

## CEASING CARE

### ie. Termination of Enrolment Policy and Withdrawal of a Child from Care Policy

Respectful relationships between families and educators are important. This partnership supports children's inclusion, access, engagement, and participation. We have the legal duty to ensure the health, safety and wellbeing of children, educators, coordinators and volunteers at our Service. There may be some circumstances where this is compromised due to non-compliance of our policies and therefore the appropriate course of action could lead to the termination of a child's enrolment.

We aim to provide families with information on our Service's requirements when withdrawing their child from care. To enable our FDC Educators to fill positions and maintain utilisation, families are required to provide notice when withdrawing their child from our Family Day Care Service.

### **SCOPE**

This policy applies to the Approved Provider, Coordinators, Staff, Educators, Educator Assistants, children and families of Clarence Family Day Care.

### **IMPLEMENTATION**

#### **BEHAVIOUR GUIDANCE**

There are times when children's behaviour requires guidance, which will always be undertaken according to the Service's policies and procedures. Every effort will be made to deal with the behaviour using positive guidance and the FDC educator and coordinator working closely with families to implement a plan in order to help rectify any unacceptable behaviour. If the child's behaviour continues to be disruptive and harmful and the safety of other children, educator or/and staff is compromised, we reserve the right to withdraw your child from the Service.

#### **FAMILY DAY CARE POLICIES AND PROCEDURES**

Our Service has a range of policies and procedures to ensure the safety, welfare, and wellbeing of children, educators/educator assistants, families and visitors. If at any time during the child's enrolment it is felt that it is necessary to discuss the viability of the placement due to a concern regarding the duty of care to the child or other children in our care and/or the duty of care to FDC educators and staff, the FDC educator may contact the Parent/Authorised Person/s to discuss all options. This may include the termination of the child's position.

We reserve the right to terminate a child's enrolment if at any time a Service policy has been breached.

This may include, but not limited to:

- failure to comply with the enrolment contract
- disparaging or hurtful behaviour of a child that continues even with parent collaboration in stopping the behaviour
- non-payment of childcare or late fees and/or recurring late payment of fees
- continuing to pick up the child past the required licensed time following multiple warnings
- inability to meet the child's needs without family support and commitment to ensure their child receives the best possible support within our Service
- deliberate impertinence towards the approved provider or educators/educator assistants- (Code of Conduct)
- if a parent knowingly brings their child ill to a FDC residence or venue
- consistent child-rearing style differences between the parent and provider
- false information given by a parent either verbally or in writing
- bullying and/or harassing FDC educators, children or families enrolled at the Family Day Care Service
- parents/guardians/authorised contacts bullying and/or harassing FDC educators, children or families enrolled at the Family Day Care Service
- continuous belligerent behaviour towards other children, educator or staff
- failure to provide AIR Immunisation History Statement or AIR Immunisation Medical Exemption form or AIR Immunisation History Form (catch up schedule)
- threatening or disparaging behaviour by parents/guardians/authorised contacts

#### **TERMINATION NOTIFICATION**

The FDC Educator will advise families that their child's enrolment will be terminated.

Two weeks' notice will be provided to families, unless the safety and wellbeing of other children, FDC educator or other families are at risk. In this case, an immediate termination of enrolment may apply.

Any outstanding fees will be provided to families and remain due to be paid upon termination of enrolment. If applicable, the initial Bond payment made on enrolment will not be refunded until any outstanding fees are paid.

In some situations, if both parties agree, enrolment may be terminated effectively immediately. However this needs to be discussed with the Nominated Supervisor

### **WITHDRAWING YOUR CHILD FROM CARE (TERMINATION OF CARE BY FAMILY)**

Families are required to provide their FDC Educator with two weeks written notice when withdrawing their child from the Family Day Care Service.

- The notice should state:
  - the date they are writing the withdrawal notice and
  - the child's last day of attendance.
- Written withdrawal notification can be emailed or handed to their FDC Educator.
- This letter will be placed into the child's file and archived once they have left the Family Day Care Service.
- All records related to a child's enrolment must be kept securely until the end of 3 years after the last day of the child's attendance.
- Management will add an end date into the Family Day Care Service software program to ensure compliance with the Family Assistance Office and Centrelink.
- Fees will be charged up to the end of the notice period from the date at which notice was received in writing, whether or not the child has attended the Family Day Care Service during those that last week.
- A final account is processed by administration.
- A copy of the final account and withdrawal form is to be kept in child's file.
- Families must ensure the account is paid prior to final attendance.
- If payment has not been received the debt recovery process is to start immediately.

### **WITHDRAWING YOUR CHILD FROM CARE (TERMINATION OF CARE BY FAMILY)**

If the child does not attend during the notice period, Child Care Subsidy (CCS) will not be paid after their last day of attendance (including if the child does not attend on their last day) and full fees will be applicable (This is a policy of the Family Assistance Office in relation to Child Care Subsidy). If the child does not attend for the last day of care and the proceeding days before this, it is Federal Government policy that CCS is not paid for any last day absences and is back until the last day of actual attendance. This means full fees will apply and the family is required to pay these fees.

### **CONTINUING ENROLMENT IN THE NEW YEAR**

- Prior to the end of each year, families are to confirm whether or not they will be returning in the following year. They are to reply in accordance with the request from their FDC educator.
- Failure to reply in a timely manner may result in their child not being considered for a future position.
- If there are any changes to bookings, the Complying Written Arrangement must be updated by the family.
- Families eligible for CCS are responsible for ensuring that all information requested by Centrelink is provided to them in order to ensure no interruption to CCS payments.

### **EDUCATORS/EDUCATOR ASSISTANTS WITH CHILDREN AT THE SERVICE**

Educators/educator assistants are welcome to enrol their child at the Family Day Care Service. However, if an educator/educator assistant is terminated from their position, the Family Day Care Service reserves the right to terminate the child's position due to conflict of interest.

### **WITHDRAWAL FROM CARE PRIOR TO COMMENCEMENT OF CARE**

If a family has accepted the offer of a placement, then decides to withdraw from the Family Day Care Service before the agreed commencement date, the written notice period applies. If less than the written notice period is given prior to the agreed commencement date, full payment of the one week may be payable to the Family Day Care Service and is non-refundable.

### **14 WEEK RULE (CCS)**

An enrolment will end for Child Care Subsidy purposes if a child does not attend a session of care at our Family Day Care Service for 14 continuous weeks. This ensures that enrolments at our FDC Service our current and do not remain open indefinitely in the Child Care Subsidy system.

## **NATIONAL QUALITY FRAMEWORK**

### **NATIONAL QUALITY STANDARD (NQS)**

<b>QUALITY AREA 2: CHILDREN'S HEALTH AND SAFETY</b>		
2.2	Safety	Each child is protected
2.2.2	Incident and emergency management	Plans to effectively manage incidents and emergencies are developed in consultation with relevant authorities, practiced and implemented.
2.2.3	Child Protection	Management, educators and staff are aware of their roles and responsibilities to identify and respond to every child at risk of abuse or neglect.
<b>QUALITY AREA 6: COLLABORATIVE PARTNERSHIPS WITH FAMILIES AND COMMUNITIES</b>		
6.1	Supportive relationships with families	Respectful relationships with families are developed and maintained and families are supported in their parenting role.
6.2	Collaborative partnerships	Collaborative partnerships enhance children's inclusion, learning and wellbeing.
<b>QUALITY AREA 7: GOVERNANCE AND LEADERSHIP</b>		
7.1	Governance	Governance supports the operation of a quality service.
7.1.1	Service philosophy and purposes	A statement of philosophy guides all aspects of the service's operations.
7.1.2	Management Systems	Systems are in place to manage risk and enable the effective management and operation of a quality service.
7.1.3	Roles and Responsibilities	Roles and responsibilities are clearly defined and understood and support effective decision making and operation of the service.

### **NATIONAL ECEC REGULATIONS**

155	Interactions with Children
160	Child enrolment records to be kept by approved provider and family day care educator
168	Education and care service must have policies and procedures
169	Additional policies and procedures- family day care
177	Prescribed enrolment and other documents to be kept by approved provider
178	Prescribed enrolment and other documents to be kept by family day care educator
181	Confidentiality of records kept by approved provider
182	Confidentiality of records kept by family day care educator
183	Storage of records and other documents

### **RELATED LEGISLATION**

- Family Assistance Law

### **SOURCE**

- Work Health and Safety Act 2011
- ACECQA. (2021). Policy and procedure guidelines. *Enrolment and Orientation*.
- Australian Government Department of Education – Child Care Provider handbook
- Australian Government Department of Education – Guide to Additional Child Care Subsidy (child wellbeing)
- Australian Government Services Australia  
<https://www.servicesaustralia.gov.au/individuals/services/medicare/australian-immunisation-register/how-get-immunisation-history-statement>
- Australian Government Guide to Social Policy Law. Family Assistance Guide Immunisation- approved exemptions (FTB). <https://guides.dss.gov.au/family-assistance-guide/2/1/3/40>
- Australian Government Services Australia  
<https://www.humanservices.gov.au/individuals/services/centrelink/child-care-subsidy>
- National Centre for Immunisation Research and Surveillance. (2021). No Jab No Play, No Jab No Pay  
<https://www.ncirs.org.au/public/no-jab-no-play-no-jab-no-pay>
- NSW Government Health. (2019). Questions and answers about vaccination requirements for child care:  
[https://www.health.nsw.gov.au/immunisation/Pages/childcare\\_qa.aspx](https://www.health.nsw.gov.au/immunisation/Pages/childcare_qa.aspx)