

# Child Safety POLICY

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**Title:** Early Childhood Education and Care participation minimum gap payment

**Policy No:** 640-3

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## Policy Statement:

The Department of Children, Youth Justice and Multicultural Affairs (Child Safety) has a legislative responsibility to ensure a child's development, education and intellectual needs are met while they are residing in a care arrangement.

Research shows that access to early learning experiences is important for children's development. These experiences can be gained through quality centre-based child care and kindergarten, and informal social and learning activities.

High quality child care and kindergarten has been associated with more highly-developed cognitive and language capacities, as well as more cooperative and less oppositional or aggressive behaviour. Centre-based child care and kindergarten can be associated with higher levels of language and cognitive development than informal, home based education and care.

Child Safety is committed to respecting, protecting and promoting human rights. Under the *Human Rights Act 2019*, Child Safety has an obligation to take action to ensure children are provided with the opportunity to participate in early childhood education and care and, when making a decision, to give proper consideration to human rights.

The safe care and connection of Aboriginal and Torres Strait Islander children with family, community, culture and country will be a key consideration when considering access to early childhood education and care for Aboriginal or Torres Strait Islander children.

## Principles:

- The safety, wellbeing and best interests of the child, both throughout childhood and the rest of the child's life, are paramount.
- Early childhood education is beneficial for the development of children.
- Foster and kinship carers will be supported to access child care and kindergarten for children in their care.
- Child Safety staff will act and make decisions about a child's participation in early education and care in a way that is compatible with human rights and obligations under the *Human Rights Act 2019*.

- The five elements of the child placement principle (prevention, partnership, placement, participation and connection) under the *Child Protection Act 1999*, section 5C) apply to all processes, decisions and actions for an Aboriginal or Torres Strait Islander child.

### Objectives:

The aim of this policy is to enhance a child's early education and learning opportunities, to help improve life-long educational outcomes.

The 'Early childhood education and care participation minimum gap payment' will provide young children with greater access to centre-based child care and kindergarten, by assisting foster and kinship carers with these out-of-pocket costs.

### Scope:

This policy acknowledges that the costs arising from a child's attendance in centre-based child care and kindergarten are not included as part of the Fortnightly Caring Allowance.

The policy provides payment of an 'Early childhood education and care participation minimum gap payment' of \$40 per week per child (\$2000 per annum) to assist carers meet the costs arising from the child's attendance at centre-based child care and kindergarten. If the amount payable is less than \$40 per week, Child Safety will pay the full gap cost. Prior approval of the financial delegate is not required.

To be eligible for this payment, the child will:

- be aged one to five years and not yet commenced prep
- be subject to an interim or final child protection order granting custody or guardianship to the chief executive
- reside with an approved carer in family based care, and
- attend an approved child care service, specifically a kindergarten, long day care or limited-hours care service.

Where the out-of-pocket costs exceed the Australian Government child care payments, and the 'Early childhood education and care participation minimum gap cost payment', further financial assistance for the carer may be available through child related costs (CRC) – refer to the procedure *Child Related Costs – Education and Child Care Support (645-2)*. This differs to the 'Early childhood education and care participation minimum gap payment', as it is a discretionary payment requiring the pre-approval of the CSSC Manager, after all other entitlements have been used.

Children subject to a child protection order granting long-term guardianship to a suitable person may be considered for this payment where it has been approved as part of the case plan for the child, prior to an application being made to the Childrens Court.

Approved child care services are those approved by the Department of Human Services for eligibility for Australian Government payments such as Child Care Benefit (CCB) and Child Care Rebate (CCR), because they meet certain standards and requirements. Where the carer's eligibility for CCB and CCR has been established by the Australian Government, this is regarded as confirmation of an approved child care service. For the purpose of the 'Early childhood education and care participation minimum gap payment' only a selection of these child care service types will be eligible, specifically long day care, limited hours care and kindergarten.

## Roles and Responsibilities:

The Child Safety Officer and the carer will discuss a child's attendance at a child care service or kindergarten program, which may include consideration of the reasons for the child attending child care, the type of child care being considered, the selection of a child care service, the hours of attendance required, the proposed cost and the financial support being sought. In some situations, Child Safety may seek to include the views of the child's parents.

Carers are required to lodge an application for CCB to the Australian Government, Department of Human Services, as administered through Centrelink. This application will automatically test their eligibility for the CCR. Even if a carer has zero entitlement to CCB, they may still be eligible to receive the CCR. When carers are completing this claim, it is advisable for the carer to elect to have Australian Government payments directly to the child care service as a fee reduction.

The Child Safety Officer is responsible for identifying that the child attends early childhood education, in the child's education tab in ICMS.

## Financial Processing

Information about financial processing for early childhood education and care cost is outlined in the procedure *Child Related Costs – Education and Child Care Support (645.2)*.

## Authority:

*Child Protection Act 1999*, sections 4, 5A, 5B, 12, 13, 122, 159C

*Financial Accountability Act 2009*

*Financial and Performance Management Standard 2009*

## Delegations:

Refer to instruments of delegation for delegations relevant to early childhood education and care decisions.

Refer to the financial delegations schedule for relevant financial delegations.

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**Office:** Office of the Chief Practitioner

**Help Contact:** Child Protection Practice

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**Links:**

**Procedures**

Child Safety Practice Manual, Support a child in care and Provide and review care  
Financial Management Practice Manual  
Child Related Costs – Education and Child Care Support (645-2)

**Related Legislation or Standard**

*Human Rights Act 2019*

Statement of commitment between the Department of Child Safety, Youth and Women and the foster care services and the carers of Queensland

Schedule of Financial Delegations

**Related Policies**

Case planning (263)  
Child related costs (645)  
Immunisation of children in care (638)  
Information sharing for service delivery coordination (403)  
Payments policy and procedure (FME013)

**Rescinded Policies**

640-2 Early Childhood Education in Care participation Minimum Gap Payment

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