applying different interpretations of “in-venue” care. Given there is no legislative barrier to Family Day Care being provided in a child’s home (if approved), what steps is the department taking to clarify that this is indeed permissible?

Answer

Family Day Care is a flexible form of child care where an approved educator primarily provides care, in their own home, for other people’s children. Family Day Care is approved care for the purposes of Child Care Benefit and Child Care Rebate.

While the intention of Family Day Care is that care is provided in the home of the educator, there is scope in the existing legislative framework, in particular under the family assistance law, for Family Day Care to be provided outside an educator’s home.

The Assistant Minister for Education, the Hon Sussan Ley MP, has stated that it is of concern if care provisions are being used contrary to intent, and has written to her state and territory counterparts to seek views on the extent to which Family Day Care may be being provided outside the home of the educator in each jurisdiction. Minister Ley has also sought advice on how Regulatory and Accreditation Authorities in each jurisdiction interpret the relevant clauses in the Education and Care Services National Law and the Education and Care Services National Regulations, including those that relate to the provision of Family Day Care in a location that is not the educator’s residence.

The Department of Education will also explore this issue in conjunction with state and territory officials.