

	<p style="text-align: center;">Procedure</p> <h1 style="text-align: center;">Family Day Care Termination of Care Arrangement</h1>	
---	---	--

## Table of Contents

<b>Table of Contents</b> .....	<b>1</b>
<b>Procedure</b> .....	<b>2</b>
Purpose .....	2
Process.....	2
<b>Controlled Document Information</b> .....	<b>4</b>

# Procedure

## Purpose

Lake Macquarie Family Day Care needs information about the circumstances of termination of a child's care placement to:

- ensure accuracy of records kept by the Service
- provide information for review of service provision strategies, where appropriate
- ensure vacancies created by the termination of care arrangement, are available to other families awaiting placement as soon as possible
- assist parents to make substitute care arrangements for their child, if required and where vacancies exist

## Process

### Parent Terminating Care Arrangement

1. A parent wanting to end a child's care arrangement with an educator, must discuss the situation with the educator, and confirm the termination by completing details of the date of the child's last day of care and either signing the Notice to Terminate Care Arrangement form or email to the family day care office [familydaycare@lakemac.nsw.gov.au](mailto:familydaycare@lakemac.nsw.gov.au). Any notice period, specified in the Educator's Fees and Charges Schedule, will commence from the day the parent notifies the educator or family day care office of their intention to end the care arrangement.
2. The nominated supervisor or delegate may email or post the parent a Parent Exit Survey, for completion and return to the service.
3. The parent must pay all appropriate fees set out in the Fees and Charges Schedule, relating to termination of care.
4. The parent must contact the nominated supervisor if the parent:
  - is dissatisfied with the service provided by the educator and seeks immediate termination of their child's care arrangements
  - considers fees have not been charged in accordance with the educator's Fees and Charges Schedule

The nominated supervisor will then act according to Lake Macquarie Family Day Care Complaint Handling Procedure.

5. Parents must be aware that Child Care Benefit (CCB) and Child Care Rebate (CCR) are not payable for any last day absences taken during a notice period for termination of care. Therefore, parents will be required to pay full fees for any last day absences.

### Educator Terminating Care Arrangement

6. An educator wanting to end a child's care arrangement with a parent must discuss the situation with the parent and ask the parent to confirm the termination by completing details of the date of the child's last day of care and sign the Notice to Terminate Care form. Any notice period, specified in the educator's Fees and Charges Schedule, will commence from the day the educator notifies the parent of their intention to end the care arrangement.
7. A parent, who receives notice of the educator's intention to terminate the care arrangement, shall be at liberty to cease care at any time during the notice period without further payment for unused days of care.

8. Educators may only terminate the care arrangement without notice to the parent if:
  - the parent has previously agreed to this, as part of the educator's Fees and Charges Schedule
  - the educator considers the child's, or a parent's behaviour, is an unreasonable threat to the educator, or other children in care, or if the child develops additional care needs which the educator is unable to meet
  - the educator is ill or medically unfit to provide care
  - the educator's family composition or care responsibilities unexpectedly change (e.g. sudden illness or guardianship of a family member)
9. The educator shall account for and return any money held by way of security deposit to the parent, after deduction of any unpaid care fees owing to the educator, within 10 working days of the child's last day of care.

### **What Happens Next?**

10. If a parent requires substitute care for a child, after termination of their child's care arrangement, the parent must telephone the Lake Macquarie Family Day Care office. Where vacancies exist, staff will assist the parent to arrange substitute care. If vacancies are not available, staff will place the child's name on the waiting list for care as a priority placement.
11. Educators must telephone or email family day care staff to advise termination of the child's placement as soon as possible. The educator must ensure the return of the completed Notice to Terminate Care form, and all records relating to the child's care, including development records to the service office with the child's final attendance record.

## Controlled Document Information

### Authorisation Details

<b>Folder No:</b>	F2004/12276-03	<b>TRIM Record No:</b>	D08127669
<b>Audience:</b>	Departmental - Family Day Care staff, educators and stakeholders		
<b>Department:</b>	Community Planning		
<b>Officer:</b>	Service Manager - Jan Morgan		
<b>Review Timeframe:</b> Max < 4 years	3 years	<b>Next Scheduled Review Date:</b>	14 February 2020
<b>Authorisation:</b>	Manager Community Planning - John Ferguson - 14 February 2017		

### Related Document Information, Standards & References

<b>Related Legislation:</b>	The National Quality Framework A New Tax System (Family Assistance) (Administration) Act 1999	(Relationship/Context)
<b>Related Policies (Council &amp; Internal):</b>	(Policy Name)	(Relationship/Context)
<b>Related Procedures, Guidelines, Forms, WHS Modules/PCD's, Risk Assessments, Work Method Statements:</b>	Parent Exit Survey Notice to Terminate Care form Lake Macquarie Family Day Complaint Handling Procedure	(Relationship/Context)
<b>Standards COP's &amp; Other References</b>	Child Care Management System, Child Care Services Handbook Department of Education	(Relationship/Context)

### Definitions

Term / Abbreviation	Definition
<b>Nominated Supervisor</b>	Nominated Supervisor of Lake Macquarie Family Day Care, Nominated Supervisor – responsible (along with the Approved Provider) for ensuring the service is following the Law and the Regulations, Certified Supervisor – a person with a supervisor certificate placed in day to day charge of an education and care service.
<b>Educator</b>	(a) a person applying to Lake Macquarie Family Day Care to be considered for registration as a primary care provider operating a family day care service from their residence or venue; and  (b) a person applying to Lake Macquarie Family Day Care to be considered for registration as a relief care provider, who is engaged by a primary educator to provide family day care services from the residence or venue of the primary educator  (c) a person applying to Lake Macquarie Family Day Care to be considered for registration as an educator assistant, who is engaged by a primary educator to educate, mind or care for children in the residence or venue of a primary educator for no more than a 4 hour period
<b>Parent</b>	The parent of a child registered for care with Lake Macquarie Family Day Care and includes:  (a) guardian of the child, and/or  (b) a person who has the custody of the child
<b>Service</b>	an education and care service operated by an educator whose name appears on a current register of educators for Lake Macquarie Family Day Care.

This is a controlled document. Before using this document, check it is the latest version by checking it on Council's intranet. Unless otherwise shown, printed or downloaded versions of this document are uncontrolled.

<b>Scheme</b>	Lake Macquarie Family Day Care
<b>Regulatory requirement</b>	State and Federal government regulations relevant to the provision of Family Day Care services in NSW
<b>Termination of a placement</b>	a child permanently ceasing care with an educator at the request of the parent, the educator, or the Authorised Supervisor
<b>Fees and Charges Schedule</b>	the current schedule of Fees and Charges for provision of education and care services by the educator. The Fees and Charges Schedule includes any conditions for termination of care, payment of penalty rates, payment for absences from care and standard operating hours agreed to by the parent from time to time.
<b>The National Quality Framework</b>	Includes: <ul style="list-style-type: none"> <li>• Children (Education and care Services) national law and Children (Education and Care Services) Supplementary Provisions Regulation 2012 a National Quality Standard</li> <li>• an assessment and rating system</li> <li>• a Regulatory Authority in each State and Territory who will have primary responsibility for the approval, monitoring and quality assessment of services in their jurisdiction in accordance with the national legislative framework and in relation to the National Quality Standard.</li> <li>• The Australian Children's Education and Care Quality Authority (ACECQA)</li> </ul>

### Consultation (update for each version created)

<b>Key Departments, Teams, Positions, Meetings:</b>	Family Day Care Staff, Educators and Stakeholders
---	---

### Version History

Version No	Date Changed	Modified By	Details and Comments
2	7/03/2006	J. Wade	Remove reference to Family Day Care and Home Based Care Regulations 1996, update reference to Child Care Services Handbook to 2005-2006 edition, update Attachments
3	10/11/2008	J Wade	Update reference to Child Care Management System, Child Care Services Handbook 2008-2009 edition, include return of security deposit or bonds moneys, update absence information relating to absences during notice of termination period, remove reference to Notice of Termination form, update attachments
4	2/09/2011	J. Morgan	Update reference of carer to educator, Added Notice to Terminate Care form
5	1/12/2011	S. Vickers	Update reference of Children's Services Regulation 2004, Quality Assurance Guide V2 to The National Quality Framework, add definition of The National Quality Framework, updated definition of Authorised Supervisor to Nominated Supervisor
6	07/01/2014	J Morgan	Updated definitions and references. Extended the requirement for educators to refund monies owed to parent to 21 days. Removed point 12. Children needing to re-register after 6 months as this is done in accordance with Child Care Management System
7	14/02/2017	J Morgan	Reduced the requirement to refund a parent security bond to 10 working days